



No. 149

N° 149

ISSN 1180-2987

Legislative Assembly
of Ontario
Second Session, 38th Parliament

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

Official Report of Debates (Hansard)

Journal des débats (Hansard)

Thursday 29 March 2007

Jeudi 29 mars 2007

Speaker
Honourable Michael A. Brown

Président
L'honorable Michael A. Brown

Clerk
Deborah Deller

Greffière
Deborah Deller

Hansard on the Internet

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

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

Index inquiries

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

Copies of Hansard

Copies of Hansard can be purchased from Publications Ontario: 880 Bay Street, Toronto, Ontario, M7A 1N8. e-mail: webpubont@gov.on.ca

Le Journal des débats sur Internet

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

Renseignements sur l'index

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

Exemplaires du Journal

Des exemplaires du Journal sont en vente à Publications Ontario : 880, rue Bay Toronto (Ontario), M7A 1N8 courriel : webpubont@gov.on.ca

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



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

LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 29 March 2007

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 29 mars 2007

*The House met at 1000.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

HANDGUN AMMUNITION

Mr. Brad Duguid (Scarborough Centre): I am pleased to move that, in the opinion of this House, the Minister of Community Safety and Correctional Services should request the chief firearms officer to conduct a study to identify ways of better regulating ammunition which includes consideration of additional mechanisms to further restrict and/or ban the sale and possession of ammunition for handguns and to share relevant findings with federal and provincial/territorial partners.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Duguid has moved private member's notice of motion number 49. Pursuant to standing order 96, Mr. Duguid, you have up to 10 minutes.

Mr. Duguid: Private members' business is one of those few times in this Legislature when MPPs can consider bills and resolutions in a non-partisan way. While I know it doesn't always work that way during this time, I've placed before the Ontario Legislature today a resolution that I hope is considered in a non-partisan way, because it does have the potential—and I say "potential"—to make our communities safer. This resolution simply asks the Minister of Community Safety and Correctional Services to request the provincial chief firearms officer to study and consider potential alternatives to restrict the sale and/or possession of handgun ammunition.

My intention, through this resolution, is to allow us to explore this issue in a more informed and comprehensive way. It simply opens the door to more informed dialogue. I expect that, if passed, this resolution will provide the Ontario government, other governments across Canada, the public and this Legislature with well-researched alternatives that could provide more tools to our police to keep our communities safe and make it more difficult for criminals to get their hands on ammunition.

If we can find a way here in Ontario to further restrict, or even prohibit, the unauthorized possession of handgun ammunition, firearm-related fatalities and injuries could be reduced and our communities made safer as a result. This is not just my view; it's a view shared by many in

the law enforcement community. I had the opportunity to speak with our Toronto police chief, Bill Blair, on the weekend about this resolution, and I can tell you, he strongly supports it.

While there are a number of issues I'd like the chief firearms officer to consider, I want to first outline two key reasons to support this resolution. First, I expect most Ontarians would agree that with the exception of police or peace officers, there's really no valid reason for anybody on the streets to have in their possession handgun ammunition unless they're planning on using it in a criminal way or a harmful way.

Mr. Peter Kormos (Niagara Centre): Or you're Norm Gardner.

Mr. Duguid: That's a good one—and I said that because I want that in the minutes.

Here's why finding a way to make unauthorized possession of ammunition illegal can help our police in making our community safer.

Consider this: A police officer confronts a street gang. One member is carrying an illegal handgun. They can bust him. The other member is carrying ammunition, perhaps for that gun or maybe he ditched his gun when he saw the police coming, somewhere in the bushes. Unless that gang member has committed another crime, he not only gets to go home scot-free; he gets to bring his bullets with him to use another day. That's just not right. It doesn't make sense. In fact, I'd suggest that's almost insane, and I think most people in the public would think that's the case.

Secondly, some in the law enforcement community have expressed concerns about the need for improved record-keeping and monitoring of ammunition purchases. I can't say whether that's because of insufficient regulations for retailers or insufficient compliance by those retailers with the current regulations. That's something I would hope the chief firearms officer could determine. Either way, it seems logical that police should know who's buying ammunition, where they're buying it and how much they're buying.

Let me be forthright about this resolution. I don't contend that this is the answer to all our problems with regard to public safety. Restricting access to firearms ammunition, in and of itself, will not prevent criminals from obtaining handgun ammunition illegally through smuggling or the black market—just as restricting access to firearms doesn't prevent criminals from obtaining smuggled or stolen handguns. It could, however, make handgun ammunition less available to criminals, less

convenient for criminals to obtain, and I think that's a good thing.

In my view, outside of use in a registered firing range or at a target competition, there's no need for anyone to have handgun ammunition in their possession. To the best of my knowledge, hunters use long guns, not handguns, for hunting. I had the opportunity yesterday to chat with a friend of mine who's a representative of the Ontario Federation of Anglers and Hunters. They wanted to clarify my intent with regard to this resolution, and I understand why. Let me take this opportunity to clearly state that this resolution is not meant, in any way, to impact hunters with long guns. Let me also confirm that target shooters using handguns would not be prevented from using them in shooting ranges or in competitions.

Here are the issues I'd like the chief firearms officer to consider:

(1) Making it illegal for a person who is not authorized to possess or transport a firearm to be in possession of ammunition. This could be specifically for handgun ammunition or it could be for all ammunition.

(2) Another option is restricting possession and use of firearm ammunition to firing ranges and target-shooting competitions.

I've looked into this. Originally, I was thinking of bringing it forward as a private member's resolution, but I found there were a number of complications involved here, and I can get into those. There are a number of complications, so I want the chief firearms officer to take a look at that and see if these complications can be worked out and, if not, this may be something that may be a little bit difficult to bring forward.

(3) Restricting the sale of handgun ammunition to firing ranges. Again, there are complications to doing this, but it's something that I'd like the chief firearms office to at least have a look at and see if there is a viable way to get around some of those complications.

(4) One of the questions that the chief firearms officer would have to deal with is who should be exempt from these regulations—police officers, security officers—and what do you do with sporting target shooters and things like that. That's something that would have to be considered as well. We don't want to impact people who are making a livelihood with the use of ammunition. Whether it's handgun ammunition or long-gun ammunition, we don't want to impact those people at all, unless they're making that livelihood in a criminal way, and that's really what we're trying to get at.

1010

(5) How do you get around the fact that some ammunition can be used in both long guns and handguns? When I first got into this a number of months ago, I didn't realize that, but there are some calibres of bullets out there that can be used interchangeably between handguns and long guns. I don't know all the details of that, but I certainly think that's something that has to be taken into consideration by the chief firearms officer.

(6) Another question is: What do you do, if anything, about people who make their own ammunition? Appar-

ently, there are a lot of people out there who do that. That's something the chief firearms officer may have to consider as well.

(7) Are there any further considerations that could benefit our police that should be studied, such as the ability to maintain a databank of shell ballistics information for handguns, something that some in the policing area have suggested may be helpful in terms of tracing back where guns have come from in shootings, and perhaps even opening up a second crime scene for them if they're stolen guns from private gun collectors? It may even be able to open up a second crime scene to assist them in their investigations of shootings. It's something that has to be investigated. There are probably some complexities to that as well. There may be costs to that as well, and I don't know what they would be. But it's something we might want to have a look at to see if it's something that's practical.

(8) Are there ways to improve the current regime of recordkeeping by retailers of who purchases ammunition, and how valuable could this information be to the police? As I said, our own police chief in Toronto and others in the policing area as well have suggested that this is something the province should be taking a look at.

I considered bringing this forward as a bill instead of a resolution. I even went so far as to draft one. It sounded simple at first, but I came across a number of complications, as I mentioned earlier, and because of those issues, it convinced me instead to request the chief firearms officer of the province to use his expertise and experience, which is much greater than my own and that of probably most of us in this Legislature, to take a look at these ideas and give us more expert consideration.

This past year, we've seen a dramatic decrease in firearms-related fatalities and injuries, and that's great. This followed a year that saw a dramatic increase in firearms-related crimes. Working with our police services, the Ontario government has invested significantly, and I think wisely, in our efforts to tackle the serious problem of guns and gangs. We've made significant progress through strong enforcement, effective policing and investing in prevention.

The McGuinty government's actions have helped make our neighbourhoods safer and helped reduce gun and gang activity on our streets. While I'm sure government members are proud of those efforts, we also recognize that there's still much more to do. Our efforts to combat guns and gangs must be ongoing. We must vigilantly continue to try to remain one step ahead.

By passing this resolution calling on the Minister of Community Safety and Correctional Services to request the chief firearms officer to consider and report on alternatives to restrict the possession and/or sale of handgun ammunition, we may be able to identify further tools and policies that can help make our streets safer and reduce firearms fatalities, injuries and crimes even more. I don't pretend to be an expert on handguns or long guns, but I think that by allowing our chief firearms officer to have a look at this, we can indeed make our communities safer.

The Deputy Speaker: Further debate?

Mr. Robert W. Runciman (Leeds–Grenville): I have very little time to participate in this debate. We could speak extensively about it, there's no question, not necessarily in terms of the import of this particular resolution, but the effort on the part of the McGuinty government to paint themselves in the eyes of the public as the great defenders of public safety.

The member from Scarborough Centre, whom I respect, I know is a good person who has worked diligently on behalf of his party and his government. I suppose it has to be extremely frustrating to someone like him and, I'm sure, quite a number of others in his caucus when they see someone newly elected in a by-election, with no political experience, have a new ministry created for him and be appointed, without political experience, to that ministry.

Mr. Kormos: What about an incompetent colleague who maintains his ministry?

Mr. Runciman: Well, that's another issue.

I think it's most disturbing. If you work so hard and so diligently on behalf of your party, there should be some recognition for that at the end of the day, but in fact that recognition is not there, and it's unlikely to arrive at any point in the near future.

What this member has been relegated to—and perhaps his seatmate and others—is carrying water for cabinet ministers and trying to sell the message. Clearly, anyone who is a careful observer of the history of the Liberal Party of Ontario—or of Canada, for that matter—knows that that positioning flies in the face of history. I just want to recite a couple of instances with respect to this.

If you go back to the summer of 2005, that was called the summer of the gun in Toronto. I'm sure you recall all the shootings and the killings in Toronto. The Liberal Attorney General, Michael Bryant, was later accused of being missing in action. He was nowhere to be seen during that rash of shootings. Then it was revealed, I believe by the National Post, that there was a plan before the cabinet, signed off by the Attorney General, Mr. Bryant, and the Minister of Community Safety, Mr. Kwinter; they had both signed off and endorsed a plan that was before cabinet that would have virtually gutted the justice system in the province of Ontario—\$339 million, signed off by the two justice ministers in the McGuinty Liberal government.

Some of the things that would have done: It would have had fewer offenders charged—there would be a real emphasis on pre-charge diversion, not just for young offenders but for adult offenders as well—more people released on bail, early release of prison inmates. They wanted to close about 2,000 cells across the province, the closing of jail beds. I think that provided us with a real insight into the true beliefs of Liberal Party members.

Of course, with the summer of the gun and the political firestorm that that created in the absence of the government, they had to throw that real inclination of a Liberal to have something that is less than supportive of public safety out the window. Of course, we've seen another example of that over the past few months as well

with respect to the Attorney General. He's a great one for trying to find a camera and trying to suggest to the public, "Boy, am I tough on those bad guys." Of course, we know what he tried to do in terms of pre-charge diversion.

I have to say a couple of things with regard to young offenders. I think about 50% of the young offender beds in the province are now empty because of pre-charge diversion. This saves money, perhaps, but does it have any real impact in terms of reducing youth crime? I would suggest not.

One of the first things this Liberal government did when they took office was to close Camp Turnaround for young offenders, a strict-discipline facility that had been created by the former Progressive Conservative government. It had dramatically reduced recidivism rates for young offenders. For political reasons and no other good cause, they've abandoned the strict-discipline approach to dealing with problematic young offenders and closed down a very successful pilot program, Camp Turnaround, just south of Barrie, Ontario.

The Attorney General, with respect to the Karla Homolka situation—boy, was that a show. The Attorney General was out in front of the cameras at every opportunity saying, "I'm going to stop Karla Homolka from getting out of prison, number one," and all of this sort of thing. Of course, we know that there was an appeal of the case with the original effort to exercise a provision of the Criminal Code to ensure that she could be monitored in terms of her movements. That was appealed.

1020

Where was the Attorney General in terms of that appeal? Where were representatives of the crown in terms of that appeal? Missing in action; they weren't there. Did they really care about Karla Homolka coming back into Ontario, other than the publicly saleable message it sent that the Attorney General likes to deliver?

Of course we've seen it recently at the federal level with Stéphane Dion, who is all of a sudden flip-flopping because it could mean the fall of the federal government and we could have a federal election and the Liberals are at the bottom of the polls. So now all of a sudden the federal Liberals are taking up the message that they're tough on crime too. Nobody believes this stuff; nobody believes it. If anybody has been reading the newspapers and watching television over the years, they know that Liberals have a very different perspective on how to deal with criminal justice issues and with people who are very serious offenders, a very different attitude, certainly not one we would characterize as being tough on crime—quite the opposite.

I think it's regrettable that the member for Scarborough Centre has pursued this line to try to continue to sell what is essentially a phony message. He could have used his time for much more constructive initiatives. He's a bright guy. He supported John Tory when he ran for mayor, and that was a wise initiative on his part. He probably would be sitting over here today other than the fact that Toronto is a very difficult challenge for Progressive Conservatives. But John Tory is changing that;

he's going to change that, so you may want to give it some thought.

The reality is, I think there is a strong possibility that after the October election, the member for Scarborough Centre will be sitting over here. I'm optimistic about his chances to be sitting over here following the next provincial election. I'm sure he will be an effective representative of his party from the opposition benches.

Mr. Kormos: We don't have a great deal of time. I am going to share the opportunity to address this resolution with my colleagues Paul Ferreira for York South–Weston and Cheri DiNovo for Parkdale–High Park.

I have no doubt that the author of this resolution has the same concern about the handguns that proliferate amongst especially young people, not only here in Toronto but across this province. And I have no doubt that he, along with every other member of this Legislature, wants to do everything we can to address the violence and the tragedy of maiming and loss of life. As far as statistics are concerned, to cite statistics indicating that there's a lower incidence of gun shooting in the last 12 months than there was 12 months before is of cold comfort to the mother of the kid who's shot dead. To tell that person, "Well, statistically, your odds against being shot were a little better than they were last year" is of cold comfort—no comfort whatsoever.

I find it remarkable that here we go again. This is private members' public business, but you have a member who wants to play the crime/fear card. God bless. I say, there's every good reason to be afraid of crime, regardless of what the stats are. I don't care how rare homicides are—they aren't—but I don't care how rare they become. To become the victim of a homicide is still a pretty scary prospect. But to play the crime/fear card and then offer up what is a non-solution seems to me to be, at the very least, disingenuous.

What, we've got to pass a resolution telling the minister to ask the firearms authorities to give him advice about how to best control illegal acquisition of ammunition? How stupid. It's the stupidest damn thing I've seen come across here in a long time. Talk about the Minister of Infrastructure Renewal being a bump on a log. What does this say about the Minister of Community Safety? Is he another bump on a log that he needs direction from the chamber to do his job? Lord thundering; this is incredible. It's also silly. It ranks, quite frankly, with the Liberal firearms registry as the so-called panacea for illegal gun crimes.

Before I came here I was a criminal defence lawyer. I acted for a whole lot of people who used guns in the commission of crimes: bank robbers, drug dealers, murderers. Not one of them, I tell you, had displayed the courtesy to register their firearm with the authorities before using it to rob a bank or to shoot up another drug dealer. Not one of them had the courtesy to get a firearms acquisition certificate. Well, of course they didn't. They're criminals.

I'm even further shocked when I read in the latest issue of Ontario Out of Doors, which features a glossy

photo of the Minister of Natural Resources, an article talking about how information from the gun registry is finding its way into the public domain such that lawful owners of registered firearms are having their postal codes published on websites. The suggestion is that it would be the rare 15-year-old who can't hack further into the system to get actual addresses.

I understand that there is concern about handguns that doesn't apply to long-barrelled firearms. I have no qualms. Look, down where I come from, people hunt, people are farmers who have to deal with various types of predators and rodents. I know people in my community, people in my family, who are sportspeople, who are Nimrods, who target-shoot, and I know them all to be incredibly cautious people, incredibly law-abiding people.

The problem is—look, it's just like the Percodan that's being sold in the corner tavern, the high-potency painkiller. Almost inevitably it was prescribed by a doctor, and somebody who acquired it lawfully is putting it out into the unlawful drug distribution system. Inevitably, ammunition that's used by criminals—because let's understand what you've got to do now, Mr. Duguid. You know what you've got to do now. There are registries. One of the remarkable things and one of the things I'm proud of about Canadians is that we've always had some of the toughest gun laws in the world, short of totalitarian regimes, which of course forbid them.

You need a firearms acquisition certificate. Now the standards are even higher. You need possession-only licences. You go through some pretty rigorous training; I'm familiar with the training program that people have to go through to acquire a firearm. When you buy ammunition, you've got to produce one of those licences, have your name and address and other ID recorded with the identification of the ammunition that you're purchasing. That's not a bad thing. That's a good thing, and gunsmiths and gun dealers and sporting stores I talk to agree that it's a good thing.

You made a number of recommendations. Why didn't you ask the Minister of Community Safety to start policing gun shows? Because you know, don't you, that gun shows are the one place where you can circumvent the traditional standards for buying ammunition. If there's any hole in the system, Mr. Duguid, it's at those gun shows. Quite frankly, the legitimate retailers, who work hard to regulate the sale of ammunition and who work hard to ensure that only people who are entitled to purchase it can purchase it, are resentful of the laxness of any standards at gun shows. So let's be a little more specific. Let's talk about ensuring that gun-show vendors of ammunition have to utilize—

Interjection.

Mr. Kormos: Am I wrong on this, Mr. Ouellette? You'll have an opportunity to speak to it. Let's make sure that they have the same standards as other retailers.

1030

But at the end of day it's all about this: The reason the author of this resolution had some problems looking at other avenues is because of what's called the Constitu-

tion. We don't have jurisdiction provincially to enact criminal law. That's the problem. It's called the Constitution, and its predecessor, the British North America Act—these little legal complications that legislators have to concern themselves with.

The fact is that the handguns that are being used out there to kill innocent people and to wreak havoc in our communities are stolen or smuggled into this province, into the country—end of story. I beg you, sir, to identify one incident of shooting in this city over the course over the last four years and seven months in which some hood on the street was using a firearm that was registered to him in the course of using it. I'm not aware of any. If you are, enlighten us. I look forward to it. We got a real problem.

Mr. Duguid: That has nothing to do with what's in front of us.

Mr. Kormos: Oh, hell's bells it has nothing to do with what's in front of us. It has everything to do with what's in front of us. The fact is that bullets are tiny little things, and stolen bullets, smuggled bullets and bullets purchased by lawful purchasers but then sent out into the illegal marketing of bullets, just like Percodan acquired by lawful prescription then entering the drug underworld, are going to be there. The fact is that it's a lot easier to secrete a bullet than it is a handgun. You understand what I'm saying? The fact is that the crisis that we have is in handguns, illegal handguns, illegal firearms. I believe that. I believe that law-abiding gun owners are eager to make sure that they have the proper training and have the firearms acquisition certificates and the possession licences, as apparently they are now called. I believe they're prepared to—and if they're not, they're going to have imposed on them some pretty harsh criminal penalties for unsafe storage of firearms, amongst other things.

I think there's a real problem—I've got to tell you, I think there's a real problem which the author of this resolution doesn't address—with the rare person who has these mega-collections. You've read about some of them. That's scary stuff. You've got people with darned arsenals in unsecured apartments in highrises. We saw an incident of it a while ago. I think that's totally unacceptable. We have no reason to be tolerant of that type of acquirer of firearms who doesn't engage in the type of security you need. The fact is that if there has been a break and enter and people have stolen those firearms, there hasn't been an adequate level of security, and I think there should be high levels of culpability on the part of that person.

But this resolution does nothing—nothing—to enhance the efforts of policing, because at the end of the day, it's all about the number of cops you've got out there on the street. At the end the day, it's all about being able to deal with the underground activity. Look, people who smuggle and traffic in illegal guns don't put billboards up. It's the very nature of criminal activity. They have no interest in television ads or in big newspaper advertisements saying, "Meet me here to buy your

guns." The policing of that type of illegal and organized activity is very labour-intensive. All the laws in the world amount to squat if you don't have cops out there enforcing them. The fact is that the level of funding of policing in this province is so low that police services across this province, big-city and small-town like where I come from, are hard-pressed to even deliver core policing services, never mind embark on specialized and intensive activities like infiltrating and doing surveillance and the investigative work involved in uncovering gun smuggling rings or illegal gun trafficking rings.

The other interesting observation that has to be made is that, because of this government's restriction of anti-crime funding—or anti-gang funding, rather—to the city of Toronto, what it has done is driven that criminal activity out into the suburbs and beyond. So you see, Niagara region, that whole corridor, the whole biker corridor, if you will, along the 401, through London to all of those communities where the activity has been pushed out into, doesn't have that intensive funding to allow for the anti-gang activity.

This resolution, I'm sure, will pass. I'm not going to be a party to it. I'm not going to lend my name to it because I think it's fluff, it's spin, it's typical Liberal sucking and blowing, that simultaneous sucking and blowing that Liberals are wont to do. As I've said so many times, Mr. Ferreira, the nice thing about being a Liberal is that you don't always have to be a Liberal. You can campaign like a New Democrat; govern like a Tory. When it comes to law and order, you can try to jump on the bandwagon and show that, oh, you're tough and you're serious about people's homes getting broken into, about drug dealers shooting people on the streets. But if the best you can do, if the best you can come up with, is to tell the minister to ask, to plead with his firearms officer, "Please, do you have any ideas that could maybe help us control the sale of ammunition?"—

Interjection.

Mr. Kormos: If that's the best you can do, what are you gunning for, Mr. Duguid?

Ms. DiNovo: He's gunning for his job.

Mr. Kormos: Mr. Duguid is gunning for his job, as Ms. DiNovo wittily interjects.

Well, the resolution will pass, but I won't be here when it does.

Mr. Bas Balkissoon (Scarborough–Rouge River): I'm pleased to rise today to join this debate and speak in favour of the handgun ammunition resolution brought forth by my colleague Mr. Brad Duguid, the member from Scarborough Centre.

As the parliamentary assistant for community safety to the Honourable Monte Kwinter, Minister of Community Safety and Correctional Services, let me say that I fully support this resolution to conduct the study outlined. On behalf the the Honourable Minister Monte Kwinter, let me also add his full support to this resolution as his ministry continues to pursue opportunities and ways in which to make Ontario a safer place to live, work and play.

As you know, this government is serious about crime and safety. We are committed to playing an active role in fighting and preventing crime to keep our neighbourhoods safe. When innocent citizens die from stray bullets, public concerns become our concerns. When a young man plays around with his dad's loaded handgun, public concerns become our concerns because Ontario safety affects all of us here today.

As a government official, I feel it is our job to support and ensure that the programs and initiatives helping to protect Ontario's families and children are implemented, continued and supported. This is why our government has invested \$51 million in anti-gun-and-gangs initiatives to give police and prosecutors the tools and resources they need to rid our streets and our communities of guns and gangs.

1040

Through our Safer Communities-1,000 Officer partnership program, we've helped police hire an additional 1,000 officers to patrol our streets and make our communities safe. We are hiring 12 new victims' services staff that will provide support to victims of gun crimes in addition to the 12 new probation and parole officers to work with the guns and gangs task force. These initiatives have meant over 250 additional officers to the Toronto Police Service, which has had a direct impact in my own riding. In the past, the Malvern community in my riding has been identified as an area with high gun-related activities. But through this government's plan to bring the crime rate down, we are seeing a difference in Scarborough-Rouge River.

The government has been tough on crime, but at the same time we've been just as aggressive with the causes of crime and the programs we've brought in for young people in our communities. Crime prevention is working in my community, and I believe crime prevention is working across Ontario. This is why I applaud my colleague Mr. Duguid for his hard work in putting forward this resolution to continue to identify ways of better regulating gun ammunition. I'm excited to say that this resolution could well bring this government one step closer, in our fight against crime, to eliminating gun violence in our streets. It will also allow us to continue to protect Ontarians and keep our communities safe, because we don't just want to combat crime; we want to stop it before it happens.

You will remember that this government also called upon the federal government last year to amend the Criminal Code, to impose mandatory minimum sentences for gun crimes, to impose a reverse onus on bail for all gun crimes. All of these little things added together are what the communities we represent are asking us to do so that we can bring safety into our communities. I believe that this resolution will help us to get one step closer. It hopefully will bring back the statistics and those things that we can use to improve our legislation, to improve our programs in our communities, to help make them safer and hopefully represent our communities as we were expected to do.

Mr. Jerry J. Ouellette (Oshawa): I appreciate the opportunity to speak on this resolution. I know that all members of this House, from all parties, who share a genuine concern on this public safety issue are wanting to speak today. This is an extremely important issue, and I applaud the member from Scarborough Centre, like all members who wish to make the communities safer, so long as that is the actual intent. The member from Niagara Centre certainly emphasized a lot of key things in directing something that should already be taking place.

It's also important that we take the time to discuss strategies to deal with this important public safety initiative as opposed to just knee-jerk reactions to public safety based on the media story of the day. We've seen this kind of policy and ideology from the McGuinty government in the past. I can think of predominantly two examples. Of course, one is the infamous pit bull ban. I met with veterinarians who said that they had people come in whose pit bulls aren't spayed or neutered and who have no intention of complying. I see individuals on a regular basis going down the street and they don't have their dogs muzzled, and I've never seen a house that shows a sign that specifically depicts a pit bull living there. That's just one example, even though the overwhelming evidence specifically stated not to go in that direction.

Another is the suggested proposal by Dalton McGuinty and the Attorney General to completely ban the sale of legal handguns from the province because of the media hype surrounding the issue at that time. But I must say that the intent of the resolution is somewhat noble—although, after hearing the debate, it's clear to me that the member needs a lot more understanding and probably should get a briefing on some of the details about the impacts and what is already available out there—and that's to prevent firearm-related fatalities and injuries in our communities to make sure our streets and neighbourhoods are far safer for our residents. My father was a chief of police, my grandfather on my mother's side was a chief constable in his community, and I'm probably one of the only ones in this Legislature who actually has been shot at with intent. From that, I can give some of the background information that most people wouldn't even know.

When I spoke with parole officers and asked them, "Why is it that individuals were using guns in related crime activities?" the parole officers told me that they spoke to the individuals coming in to see them, and they specifically stated, "Why wouldn't I use a gun? Because most of the time, or virtually all of the time, the weapons offence is thrown out. So why wouldn't I use a gun as opposed to that?" If the target was there in the misuse, the criminal misuse of firearms, then it wouldn't be affecting law-abiding citizens.

Although the member states that his resolution is not another Liberal firearm registry boondoggle and it's intended not to impact legitimate target shooters, the member of this House in his own correspondence cer-

tainly acknowledged some of the problems with proceeding with this type of resolution.

Camp Samac in Oshawa has a rifle range indoors, and Boy Scouts use that on a regular basis. Guess what? They're shooting .22 long rifles. Well, the .22 long rifle is another cartridge that is used in the .22 handgun. It's the same thing. It would certainly cause problems when you're dealing with that issue.

When you talk about the registration—and I certainly hope the member deals with the issues—they obviously haven't checked with the federal legislation to find out. Have they even looked at the form to comply with, where they actually check in to find out—I can give you some of the details for the form. It's a seven-page form. It's not like a passport that's only—what?—four pages. This is a federal firearms registry, and nobody—not law-abiding gun owners—is opposed to that. They support those things. But when you look at certain things that they're asking for—about conjugal partners in the past two years and you have to get them to sign off. You have to sign off details. It specifically says:

“During the past five (5) years, do you know if you have been reported to the police or social services for violence, threatened or attempted violence, or other conflict, in your home or elsewhere?”

“During the past two (2) years, have you experienced a divorce, a separation, a breakdown of a significant relationship, job loss or bankruptcy?”

Those are the sorts of forms that you have to fill out before you're allowed to go out and actually purchase ammunition. If the members had taken the time to read all those details, they certainly would know some of that.

When you talk about other groups that would be affected—I mentioned the Boy Scouts, and that's just one small group. What about the Air Cadets, who regularly participate in shooting activities, or the Navy Cadets or the Army Cadets as well? They actively participate in shooting .22s, long rifles—yes, there are long rifles. However, that same ammunition is used as would be used, for example, in the ridings of the minister from Hastings–Frontenac–Lennox and Addington, the minister from Sudbury, the minister from Timiskaming–Cochrane, the minister from Kingston and the Islands.

Another one would be a .44. A Ruger .44 is another rifle that is commonly used as a deer gun throughout Ontario. In all those ministers' ridings, I would say there are probably at least a number of individuals who use that. The same ammunition is utilized in a .44 handgun. What are you going to do in situations like that?

I think the member from Niagara Centre said it succinctly when he spoke about the details and the intent. This is going to be another boondoggle.

Some ammunition—as we've mentioned, the .22 is a perfect example—is going to cause all sorts of problems. The member also mentions record-keeping of ammunition, which has been in place since 1994. If you look at the legislation from 1994, it's very clear and specific on the process which takes place. Quite frankly, there was a lot of concern about this because the way records were

being kept in all the locations that sold ammunition was causing concern because it was accessible by other individuals. Many times they would come in, write it on, fill out all the information—the details of where you live, type of ammunition—and that was publicly accessible, which caused more problems than good. The only difficulty with that is that all the legislation that was passed at that time and the resolution here are superseded by the federal legislation, which gives specific guidelines for storage of ammunition and other details.

When you talk about other aspects of this, about eliminating bank robberies, this could equate to exactly that. We could eliminate all bank robberies. The best way to do that would be to get rid of all banks. It's just not going to happen. It's the same sort of thing. The member from Niagara Centre just went on with details about the fact that the individuals he defended had never registered a firearm.

I appreciate the time for debate. We look forward to hearing other individuals debate as well.

1050

Mr. Shafiq Qadri (Etobicoke North): First of all, I would like to commend my colleague Mr. Duguid from Scarborough Centre for bringing forth this resolution. As you'll know, it's with reference to the Minister of Community Safety and Correctional Services. It really is hopefully another step in the right direction towards controlling handgun crime, the homicide rate and violence on the streets of Toronto.

Just before making some remarks about this particular bill, I would like to first of all recognize the words of our honourable colleague from the third party, from Niagara Centre. He's quite correct: When you confront the family of a victim whose life has been snuffed out by a handgun crime, on an individual basis of course it a tragedy that no reparation can make whole again. But there is also, beyond that, the statistical or population-wide attempt to reduce handgun crimes to the extent that people do feel safer. As the member for Etobicoke North, who perhaps was subjected to more than my proportion of handgun violence, especially in that summer of the gun, the summer of 2005, I recall that one of the jobs I did not sign up for, that I did not anticipate having to fulfill, was attending the funerals of four young men, all of whom were black, who happened to be from my riding and were either involved in shootings within my riding or nearby—one of whom, by the way, Mr. Amon Beckles, a young man 18 years old, actually was attacked, shot and murdered on the steps of a church in my riding while attending the funeral of one of his friends who had been murdered two weeks before. You can imagine that as the MPP, as a doctor, as a father and as a son, when I confronted that kind of tragedy and waste of human life, when I saw this resolution brought forth by my colleague Mr. Duguid, I could do nothing but support him and wish him well in its implementation.

The member from Niagara Centre also made a very interesting analogy. He said, “What if this was all about Percodan?”—which, by the way, is a prescription

narcotic that is sold for recreational and entertainment purposes on the streets of Toronto. “What if this resolution had to do with Percodan?” I can tell you as a doctor that these types of resolutions, safeguards and regulations in fact do exist with things like narcotic prescriptions. They need to and they have to. Probably going forward, we would only serve the people of Ontario better if we were to actually strengthen these types of resolutions.

Some of the specifics of this: As you know, at any present time these days, an adult with a firearms acquisition certificate and proper ID can go into any gun shop and sporting goods store and purchase as much handgun ammunition as they wish. Record-keeping is modest at best. This is part and parcel of the directive that would be given to the chief firearms officer.

I was very privileged just last night to host the Honourable George Smitherman, Deputy Premier and Minister of Health, at a budget conference. But along with him as well was the Honourable Monte Kwinter, our Minister of Community Safety and Correctional Services. At least half of the questions that were directed to all of us had to do with violence and guns and gangs and their intersection. Any attempt we can make in the direction of getting some of these arms, this weaponry, the fuel, if you will, for these handguns off the streets and allow them only for legitimate causes—for example, law enforcement officers—is absolutely worthy of support. That is something that’s incorporated within this particular resolution.

This affects the sale of handgun ammunition from retail outlets. It brings a little bit more scrutiny and a little bit more record-keeping, with further directives and studies to be undertaken by the various officials involved. I would say that not only is this necessary—because one of the things that I regret, as I see the urbanization of our cities—as somebody who was actually originally born in Chicago, what I have been witnessing, and I hope I’m wrong, is the slow and steady Americanization of a lot of our cities. Whereas Toronto and other cities are still, to this day, I think, thought of as relatively safe, pleasant, beautiful places to raise your kids, there are unfortunately pockets, regions, areas, districts that seem to be ushering in that era of the United States of Ontario, specifically with reference to guns and gang violence and “Are we going to put metal detectors in our schools?” That’s the kind of world and community we do not want to see in Ontario, and I think it is resolutions such as my colleague Mr. Duguid is bringing forward today that will help move us in that particular direction.

After that summer of the gun, I was pleased to host the Premier of our province, the Honourable Dalton McGuinty, who came to that very church, to those very steps that I spoke about, at which Mr. Beckles, that young gentleman, 18 years old, whose life was snuffed out—at that very church, the Seventh Day Adventist church in Etobicoke North, he came to offer a program, a \$3-million commitment to engage with some of the faith communities to help youth at risk to seek other oppor-

tunities, other venues of expression than joining gangs and perpetrating gun violence. This, along with the resolution today and, at other times, a number of our other initiatives, including expanded policing services and so on, is really part and parcel of our overall guns and gangs strategy.

With that, I would simply say that this resolution deserves the support of every member and this member from Etobicoke North in particular. I would commend Mr. Duguid on bringing forward a resolution that is so thoughtful, well-crafted and, I would say, really embodies a lot of our aspirations.

Mr. John Wilkinson (Perth–Middlesex): I am delighted to join in the debate and support my good friend the member from Scarborough Centre.

I want to say to the people at home who are watching that Brad’s a great member, and I’ll tell you why: because he reaches out to all sides on this debate. He’s particularly effective within our caucus. I come from a very rural riding, the richest agricultural riding in the country. This is an issue that I’ve had to learn about—the plague of gun violence—just as my good friend Mr. Duguid and my friends Mr. Qaadri and Mr. Balkissoon have learned about the challenge of crystal meth in my own riding. It’s that ability to talk about the law-and-order issues we’re facing in our respective ridings and how we must work together to snuff them out so they don’t spread across this great province. I am particularly pleased to hear from my good friend Mr. Duguid that he talked to the Ontario Federation of Anglers and Hunters so he could bring some clarity to his resolution and to his intent. I know they warmly received the fact that he did chat with them.

There are some challenges here. He started with a bill and realized that we need to go to the experts to work on this. I commend him. I believe that the question is right to go to the chief firearms officer. I think that’s a prudent thing to do.

The question we’re going to be faced with in this House is: Will we support our friend Mr. Duguid? Will this be a partisan issue or a non-partisan issue? We’re going to find out very shortly whether or not we support this. If we can’t support a colleague who is trying to represent his community and trying to ensure that people walking around with ammunition for handguns used to commit a crime—that is the reality today, and if we don’t agree that that should stop—it’ll be interesting to see that vote, and we look forward to it.

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

Mr. Duguid: I’d like to thank the members for Leeds–Grenville, Niagara Centre, Scarborough–Rouge River, Oshawa, Etobicoke North and Perth–Middlesex for participating in this debate and providing input here today.

A number of things have been said for and against today—most in favour, I guess. When you bring forward a resolution or bill to this House and the opposition really doesn’t raise anything that specifically applies to what

you've got before them, you know it must be a pretty supportable piece of legislation or resolution, so I'm pleased at how the debate has gone today.

There was one interesting suggestion that came from the member from Niagara Centre that I want to get on record, simply because if the minister does in fact ask the chief firearms officer to do this, if this resolution does pass, perhaps the area of gun shows is something that could well be within the breadth of this resolution, something that could be looked at.

I want to also state that I was really surprised that the member from Niagara Centre would come out—he seemed so specifically against gun control. That surprised me. I thought the NDP were in favour of gun control. He specifically criticized gun control, and that really surprised me.

Interjections.

Mr. Duguid: Maybe his colleagues are trying to clarify what he said, and maybe later on he can. But I listened carefully to what he said, and he clearly appeared to be against gun control.

This resolution does two simple things. It allows the chief firearms officer to bring forward a report that I think will be very important to the minister. These two things can allow a couple of things to happen: number one, to ensure that it will be illegal from here on forward for people to walk on the streets without authorization with bullets and ammunition—

The Deputy Speaker: Thank you.

Mr. Duguid: I ran out of time.

1100

RENTAL ACCOMMODATION

Mr. Paul Ferreira (York South–Weston): I move that, in the opinion of this House, the Legislative Assembly of Ontario call on the government of Ontario to move expeditiously to establish and implement a comprehensive landlord licensing program, to ensure minimum standards for rental accommodation throughout Ontario, with the following features:

The program would be fully integrated with existing municipal property standards bylaws and part XIV (“Maintenance Standards” of the Residential Tenancies Act, 2006);

Administration and enforcement would be the responsibility of the Ministry of Municipal Affairs and Housing and could be assigned to individual municipalities by agreement;

Landlords would be required to obtain a licence for each residential complex containing more than 10 residential units;

Annual licence fees would be paid into special funds dedicated to supporting program administration and enforcement;

Residential complexes would be regularly inspected and work orders would be issued to ensure compliance with minimum standards;

Repeated failure to comply with work orders would be dealt with by a rent escrow system, whereby tenants in the affected residential complex would pay part of their rent into a special account, administered by the landlord licensing program and used to ensure that repairs are carried out;

Serious infractions would result in prosecution and substantial fines could be imposed on conviction; and

That the government of Ontario report back to the Legislature on the implementation of this program during the spring 2007 sitting.

The Deputy Speaker (Mr. Bruce Crozier): Mr. Ferreira has moved private member's notice of motion number 52. Pursuant to standing order 96, Mr. Ferreira, you have up to 10 minutes.

Mr. Ferreira: I am honoured to rise this morning for my inaugural private members' hour in this place.

I am particularly pleased that my resolution calling for the implementation of a landlord licensing program across the province would have far-reaching positive implications for a tremendous number of Ontario tenants, including thousands in my home constituency of York South–Weston. As in many other ridings across our province, more than half the residents in my riding are tenants. They played a very instrumental role in sending me here to this place. Thus, I am delighted, as my party's housing critic, to be able to initiate the debate on this item and to speak out for Ontario's tenants and their interests.

Landlord licensing is not a radical or new concept. It is practised successfully in other jurisdictions, and I will refer to one of those later in my comments this morning. A province-wide system of licensing landlords would bring into force minimum standards for the upkeep and maintenance of private rental properties. Whether it's here in downtown Toronto or in Windsor or in Ottawa or in Thunder Bay, the standards and enforcement would be the same. Tenants across the province would receive a uniform level of protection under the law.

Why is legislating tenant protection so important? Over the past number of years, through my own community work and activism I have witnessed at first hand hundreds, in fact probably thousands, of rental units that are poorly maintained and where tenants are forced to live in deplorable conditions.

Yesterday, I spent some time in my riding visiting some of these apartments. What I saw wasn't pretty at all. Indeed, I think that members on all sides of this House would be appalled by the conditions that some tenants are forced to live in: cockroach and mice infestations; obvious signs of sickness-inducing moulds; a lack of basic safety devices, including window screens and fire alarm detectors. And this doesn't come cheap: a one-bedroom apartment for \$750 a month, a two-bedroom for \$900 and up. That's what the money gets you.

On my tour yesterday, I was accompanied by a member of our press gallery here. She wrote about what she witnessed, and for the benefit of those members who may have missed the article, I want to read out the first

couple of paragraphs because they paint a rather vivid picture of the poor living conditions faced each and every day by tenants in this province. I quote from her story:

"The cockroaches are everywhere. In Nakisha Charles' one-bedroom apartment, they swarm her infant son's baby bottle even in the fridge.

"Several floors higher, Yvonne Brown fights her own futile battle with the roaches who spill out of every cupboard and fall from the shower curtain rod.

"At night, Brown's 12-year-old daughter shouts out, 'Mommy, there's roaches in my bed.'

"Even worse than the infesting bugs are the broken smoke alarm, the missing window screens and the mouldy walls and vents in these women's Weston Road apartments.

"Repeated calls to the landlord have gone unanswered,' the renters said."

That last line warrants repeating: "Repeated calls to the landlord have gone unanswered."

Due to lax and shoddy enforcements of the existing hodgepodge of rules that we have, bad, unscrupulous landlords are able to get away with poor maintenance and deficient repairs. Tenants faithfully pay their rent every month, hoping that repairs will soon be made. In many cases they are not or they are done in such a sloppy, haphazard way that in fact the conditions become worse.

Why do tenants put up with this? As I'm sure all my colleagues here know, housing options for someone on a fixed or modest income are few; they're very limited. The wait for affordable housing in this province can last for 10, 12, 15 years I've heard of in some cases. Tenants are forced to take what they can afford, and greedy landlords take advantage of that reality and prey on them.

I know what some of my colleagues will say here this morning. They will say that there are good, indeed very good, responsible landlords across Ontario. I wholeheartedly agree and I applaud these honest landlords who take great pride in the upkeep of their buildings and complexes. However, I would argue that a province-wide landlord licensing program would give these model landlords a competitive advantage.

In envision, similar to what we currently have in the city of Toronto with restaurants and the like, certificates or posters prominently displayed in apartment lobbies showing the state of a particular building based on their licensing inspections. A tenant looking for accommodation would be able to make an informed choice, knowing that one landlord has properly maintained their property while another has not. In my estimation, that kind of transparency would provide great incentive for landlords across the province.

Tenants being able to withhold rent from landlords would provide yet another powerful incentive. My resolution calls for, as part of a comprehensive system of licensing landlords, the creation of holding accounts where tenants could deposit their rent monies until such time that repairs are adequately made. Earlier in my comments, I mentioned that landlord licensing exists in other jurisdictions. This holding or escrow account

system is a feature used successfully in these other jurisdictions. For example, in the city of Los Angeles, where landlord licensing is presently in effect, an integral part of their model is something called a "rent escrow account program," or REAP, as they refer to it.

REAP provides, and I quote from the Los Angeles city code, "a just, equitable and practical method to be cumulative to and in addition to any other remedy available at law." It goes on, "to encourage compliance by landlords with respect to the maintenance and repair of residential buildings, structures, premises and portions of those buildings, structures, premises...."

1110

The Los Angeles model also features rent reductions for tenants and a framework for substantial punitive fines for landlords that do not comply.

Some of my friends here this morning will, I'm certain, say that Los Angeles is a municipal example and that landlord licensing would be best left up to individual municipalities across the province. I may hear that. Unfortunately for tenants, municipalities, in the present funding context, have a difficult time enough delivering essential services. As we know, some of the largest municipalities in this province are cash-strapped and do not have the resources to properly do the job. I would argue that tenants, wherever they should happen to live in our great province, deserve the same kind of protection and enforcement, which is why the Ministry of Housing needs to step in and assume this responsibility. I would sincerely hope that my colleagues from the government side agree with me on this.

Back in 2003, the last time that we all had a chance to face the people, I heard many of them on the government side campaign on the need to increase tenant protection across the province, especially in the wake of the eight years that we had previously, where we saw the playing field tilted to a great degree toward the interest of landlords, especially the larger ones.

Implementing a landlord licensing program would provided much-needed increased tenant protection and assist the government in living up to their promise to do just that, and I'm glad to be able to offer my assistance in having them do that. As for my colleagues here to my right in the official opposition caucus, I have been heartened during my short two-week stint here to hear some of them distance themselves from that record of those eight years.

Mr. Rosario Marchese (Trinity-Spadina): Amen.

Mr. Ferreira: Amen indeed. Support for this resolution would further that cleansing, purifying process, that conversion they're going through. I hope that tenants in their ridings in particular can count on their support so that we can move forward with this initiative.

At the end of the day, landlord licensing would be of benefit to scores of Ontarians who are presently marginalized and whose interests are too often neglected. When I came to this place, I came to be a voice for these Ontarians. This resolution is a modest one, but it is one that would begin to make a profound mark on improving

the quality of life for those who need the improvement the most. I urge my colleagues to support my call for landlord licensing and I look forward to their insightful comments this morning.

In closing, I want to acknowledge the presence of tenant activists who have come to observe the debate this morning. Most of them belong to the Association of Community Organizations for Reform Now, or ACORN, as they're known, an organization which I hope the members of this House had an opportunity to meet with yesterday during their first annual—I hope there will be many more—lobby day. I appreciate the kind assistance provided to me by the good folks at ACORN, which is a very tough nut to crack, on this resolution and other issues. ACORN has 6,000 members across the province and it is growing. To ACORN organizers and chapter leaders, thank you for your work and your vibrant spirit of community activism. It is indeed making a positive difference.

The Deputy Speaker: Further debate?

Mr. Ernie Hardeman (Oxford): I want to start by welcoming the new member for York South–Weston to the House here today—or two weeks ago, as he mentioned—as a colleague. Already the member has shown that he will be an active participant in the Legislature and that he cares about his constituents. I also want to congratulate him on his first private member's resolution, which is a very apt resolution. I know that he has many tenants in his riding and that his intentions with this resolution are good.

I'm sure that on the campaign trail the member heard many stories about bad landlords. We all have heard those stories from tenants who have their problems—landlords who have refused to do proper repairs, landlords who have refused to provide the basic services, landlords who have rented apartments that weren't safe. In my riding this year we had an elderly couple whose daughter had to help to ensure that their apartment was warm enough in the winter, and this just isn't acceptable.

I understand that the intent of this resolution is to protect tenants from bad landlords, and no one could disagree with those intentions. Ontario tenants should have safe, comfortable places to live and have the security of knowing their home will be properly maintained. However, in my opinion, the reality is that landlord licensing will not accomplish this goal. It will not protect tenants from bad landlords. It will only punish the good landlords, drive unsafe apartments further underground and increase the cost of housing. The landlords who are renting unsafe apartments, the ones that don't even meet the fire codes, are going to be the same landlords who try to avoid the registration or the licensing process. Anyone who knowingly rents an apartment that is unsafe or below standard is not going to rush out and get their apartment inspected.

There are tenants out there who have good landlords. Unfortunately, they are the ones we don't hear from. No one ever says, "I'm going to write my MPP and tell him how great my landlord is." We don't hear about the

majority of landlords, the ones who fix problems right away or those who go above and beyond for their tenants. But those tenants are the ones who would suffer the most from landlord licensing. Those tenants don't need legislation to license their landlords. They won't get any extra value for it. But they, like all others, will have to pay for it because their landlords will have to pay to be licensed too, and that cost will be passed on to the tenants. This is the other problem with licensing landlords: The cost of licensing, both the fee and the time and the paperwork, would, of course, be passed on to the tenants. If a store owner is selling loaves of bread and the price that he pays his supplier goes up, wouldn't you expect him to increase the cost of bread in his store? Landlords are not going to lose money or earn less on their buildings because the government decides to license them. Their mortgages aren't going to go down just because the government adds another cost. They are going to be forced to raise the rent to cover the cost of licensing and the cost of doing the paperwork for the licence.

This resolution seeks to set up a licensing system to ensure minimum standards of maintenance and ensure enforcement of those standards. We need to remember that property standards are not a new idea. Municipalities already have the ability to set property standards and to enforce them. In fact, most municipalities do have property standards bylaws, and it is an area of municipal jurisdiction, a fact that the member acknowledges in the resolution by suggesting that administration and enforcement could be assigned to individual municipalities by agreement.

Currently, the municipalities have the authority to administer and enforce property standards, so this resolution seeks to create a new bureaucracy that will get us back to the situation that we presently have. The only thing that will change under the system proposed by this resolution is that there will now be a list of apartments, and landlords will pay to be on it. In fact, the city of Toronto, among its many new powers, already has the ability to license landlords and apartments.

I want to point out that during the hearings on the City of Toronto Act, we questioned Premier Dalton McGuinty's government on all the new revenue-increasing powers that they were giving to the city of Toronto, and the Liberal members on the committee assured us that they were just there to show how much they trusted municipalities. When the Dalton McGuinty Liberals amended the Taxpayer Protection Act to allow municipalities the ability to have new taxing powers, the Liberals assured us they would not be abused. When the Dalton McGuinty Liberals opened the door in the City of Toronto Act to new taxing powers and new fees, Dalton McGuinty assured us they wouldn't be abused. Well, the city of Toronto has already started musing about all the possible taxes and fees and licences that they could introduce: a new land transfer tax, a new tax on alcohol, a new tax on movies and sporting events, a new tax on parking, a road tax, and many others.

One of the other new powers that the city of Toronto is musing about is the ability to license landlords, and

again, that's what this resolution deals with. I've heard from one landlord who has a number of units here in the city of Toronto. On many of the apartments he has not raised the rents for five to 10 years. He says that he has been happy to reward good, responsible tenants with below-average rents. However, with the city of Toronto talking about licensing landlords and charging landlords, he is concerned that he will be forced to increase those rates.

1120

The president of the Greater Toronto Apartment Association warns, "If landlords' costs jump, rent hikes will follow." He also pointed out that only about 10% of the city's 300,000 high-rise units are in bad shape and said that licensing landlords would be like "using a baseball bat to kill a mosquito."

For the lower-end apartments, they have mused about a \$400-per-year licensing charge. That is an extra \$33 a month that will be passed on to the renter, plus the cost of staff time to fill out the paperwork. That will not be a positive for the average tenant in the province of Ontario.

As I said, the municipal property standards regime has the ability to do everything that the member, in his resolution, is putting forward here.

The member, in his presentation, mentioned that he hoped my tenants in Oxford or tenants in the rest of the province could in fact benefit from this resolution. I have never had one request, in my years in provincial politics, from a tenant or a landlord that was in support of licensing apartments, that someone had to have a licence to live in a home. In my mind, it's just unacceptable.

There's a balance between protecting tenants and not making it so difficult for landlords that they want to get out of the rental accommodation business. Landlord licensing will mean more red tape and higher costs for landlords, which decreases the incentive for people to get into the rental business.

As a result of changes that the Conservative government made, we have actually seen rental units being built in Ontario. The vacancy rate in Ontario is now well above the historical average. It's working. In fact, the rent control system we created is working so well that Dalton McGuinty actually broke his campaign promise to scrap the part of the Tenant Protection Act that he had promised to scrap because it was working so well.

What we need for Ontario tenants is more and better enforcement. I would agree with the member, in his resolution, that more needs to be done to enforce the property standards bylaws in all municipalities. We want to make sure that we are protecting tenants and cracking down on the bad landlords and the unsafe apartments without punishing the good landlords and good tenants. The question we need to ask is not whether landlords should be licensed, but whether the McGuinty government is doing enough to protect the tenants of Ontario from bad landlords. I think that is an area that warrants more investigation and discussion.

Unfortunately, I can't support this resolution because licensing landlords isn't the way to make up for the fact

that the McGuinty government is failing to protect tenants.

Ms. Cheri DiNovo (Parkdale–High Park): It's my honour to speak to this courageous resolution. It's absolutely what we need. It's absolutely what the tenants of this province need.

I just wanted to provide the backdrop for this resolution, which is, of course, the inaction of the McGuinty Liberals on the tenant front.

What are we looking at when we're looking at the situation in Ontario? First of all, housing was my critic area until I was delighted to hand it to my colleague Paul Ferreira after his election, and I can tell you that there are 67,000 households in the GTA waiting for affordable housing. There are 122,000 in Ontario waiting for affordable housing.

This is a government that promised 20,000 units in 2003, and through the Freedom of Information Act, I can tell you that we have the answer to how many real affordable units they provided: 285. By "affordable," I mean in the \$300- to \$500-a month range, which is 30% of ODSP, OW, or minimum-wage earners. Of course, they'll tell you that they've provided around 2,000, which is still pathetic—it's still 10% of what they promised—but those are in fact only affordable for people making between \$30,000 and \$70,000. This is from the housing minister, Mr. Gerretsen, himself. I'm happy to provide any Liberal backbenchers with that information should they so request. So that's the backdrop to this. There is virtually no affordable housing, so what happens is that we have private landlords filling the gap that the government should be filling.

In Parkdale–High Park, we have about 10,000 so-called affordable units owned privately and we have a great deal of problem with them. I'd like to thank ACORN again. I know ACORN has been thanked for their presence here, but they are one of the outstanding tenants' rights organizations. We have others in Parkdale. We have the Parkdale Tenants, and I'm going to speak a little bit about them in a moment. We have the West Lodge Tenants' Association. These are phenomenal tenant associations that do the bulk of the work in bringing to heel these absentee and slum landlords.

Right now, I can tell you from my own riding that in the absence of inspectors—because of course there's no funding for them from this government—what we have is the fire department doing de facto inspections. They have become the very expensive inspection unit in the absence of real home and apartment inspections.

But also, of course, this government is a slum landlord. And how are they a slum landlord? Well, Toronto Community Housing Corp. depends on this government for money, and they don't get it.

I'm going to quote from a tenant activist and TCHC resident, Kay Bromfield, who says: "For five years we have been waiting for action to address the \$300-million backlog in outstanding capital repairs.

"We know that the \$127 million for the entire province is insufficient to both create new affordable

housing and rehabilitate existing housing. The Liberals said that they would do things differently, but they are perpetuating the same policy of letting the homes of Ontario's poorest people fall apart. The government takes credit when it invests in new housing, but it lets our existing housing fall further and further into disrepair," said Bromfield.

I want to quote from our member from Scarborough here—Mr. Duguid, parliamentary assistant for housing: He called the repair crisis "a ticking time bomb that would some day blow up."

George Smitherman, the deputy Liberal leader, stayed overnight in a TCHC unit. He urged the previous government to get back into the housing business and preserve our housing stock.

Mr. Brad Duguid (Scarborough Centre): And we've done it.

Ms. DiNovo: Oh, of course—with \$127 million instead of the \$300 million, just for repairs. And, by the way, might I remind this House that the \$392 million that was spoken about in the budget is federal money? Federal money, fought for by the New Democratic Party at the federal level and given to this province, that it sits on and does not spend.

Just on with that, here's what the tenants say for TCHC:

Question: "Why are there so many unaddressed capital repairs?"

Answer: "The province downloaded the responsibility for community housing to the city but refused to fund capital reserves, despite the fact that many government officials, including Liberals, said they should." So that's the answer there.

There's a wonderful program, by the way, in Parkdale–High Park. It's called the Lord of the Slums tour. Every year they do this; last year they did it. At the height of the Lord of the Slums tour, they present what is called the Golden Cockroach award for worst landlord. I just want to say, as a form of kudos to this phenomenal organization and to the members of ACORN here, a little bit about the Golden Cockroach award

"The Golden Cockroach is a tastefully decorated trophy much coveted by slum landlords and art exhibits.

"The stainless steel curves sweeping upwards towards the sky symbolize the ever-increasing rents which know no limit and the efforts by slumlords to charge sky-high rents.

"Finally, at its pinnacle, there is the Golden Cockroach itself, clad in all its gold and splendour, thus subtly denoting the filth and health hazards which these landlords aspire to create for their tenants. The gold also symbolizes the huge profits which slum landlords are making at the expense of their tenants.

"After painstaking research and exhaustive canvassing by the Parkdale Tenants Association in many Parkdale buildings, we are very disturbed at what we have seen. Families with children are forced to live with cockroaches, mice, broken appliances, no hot water, holes in the ceiling—it goes on. Rents have gone out of

the control and maintenance seems nonexistent. This is inexcusable."

Inexcusable it is indeed, and it does go on.

1130

We're talking, again, about the poorest among us. We could also speak—although I want to leave some more time for my colleague Mr. Ferreira to speak more about this wonderful initiative and this resolution to talk about the environmental impact of some of these buildings as well. You know, many of the tenants pay their own utilities and yet there is absolutely no incentive, and this government has given them none, for landlords to retrofit those apartments. Those tenants are using appliances that are out of date, they're energy-inefficient.

Mr. Ferreira: If they work at all.

Ms. DiNovo: Many of them are heating their homes with baseboard electric heating. Again, this government says it's concerned about the environment. Why is it not concerned about the environment of our poorest tenants? Why is it not doing anything to set up something to retrofit some of these buildings that are in such bad disrepair in an environmental sense?

Finally, of course, I absolutely and wholeheartedly support this resolution and wish that this government actually had the courage to enact it. But sadly, just as in the housing portfolio, what we heard were grand words when they were on this side of the aisle and now we see grand inaction when they're on that side.

Mr. Duguid: I want to begin by commending the member for York South–Weston for bringing forward this resolution. I think any resolution that gives us an opportunity to talk about tenants and the needs of tenants and how we've worked very hard to address the needs of tenants is something that we certainly welcome.

His intentions with this resolution are good. I don't say this to be condescending in any way or to be negative in any way. I won't be able to support this resolution. I will be speaking in opposition to it because we've already given municipalities the powers, under the new City of Toronto Act and the new Municipal Act, to license landlords. This is something that municipalities and, in particular, the member's own city of Toronto asked us to do as we were undergoing discussions about what should be in the new City of Toronto Act and the new Municipal Act. Municipalities wanted these powers because they wanted to utilize the revenues they could get from licensing landlords to invest in more inspectors to get to the very problems that the members here today have brought forward as concerns, concerns that members on all sides of the House certainly share.

But to give them those powers last year—and I know the member wasn't here during that time so he may not be familiar with the new City of Toronto Act or the Municipal Act changes because he wasn't here. I don't hold anything against him for that, but his colleagues, I would have hoped, would have brought him up to speed on this.

The new City of Toronto Act and the new Municipal Act give the cities these powers. The cities asked for

these powers. Does he really think that it would be appropriate for us to say, "Okay, municipalities, here are some new powers for you to go out, if you want to, license landlords, get some revenues from that to invest in building inspectors and apartment inspectors," and just as they get those powers, just as they're undergoing a process now in the city of Toronto to consult with tenants as to how best to implement this idea, just as they're getting poised to act on it, we all of a sudden say, "Forget it. We're going to step in and we're going to take over those powers. We're going to do that instead. We're going to take those revenues from landlords, and we'll do whatever we want with them in a way to try to improve"—the intentions are good, in a way—"housing and the conditions of housing for tenants"? But you can't do that to municipalities. You can't give them powers on one hand and then come in and just take them away a year later.

Mr. Ferreira: Show us the money.

Mr. Duguid: He's asking us to say, "Show us the money." These new powers give municipalities the ability to license to get the money. What the NDP are suggesting with this motion is to not give municipalities access to that, that the province steps in and takes it instead.

The days of Queen's Park dictating to the municipalities are over. We have confidence in the ability and the creativity of municipalities to deal with these things. The city of Toronto is well on the way to dealing with this. The member, as a resident from the city of Toronto, should have known it, should have talked to them, because I can tell you, if we passed this motion I would be getting a phone call in my office, probably within minutes, saying, "What the heck are you guys doing? You've just given us powers and now you're going to take them away?" It doesn't make sense.

I want to comment on something that the member for Parkdale-High Park said. She insists in this private members' business to get partisan with these things, so I've got to respond to it.

To suggest for a second that this government is not building affordable housing is absolutely false. Some 6,700 units across this province are now in construction, occupied or in planning—6,700 units. You know what? That's three and a half times more units than the NDP built in five years, and we've done it in three and a half years. That program will build 15,000 units ultimately, with 5,000 housing allowances. In addition, with this budget that we've just passed, we will get up to 35,000 housing units for tenants who are looking to try to get into some of those vacant units across the province. Some 35,000 families across this province are going to get units because of the hard work of this government, because of the budget that has just come out. That's progress.

Do we still have more to do? You're darned right we do. Are we going to do it? You're darned right we are, because we care about tenants, we care about the vulnerable in our society and we're acting on it more than the

NDP ever did when they were in office and certainly more than the Tories ever did.

The Deputy Speaker: Further debate.

Ms. Laurie Scott (Haliburton-Victoria-Brock): I appreciate the opportunity to speak to one of the new members of the Legislature, from York South-Weston, and congratulate him on his election, his campaign and entering the Legislature.

The motion here today calls on the government of Ontario "to move expeditiously to establish and implement a comprehensive landlord licensing program, to ensure minimum standards for rental accommodation throughout Ontario." There has been some very vigorous debate in the Legislature on the history of the parties and what they've done on affordable housing, which is certainly a problem, and to protect our tenants. We are all here, of course, to try to protect the tenants as best we can, and there are certainly some different ideas of how to accomplish that.

Interjection.

Ms. Scott: Yes, we could always have more new units in the riding of Haliburton-Victoria-Brock. Thank you very much. The member from Peterborough is commenting.

I'd like to add some thoughts with respect to the landlord licensing program proposed in the resolution before us. When I consider the many comments, letters and e-mails I receive from the hardworking residents of Haliburton-Victoria-Brock, one of the most common themes is the cost of property ownership. I have to agree with the member from Oxford: I've never had any calls since I've been in about comprehensive landlord licensing programs.

There are many costs included in property ownership, such as the mortgage principal, interest, maintenance, repairs, electricity, heat, property taxes. We've certainly heard all those serious issues surrounding the Municipal Property Assessment Corp. and the skyrocketing prices and assessments involved in that. So adding yet another fee on top of the costs that are already incurred by a lot of landlords and property investors and that they are already on the hook for—mandating licensing, mandating repairs and mandating inspections on top of the already high level of regulatory responsibilities which landlords face is something I'm quite leery about because of the end result to those tenants and what they will have to pay.

Let's not forget that landlords and investors in rental housing are providing Ontario residents with a place to live. On top of that, the landlord licensing scheme is going to require administration and management. So establishing another layer of bureaucracy to implement a program that can, for the most part, be handled by the existing avenues such as the Landlord and Tenant Act as well as local municipal regulations, is not something I'm comfortable with and I don't think will achieve the end result that the member from York South-Weston wants to accomplish. We don't want to see landlords and investors being used as some sort of cash cow to feed an added administration. I can assure you, based on the

property owners and investors in rental housing in my riding, those who make their livelihood in property investment and management, they don't want that to be based on a licence that has the potential to arbitrarily shut down any or all of this income due to regulatory burdens. They don't want to be shut down.

1140

I know the member for York South–Weston's intentions are honourable with respect to this resolution. I fully agree that the safety and security of our residents is paramount. There are definitely cases where the quality and safety of residents hasn't been given the proper consideration by a landlord, and those landlords should be dealt with. That should not occur.

That leads me to my next point. A landlord licensing program such as proposed in this resolution potentially would have inspections and follow-up inspections for non-compliant landlords who are not living up to their expectations. The problem is that landlords who are doing their best to manage and maintain their properties are going to be charged the same licensing fees as those who don't. So throwing the bad eggs in with the good is not an incentive program that I can support.

Finally, as I think my colleague from Oxford has already stated, landlord licences and related inspection and administrative costs are going to be passed on to tenants so investors can protect and maintain their return on investment or management of losses. We're fooling ourselves if we think otherwise. Regulating the rental market will impact the level of rents, the quality of rentals and the willingness of landlords to invest in the market. So that's going to add to an already existing crisis that we see the Dalton McGuinty government has failed to address on affordable housing in this province.

There has been a little bit of mention of affordable housing in the Legislature this morning and the promise that the Dalton McGuinty government made of 20,000 units of affordable housing. As of March 1, we can say that the Ministry of Municipal Affairs and Housing lists 7,407 units towards that target—their own ministry—although the Liberals have included over 4,000 in that number that are only in the planning stage or under construction. The member for Parkdale–High Park says that in reality, in the FOI, there are only 285 units. So, good for her on those questions. Saying anything to get elected and not coming through with the end product is not what we as Ontarians want to see.

I commend the member for York South–Weston for his intention with this resolution this morning but feel there are better avenues to protect tenants.

The Deputy Speaker: Further debate.

Mr. Ferreira: I'm glad to rise to rebut some of the comments and remarks made by some of my colleagues on both sides of the House. First of all, to the members for Oxford and Haliburton–Victoria–Brock from the official opposition, I thank them for their interjections but I want to respond to a couple of their critiques. First of all, the licensing would be compulsory. It would be mandatory. So you wouldn't have an increase or a pre-

valence of underground housing, as I believe the member for Oxford referred to, because licensing under this scheme would have to take place. Unless you can somehow hide a rental building with 10 or more units under a rock somewhere, which perhaps happens in Woodstock, I don't think we would see that underground housing mushroom and grow the way he fears.

He and his colleague talked about passing those fees on to these poor tenants and how the tenants would be whacked with increased fees every month or every year. I want to just quote some figures here. In terms of the schemes that presently exist, we are talking about fees per unit per year ranging between \$20 and \$50. I'll do a little bit of math on that. That works out to anywhere from \$2 to \$4 per month. When I speak to tenants across the city of Toronto and elsewhere in this province and tell them that an investment of \$2 or \$4 per month on your rent, if it does get passed down, means that you are going to live in a clean, safe, decent, well-repaired, well-maintained place, they say to me, "Paul, that sounds like an insurance policy to me, and I would gladly sign on to pay that extra \$2 or \$4 or \$5 as the case may be." Those are the kind of dollars that we're talking about. So these fears of trickling down costs to unsuspecting tenants are false and phony arguments.

My colleague who sits beside me here, the member for Parkdale–High Park, who has certainly made quite an impression on this House in her short time here—I very much look forward to being as effective as she has been in raising the issues that matter to Ontarians—mentioned the sorry record of this government when it comes to housing issues, and she's bang on. Their record is absolutely sorry.

I'm sorry that the—well, the member for Scarborough Centre rose to speak and he—

Mr. Kormos: "Sorry" doesn't cut it.

Mr. Ferreira: No, it doesn't. He argued that indeed they've done a lot. In fact, the record shows otherwise. During the three and a half years under this government, eviction attempts have skyrocketed in this province. More and more tenants are facing eviction because of the lax, slanted rules that this government has perpetuated over the past three and a half years. And when the member from Scarborough Centre was asked about these alarming stats, his answer was, and I quote, "We're continuing to monitor that closely." This speaks to the heart of the matter with this government. They monitor. They sit back, they watch and they monitor. Well, the people of Ontario want action. They want action not just on housing issues; they want action on many other issues. But as we've seen during question period this week, there's lots of monitoring and sitting back and watching but very little action, and the unfortunate part is that those who suffer the most are the most vulnerable residents of the province of Ontario.

I dare say, based on the actions and the words and the indication that these members from the government here this morning are prepared to vote against this motion, that perhaps we can borrow that Golden Cockroach

Award and present it to this government here in this House as a symbol of their neglect—their wanton neglect—of housing in this province. They have short-changed tenants. They promise us the moon, but at the end of the day the delivery is weak, is poor, and for that they're going to get a failing grade in October, I dare suggest.

Mr. Jeff Leal (Peterborough): It's a pleasure for me to have the opportunity to speak on the motion this morning from the member from York South–Weston, and I certainly want to congratulate him on his election in the recent by-election. He follows a distinguished number of people that have represented that riding: Mr. Cordiano, Mr. Kennedy, Mr. Rae and of course one of the most distinguished parliamentarians that ever served in this place, the honourable Donald C. MacDonald, who had a very long career. In fact, for those who are interested in history, it was Mr. MacDonald, in the mid-1960s of course, who led the attack when the then Attorney General of the day, Fred Cass, had brought forward the legislation—it was during the era when they were talking about organized crime in Ontario and they were going to arrest people without the opportunity to have legal representation. There were three people that essentially led the charge that time: Mr. MacDonald and two rebels who were on the Tory back benches, Alan Eagleson and Allan Lawrence. Of course, those two gentleman went on to a certain degree of notoriety in their respective careers during that time when that legislation was debated. So I just wanted to digress this morning and welcome the member here.

I can't talk about the specifics of Toronto but I can talk about my hometown, the city of Peterborough. Over my municipal career, we've always had a very effective standards and enforcement agency. It was under the leadership of Jeff Chalmers, Bob Waldron and Dean Findlay. What we did was that we constantly reviewed our property standards act in the city of Peterborough to make sure that it was updated. We gave the powers to those inspectors at the municipal level who could respond to complaints that tenants would bring forward about conditions in rental properties in the city of Peterborough. And it works very effectively for inspectors to go in to identify those problems and to work with landlords to make the necessary adjustments. It continues to work extremely well. For most municipalities across the province of Ontario, that is their experience with very effective property standards legislation that always needs to be updated consistently to make sure it reflects the kind of problems that landlords and tenants may have. What we developed the new Residential Tenancies Act of 2006, there were at least 10 consultation round tables across the province of Ontario, and there are at least four provisions in that act for better maintaining buildings. The new legislation directly addresses poor maintenance by increasing the remedies and compensation available to tenants whose landlords fail to maintain their properties. There will also be an incentive for landlords to conduct regular repairs and maintenance.

1150

If a building has serious maintenance issues or serious outstanding work orders, the following new remedies are available to tenants: (1) A tenant can apply to the Landlord and Tenant Board to stop all rent increases, including annual rent increases and above-guideline increases, until all serious maintenance issues are resolved; (2) if there are serious outstanding work orders or serious maintenance issues, the board may refuse some or all of an above-guideline increase application until these issues have been resolved; and (3) in special circumstances, the board member may allow tenants to pay some or all of the rent to the board, instead of to the landlord, until the serious maintenance issues are resolved.

The RTA also includes new rules that ensure all tenants pay some or all of the rent. Landlords can inspect their rental units for maintenance problems after providing a tenant with 24 hours' written notice to do so. This could allow landlords to prevent serious maintenance issues from developing further.

Maximum penalties for offences that are committed under the RTA have also been doubled, from \$10,000 to \$25,000 for individuals and from \$50,000 to \$100,000 for corporations.

The Residential Tenancies Act of 2006 has certainly provided some new provisions for tenants to make sure that those landowners—from my perspective, it's a minimum to make sure these landlords are forced to make repairs and improve their maintenance levels in rental accommodation across the province of Ontario.

Talking about investment, just the other day I had the pleasure to announce \$4 million that will be going to the Peterborough Housing Authority under the great leadership of Darlene Cook for new housing or to spend money to rehabilitate existing housing that needs some repairs. In fact, during the course of this government, we got over 250 new units of housing in Peterborough, two great projects: the River Ridge project that was developed after the flood that hit Peterborough, July 15, 2004, and the Woollen Mill project that just came on stream a short time ago.

I appreciate the member from York South–Weston bringing this motion forward this morning, but it will not have my support.

Mr. Tony Ruprecht (Davenport): First of all, I'd like to congratulate the member from York South–Weston for this interesting and well-intentioned bill, and also on his election to this House. At the same time, welcome to members of ACORN, a tenant advocacy group, who are here today to watch these proceedings.

I might say at the outset to all of the viewers today that this is private members' hour, which means that normally party discipline does not apply and we can vote with our conscience. I will therefore be supporting this private member's bill.

Applause.

Mr. Ruprecht: Thank you.

But there are some concerns, and I hope you will address them. For instance, the member from Scar-

borough Centre raised some interesting points, and I hope the member from York South–Weston will address them in his final two minutes. Here we are giving the city of Toronto—in this case, we're from Toronto—extra, additional powers to regulate that industry.

Having said that, the reason I'm supporting this specific member's resolution is because any time we can do something to improve the problems with absentee landlords, that should be supported. At least I want to remind the member—that it gets on the table and gets to a discussion is important. That is why I'm supporting this legislation. But I'm reminding him at the same time that he has to answer, or he should consider answering, some of the questions that are being asked of him today in a fair manner.

I represented, as you know, the riding of Parkdale before, and I've seen the horrors first-hand, the worst buildings, the West Lodge buildings that my friend from Parkdale–High Park mentioned earlier. While we will be campaigning this year, there is no doubt we will be running into these kinds of buildings that necessarily need some help.

The government, as you know—and I think you've been a bit unfair in criticizing it too much—has already instituted some ways to help tenants in terms of repairs and in terms of absentee landlords. But before I get to that, I just want to remind you to answer the question of our colleague from Scarborough Centre, and that is, we're providing the city of Toronto with extra powers in terms of licensing and in terms of acting on this issue. You didn't address that yet. You did not answer how we should proceed with that power.

My friend from Peterborough indicated that we did pass the Municipal Act, 2001, and the Residential Tenancies Act, 2006. I would only hope that you will also tell us, if you can, to be fair, why it would be that the NDP would oppose that legislation that was passed, which gives more powers to the tenants in terms of overcoming some of the repair and maintenance problems. My colleague indicated that the tenant now can apply to the Landlord and Tenant Board to stop all rent increases, including annual rent increases. If there are outstanding work orders or serious maintenance issues, the board may refuse them as well.

The Deputy Speaker: Thank you.

Mr. Ruprecht: Thank you, Mr. Speaker, and I hope that the member will be able to answer some of these questions.

The Deputy Speaker: Further debate?

Mr. Ferreira, you have up to two minutes to respond.

Mr. Ferreira: I'm glad to hear that the member opposite from Davenport has expressed his support for the resolution today. I'm certainly heartened and encouraged by that. I want to thank him for his comments, and also his colleague from Peterborough for his interjection during this most recent round.

It's one thing to give municipalities—and the city of Toronto specifically—powers, but it's quite another to give them the cash, to give them the money, to give them

the funds to actually exercise those powers. That's where this government, quite frankly, has been deficient. They haven't delivered those monies. That's why, in my city of Toronto today—in fact, this very day—there are consultations happening down at Toronto city hall to talk about the budget that the city put forward earlier this week that is showing a substantial deficit that will be borne by the taxpayers and the residents of Toronto. That's where, I say to the member from Davenport, this government has not delivered.

The members from the government side talk grandly about what they have done over the past three and a half years, but the fact is that tenants today are no better off than they were in 2003. Again, eviction attempts are at the highest they've ever been in this province. In fact, tenants are facing greater pressure on them from their unscrupulous landlords and from the system itself to try and fend off eviction attempts. That is the record of this government. When the government is asked, "What are you going to do about this?" again, they don't answer. They sit back and they say they will monitor it. This government's record on housing and protecting tenants is atrocious.

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

HANDGUN AMMUNITION

The Deputy Speaker (Mr. Bruce Crozier): We will deal first with ballot item number 73, standing in the name of Mr. Duguid.

Mr. Duguid has moved private member's notice of motion number 49. 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.

RENTAL ACCOMMODATION

The Deputy Speaker (Mr. Bruce Crozier): We shall now deal with ballot item number 74, standing in the name of Mr. Ferreira.

Mr. Ferreira has moved private member's notice of motion number 52. 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 five-minute bell.

The division bells rang from 1200 to 1205.

The Deputy Speaker: All those in favour, please stand until recognized by the Clerk.

Ayes

DiNovo, Cheri	Kormos, Peter	Ruprecht, Tony
Ferreira, Paul	Marchese, Rosario	Tabuns, Peter
Hampton, Howard	Martel, Shelley	

The Deputy Speaker: All those opposed, please stand and be recognized by the Clerk.

Nays

Arthurs, Wayne	Leal, Jeff	Sandals, Liz
Balkissoon, Bas	McMeekin, Ted	Savoline, Joyce
Chan, Michael	McNeely, Phil	Scott, Laurie
Delaney, Bob	Mitchell, Carol	Smith, Monique
Dhillon, Vic	Ouellette, Jerry J.	Smitherman, George
Duguid, Brad	Qaadri, Shafiq	Wilkinson, John
Hardeman, Ernie	Racco, Mario G.	Wilson, Jim
Lalonde, Jean-Marc	Rinaldi, Lou	

The Clerk of the Assembly (Ms. Deborah Deller):

The ayes are 8; the nays are 23.

The Deputy Speaker: I declare the motion lost.

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

The House recessed from 1207 to 1330.

MEMBERS' STATEMENTS**MINISTER OF PUBLIC
INFRASTRUCTURE RENEWAL**

Mr. Norman W. Sterling (Lanark–Carleton): One of the most important assets of a politician is his reputation. I rise today to correct something the Minister of Public Infrastructure Renewal said yesterday. He was wrong yesterday, he is wrong today and he will be wrong forever.

The minister yesterday said that in 2002, the Ontario Lottery and Gaming Corp. was part of my ministerial responsibility. I told him to check his facts, but he refuses to listen or correct his statement. You would think that a minister responsible for the Ontario lottery corporation, the commercial end of the operation, would understand that when I was the Minister of Consumer and Business Services in 2002, I was responsible for the regulatory end, the body called the Alcohol and Gaming Commission. Those two ministries are purposely set apart because of the conflict in nature of the two roles. The Ombudsman in his report on the lottery scandal specifically states that the Alcohol and Gaming Commission has no oversight over the lottery side of OLG.

Instead of the minister's accepting the responsibility for his personal neglect in this corruption and resigning, he continues to run for cover and try to deflect blame on anyone he can. If he cannot understand the difference between the minister responsible for the regulations and the oversight and the minister responsible for running the lotteries, then he should not be a minister.

JACK MARKS

Mr. Brad Duguid (Scarborough Centre): On Saturday, March 3, the family and friends and the people of Toronto said goodbye to former Toronto Chief of Police Jack Marks at a police funeral held in Scarborough's historic St. Andrew's church. Jack Marks

served as chief of the Toronto Police Service from 1984 to 1989. This old-school, no-nonsense cop rose from a constable in 1951 through the ranks to lead the Toronto Police Service through a tumultuous time. His leadership was personified by a staunch commitment to ethics, duty and honour. In the words of OPP Commissioner Julian Fantino, "He was truly the salt of the earth, uncomplicated, genuine and yet profoundly thoughtful and conscientious, especially about all things police."

I had a personal encounter with Jack Marks when I got the honour to drive him home following a police function many years ago. He was passionate about the city of Toronto. He was knowledgeable and committed to policing and community safety, even in his retirement. I recall being amazed at how this strong, tough leader in the field was actually quite open, caring and generous.

Jack Marks has been credited with modernizing the Toronto Police Service, promoting racial harmony and pioneering community policing. It's safe to say that Toronto is a safer city and the Toronto Police Service is a better police service because of the leadership of Jack Marks.

On behalf of my colleagues in the Ontario Legislature from all sides of the House, I express profound condolences to his wife, Joyce, his daughter, Karen, his son John, and his son and my personal friend, Scott, and the entire Marks family.

**MINISTER OF PUBLIC
INFRASTRUCTURE RENEWAL**

Mrs. Joyce Savoline (Burlington): I rise in the House today to enlighten the Minister of Public Infrastructure Renewal as to what the people of Ontario are saying about his involvement in the lottery scandal. Perhaps the minister doesn't realize just how outraged the people of Ontario are that he is still sitting at the cabinet table and not taking responsibility for his ministry.

I have received e-mails from my constituents and will read from just two. From Mr. Dave Rogers: "In regards to Mr. Caplan, the minister responsible for the Ontario Lottery Corp., I urge you to seek his resignation. He denies involvement in the daily affairs of the organization, but cannot deny responsibility for its actions. If he is not accountable, what good is he in his role, or any other" role, "for that matter?"

"Mr. Caplan is not acting responsibly and in the interests of Ontarians if he does not step down."

From Mr. John Jacobs: "You can let Mr. Tory and the Honourable Mr. Caplan know that I am one of many Ontarians that is outraged by what has happened at the OLG and fully support Mr. Tory's demand for a better explanation of what Mr. Caplan knew. Mr. Brown should have been fired a long time ago, and without the generous severance package."

This is just a sampling of the many e-mails that I have received in my office. It's time for this minister to do the right thing and resign.

AWARDS IN BEACHES—EAST YORK

Mr. Michael Prue (Beaches—East York): I rise today to talk about two wonderful events that have taken place in my riding in the past week. Both of them involved wonderful women who have made great contributions to our community.

The first, the annual Agnes McPhail Award, is given out to people who live in the former borough of East York every year on March 24, which is Agnes McPhail's birthday, and this year's winner was none other than our own Lorna Krawchuk. Lorna Krawchuk is known to all East Yorkers as a former councillor with the borough of East York. As well as that, she has a long history and tradition of helping people in East York: years of service at St. Cuthbert's Anglican Church, years of service with the Girl Guides of Canada, at the local food bank and with the Leaside Property Owners' Association.

She was a very worthy recipient of the award, which is a monetary one. It amounted to some \$2,600 this year and she gave all of it to the Flemingdon Park food bank, so I commend her for that.

The second awards took place last night at the Beaches. The Beaches Women of Distinction Awards took place at the Balmy Beach Club. Thirty-seven women were honoured in the inaugural award. Perhaps the House would like to know that two of those were former MPPs who represented the riding: Marion Bryden and Frances Lankin.

My congratulations to all of the winners, to the people who put on these two awards and to the volunteers who made it happen.

PARKINSON'S DISEASE

Mr. Lou Rinaldi (Northumberland): It's my pleasure to rise today on behalf of my colleague the MPP for Brant, Dave Levac, to welcome representatives from Parkinson Society Canada who are at Queen's Park today helping to raise awareness for the need for an increased understanding of this terrible disease and the need to push for a cure and a better quality of life for those affected.

Parkinson's is a debilitating disease that often strikes people during their most productive years, when they are raising a family, building their career, caring for aging parents or making a significant contribution to society.

Over 40,000 Ontarians are currently living with Parkinson's. One such person is Dave's own brother, Norm Levac, who was diagnosed with Parkinson's when he was just 45 years old. Norm fights bravely as this disease slowly steals his physical being. But, as one of the few lucky people in the province, Norm underwent DBS surgery, which has helped him maintain a better quality of life while he fights the disease. DBS, or deep brain stimulation, involves electrodes being implanted into the brain. These are connected to a small electrical device called a pulse generator that can be externally programmed. DBS can greatly reduce the reliance on

drugs, and involuntary tremors. Movement disorder specialists also greatly improve the quality of life for those living with Parkinson's. Much progress has been made, but more work needs to be done.

I would like to acknowledge Carolyn Conners, David Lipson and Joyce Gordon, among many others, at Parkinson Society Canada for their tireless dedication to this important cause, and to welcome them to Queen's Park.

MINISTER OF PUBLIC INFRASTRUCTURE RENEWAL

Mr. Ted Arnott (Waterloo—Wellington): Listening to the McGuinty Liberal government's weak defence of their actions in the lottery scandal, people are again questioning whether or not they can believe what they're hearing.

The average person buying a lottery ticket knows that the odds of winning are long, but implicitly believes in the integrity of the game. Who on earth would buy a ticket if they believed they were going to be cheated out of a potential win? No one.

This is yet another example of the government's problems today, because as the Ombudsman's report points out, the province of Ontario has become addicted to gambling revenues, and now Dalton McGuinty is nervous that this scandal is going to cut into his government's bottom line.

Another question follows: How many people in Ontario, like Bob Edmonds, have bought lottery tickets in good faith and have been cheated out of their winnings? The Ombudsman estimates that millions of dollars have been paid out in dishonest claims. That would mean thousands of Ontarians have been robbed of money that was rightfully theirs. No wonder Dalton McGuinty is afraid that people are going to stop buying lottery tickets.

I have been concerned for a long time that gambling in Ontario is out of control and we are not doing enough to help people with gambling addictions. That's why I introduced a private member's bill calling for a public inquiry into the social impact of gambling in Ontario almost three years ago. Yesterday, I heard the minister responsible for lotteries, still in office at the moment, hanging on by the skin of his teeth, say that he's given all his files over to the OPP. Surely this means that the activities of his office are being investigated by the police, and, as such, he must resign.

1340

ONTARIO BUDGET

Mr. John Milloy (Kitchener Centre): This morning, I was pleased to welcome the Minister of Community and Social Services and her parliamentary assistant, the member from London North Centre, to my riding to discuss with community representatives some of the measures in the recent budget to fight poverty.

I'm extremely proud of our government's push to build opportunities for all Ontarians to succeed. Through measures like the Ontario child benefit, we are making a significant investment in children from low-income families. We're giving them a chance to fulfill their potential, a chance at a brighter future. The OCB is a \$2.1-billion program that will benefit nearly 1.3 million children annually. In addition, Ontario Works and ODSP rates are being increased by \$83 million to provide benefits to more than 420,000 families with more than 196,000 children.

The budget also contained good news for many community organizations in my area, including \$1 million for the Catholic Family Counselling Centre's capital campaign—this organization has shown leadership in developing an internationally recognized program to end family violence—\$350,000 for Christian Horizons to provide services for individuals with developmental disabilities, and \$250,000 to Reaching Our Outdoor Friends, or ROOF, a local group working with homeless and at-risk youth to help rebuild their community centre, which was tragically lost in a fire.

I'd like to thank the minister, the member for London North Centre, and the important community groups who came to the meeting this morning for all their work on behalf of the poor and disadvantaged in Waterloo region.

CHILDREN AND YOUTH

Mr. Jeff Leal (Peterborough): I rise in the House today to talk about the Premier's visit to my riding of Peterborough and the incredible \$1.3-million investment that the McGuinty government has made to the Five Counties Children's Centre to help improve services for children and youth with special needs. Children make up about 20% of the population but they are 100% of our future, and I'm incredibly grateful for the Five Counties Children's Centre. It is here to give a great start in life to those many children.

The McGuinty government is dedicated to creating more opportunities for Ontario's children and their families and giving them access to the resources that will provide a better quality of life. The most recent budget includes an extra \$30 million for services to children with special needs, alongside an additional \$4 million to support all children's treatment centres. This is on top of the \$10 million that already exists from the 2006 budget to provide services to almost 5,000 children and youth with special needs across this great province.

Diane Pick, CEO of the Five Counties Children's Centre, says of the McGuinty government's investment: "Five Counties Children's Centre appreciates that the government values the importance of accessible treatment space for our families and a quality work environment for our staff."

The McGuinty Liberals are committed to making Ontario stronger through increased access to opportunities. With this investment, we're doing just that, and the people of Peterborough are incredibly grateful for this new investment in our kids.

ONTARIO BUDGET

Mr. John Wilkinson (Perth–Middlesex): I'd like to take a moment to share with my constituents of Perth–Middlesex and all Ontarians what this year's provincial budget will do for them.

This budget is part of our plan to make improvements in their lives. We want to be there for the families and the seniors who rely on properly functioning hospitals. We want to be there for children and parents who expect and deserve smaller classes, more teachers, and schools that aren't crumbling. We want an infrastructure suited to the 21st-century economy, with research and innovation that will create and sustain jobs well into the future. We have a plan and a vision for Ontario that will create prosperity and opportunity for all.

Rather than cut the cord on our most vulnerable, as the Tories did, we have chosen to provide additional programs and funding to parents. A single parent with two children will now have an additional \$4,515 in their pocket compared to 2003.

Businesses back home in my riding have told me how happy they are that the government is creating fairness in the business education tax by implementing a new tax ceiling. This will mean an average tax reduction for Stratford area businesses of 35%, making them far more competitive.

Don't take our word for it. Even the leader of the official opposition, Mr. Tory himself, said that there isn't a thing he would reverse. He said, "I can't think of one thing I would reverse."

He talks a good game, but leadership requires vision, and a good vision for Ontario is what our Premier has delivered with this budget. My constituents will watch closely the budget votes and see whether or not he supports all of our wonderful initiatives in my riding.

WEARING OF RIBBONS

Mrs. Christine Elliott (Whitby–Ajax): On a point of order, Mr. Speaker: I would like to welcome Joanne and Paul Taylor of Oshawa, who are seated in the gallery today: co-founders of the Black Ribbon campaign, which is a cause that, while underscoring the importance of mental health programs, also seeks to dispel the stigma and dark cloud associated with mental illness. In recognition of the importance of this initiative, I seek unanimous consent for all members of this Legislature to wear the black ribbons provided in their respective lobbies.

The Speaker (Hon. Michael A. Brown): Unanimous consent has been asked to wear the black ribbon. Agreed? Agreed.

VISITORS

Hon. Kathleen O. Wynne (Minister of Education): On a point of order, Mr. Speaker: I'd like to acknowledge an itinerant teacher with the Toronto District School Board, Kelly Pollack, in the gallery, and to thank her for all the work she does with our blind students in the city.

Mr. Norm Miller (Parry Sound–Muskoka): On a point of order, Mr. Speaker: I'd like to welcome Mr. Ryan Tripp from my hometown of Bracebridge, who is down here today with the Parkinson Society. He's sitting in the east members' gallery and has been here holding meetings with the Parkinson Society today.

Mr. Mario G. Racco (Thornhill): On a point of order, Mr. Speaker: If I can recognize my younger brother's attendance in the House—Gerardo Racco.

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): On a point of order, Mr. Speaker: I hope that all members might join with me in welcoming the other visitors from the Parkinson Society, along with Mr. Tripp: Cathy Graham; Joyce Gordon, the CEO; and Dr. Hardacre.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Kevin Daniel Flynn (Oakville): I beg leave to present a report from the standing committee on general government and move its adoption.

The Clerk of the Assembly (Ms. Deborah Deller): Your committee begs to report the following bill, as amended:

Bill 69, An Act to allow for information sharing about regulated organizations to improve efficiency in the administration and enforcement of regulatory legislation and to make consequential amendments to other Acts / Projet de loi 69, Loi permettant l'échange de renseignements sur les organismes réglementés afin de rendre plus efficaces l'application et l'exécution de la législation de nature réglementaire et apportant des modifications corrélatives à d'autres lois.

The Speaker (Hon. Michael A. Brown): The Speaker: Shall the report be received and adopted? Agreed? Agreed.

The bill is therefore ordered for third reading.

INTRODUCTION OF BILLS

LABOUR RELATIONS AMENDMENT ACT (REPLACEMENT WORKERS), 2007 LOI DE 2007 MODIFIANT LA LOI SUR LES RELATIONS DE TRAVAIL (TRAVAILLEURS SUPPLÉANTS)

Mr. Kormos moved first reading of the following bill:

Bill 192, An Act to amend the Labour Relations Act, 1995 / Projet de loi 192, Loi modifiant la Loi de 1995 sur les relations de travail.

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

The member may wish to make a brief statement.

Mr. Peter Kormos (Niagara Centre): The purpose of this bill is to restore the provisions that were incorporated into the Labour Relations Act by the Labour Relations and Employment Statute Law Amendment Act, 1992, and subsequently repealed by the Labour Relations Act, 1995. The purpose of the provisions being restored is to prevent an employer from replacing striking or locked-out employees with scabs. The bill allows replacement workers to be used in emergencies.

ENVIRONMENTAL PROTECTION AMENDMENT ACT (PRODUCT STEWARDSHIP), 2007 LOI DE 2007 MODIFIANT LA LOI SUR LA PROTECTION DE L'ENVIRONNEMENT (GÉRANCE DES PRODUITS)

Mr. Miller moved first reading of the following bill:

Bill 193, An Act to amend the Environmental Protection Act with respect to the stewardship of products and of the packages or containers used for products / Projet de loi 193, Loi modifiant la Loi sur la protection de l'environnement en ce qui a trait à la gérance des produits et des emballages ou des contenants utilisés pour ceux-ci.

1350

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

The member may wish to make a brief statement.

Mr. Norm Miller (Parry Sound–Muskoka): The bill amends the Environmental Protection Act to add to the powers of the Lieutenant Governor in Council to make regulations under the act. The bill adds powers to make regulations on the stewardship of products, packages and containers, an area known as product stewardship. Regulations can require that the packages or containers used for certain products that are offered for sale or sold in Ontario be capable of being recycled or reused and can require that manufacturers and other persons establish and operate depots to accept the return of those packages and containers when empty.

MOTIONS

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): I seek unanimous consent to put forward a motion without notice regarding private members' public business.

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

Hon. Mr. Bradley: I move that, notwithstanding standing order 96(g), notice for ballot items 77 and 78 be waived.

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

VISITORS

The Speaker (Hon. Michael A. Brown): We have with us in the Speaker's gallery a parliamentary delegation from the Republic of Chile, led by Mr. Carlos Cantero Ojeda, a senator. Accompanying the delegation is Mr. Ricardo Plaze Duco, Consul General of Chile in Toronto. Please join me in warmly welcoming our guests.

Applause.

STATEMENTS BY THE MINISTRY AND RESPONSES

LOCAL HEALTH INTEGRATION NETWORKS

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): Today marks a historic occasion in the transformation of Ontario's health care system.

This coming Sunday, Ontario's 14 local health integration networks, or LHINs, will assume their full authority for funding health services in their respective parts of Ontario.

One year ago, the Lieutenant Governor granted royal assent to groundbreaking legislation which established LHINs. Since then, LHINs have started to make their presence felt.

They've engaged over 40,000 Ontarians in a new conversation about improved health care delivery in their local communities. Such local input into health care planning is vital.

We call Ontario diverse, yet we have often failed to recognize that what's effective and practical for patients in one area of our great province may not work the same in another. That's why local integration health networks, as part of their broad engagement with their communities, have also put in place plans that reflect the needs of specific ethnocultural communities that make up our province. They heard from residents that health care providers must take into account special dietary needs of patients, for example, in the Muslim-Canadian community, and observe certain customs and cultural etiquette.

By taking away some of the planning authority which currently rests at Queen's Park and shifting it to local networks closer to real people, closer to patients, we are working to ensure that resources and services will be better matched to patients' health care needs than they have ever been.

The 14 local health integration networks are also aligned with 14 community care access centres, down from 42, to ensure the most efficient delivery of care and

services throughout the community. This alignment will also provide better standardization of client services and allow community care access centres more flexibility to plan and distribute resources equitably throughout the LHIN area.

Beyond CCACs, LHINs have worked hard to break down existing barriers and bring local health providers together to tackle common problems in partnership.

When I introduced the LHIN legislation, I lamented that when I looked around the province in search of the oft-referred-to health system, I was often sorely disappointed, for there was little evidence of a true system. Instead, and unfortunately for the people of Ontario, health care delivery seemed to be all too often compromised by fragmentation and turf protection. LHINs have already started to change this.

The central local health integration network, for example, has had a leadership role in the design of an innovative delivery model for hip and knee surgeries at North York's Branson site. This is a collaborative effort with staff from Markham Stouffville Hospital and York Central Hospital. The project involves a specially trained team of interdisciplinary staff working with orthopaedic surgeons. They assess and manage patients requiring hip and knee joint assessment. This assessment enables the surgeons to focus on the patients most likely to require surgery and increases the time they can spend in the operating room with those who are most in need. This means most patients will get access to faster joint replacement surgery. A patient's care journey, from the first visit to the family doc through to the eventual surgery, is simplified. Patients are empowered and given choice about what care they receive and where. Throughout the province, similar models are starting to come to life, and all have one thing in common: the driving involvement of the local health integration network to deliver better results for Ontario's patients.

This Sunday, local health integration networks enter the next phase of their development, assuming the direct responsibility for funding almost \$20 billion in health care services. LHINs will oversee almost two thirds of the overall health budget, determining when, where and how that money will best be spent to deliver the best local results. With the great power associated with exercising their spending authority comes great responsibility for the LHINs to deliver on their mission of providing results for Ontario's patients.

Over the next few years, Ontarians can expect to see real improvement in the health care they are receiving. They will benefit from different health care providers working together to care for them—fewer delays and disruptions and shorter wait times in their health care services. They will receive better, safer care from the health professionals who are best suited to provide that care. They will receive better information about health services in their community and have the ability to compare their wait times with those in other local health integration networks. And finally, they will experience a health system that works better because there is less waste and duplication.

The contrast between local health integration networks and the old district health councils could not be more explicit. DHCs had no power to translate their extensive and costly planning work into concrete action. They had no ability to actually use what they heard from people on the ground and use it to improve local health services. And finally, district health councils had neither capacity nor responsibility to deliver quantifiable results that benefited patients. LHINs, on the other hand, are signing on through accountability agreements to meet specific performance targets related to improved health outcomes in their communities. By having the LHINs take over on the ground planning and implementation, the ministry is free to rise up to a more strategic level and do what it is designed to do: provide stewardship to the system through setting provincial standards and priorities and monitoring health outcomes.

Let no one mistake this system transformation for an exercise in shirking of responsibility at the government level. The buck stops here, and it will continue to do so as LHINs take on their new powers. Ontario's health care system must become more centred around the patient. On April 1, we will be taking another big step in building the system that we need on behalf of our patients, and I want to thank all of those front-line health care providers who do such great work on behalf of our patients.

DEFIBRILLATION EQUIPMENT

DÉFIBRILLATEURS CARDIAQUES

Hon. Jim Watson (Minister of Health Promotion):

This morning I had the true pleasure of being at an event with my colleague the member for Don Valley West, the Honourable Kathleen Wynne, the Minister of Education, in her riding where we announced the single largest government investment in Canadian history for public-access defibrillators at the Jenner Jean-Marie Community Centre. The McGuinty government is providing \$3 million to the Heart and Stroke Foundation to place 1,000 automatic external defibrillators, or AEDs, in communities across Ontario, primarily in community centres, recreation complexes, arenas and the like.

Les maladies cardiaques demeurent parmi les principales causes de décès en Ontario et, chaque année, plus de 6 500 personnes meurent à la suite d'un épisode d'arrêt cardiaque subit.

1400

Even though more than 40% of us will develop heart disease in our lifetime, 80% of coronary heart disease can be avoided by making healthy food choices, being active every day, avoiding excessive alcohol, being smoke-free and having blood pressure levels checked on a regular basis.

Although eating healthy and being active can reduce the risks associated with heart disease, some people are not even aware of their predisposition to sudden cardiac arrest. We know that sudden cardiac arrest does not have to be fatal or result in disability.

Nous le savons car les preuves montrent que l'intervention précoce par un personnel formé utilisant des défibrillateurs automatiques peut sauver des vies.

Access to defibrillators in buildings where members of our communities learn, work and play can reduce the number of deaths in our province and better protect people's health. Providing public access to defibrillators can make a difference between life and death. As health promotion minister, my goal is to improve and strengthen public health by ensuring that Ontarians have the tools and training necessary in their physical environments to achieve and maintain good health.

I'd like to recognize two people who were with us this morning at the ceremony in Kathleen Wynne's riding. They're both alive today because of automated external defibrillators. I know they will be joining us a little later in the gallery.

On November 21, 2005, Detroit Red Wings defenceman Jiri Fischer returned to the team bench after a shift and collapsed. As doctors and emergency attendants worked feverishly, Fischer's teammates and opponents, the fans in the Joe Louis Arena and a television audience of millions watched in stunned silence. Quite simply, Fischer's heart stopped. Thanks to an automatic defibrillator, Jiri Fischer is alive and living the best life he can.

We want to thank Jiri for coming here in a few moments. We also thank him for being at the event today. As I was telling Kathleen Wynne, when you have a hockey player—and we were also joined by Walter Gretzky, who's a great ambassador for heart and stroke. All of the attention was on the hockey players and the politicians were forgotten, as it should be in Canada as we head to the playoff season.

Also at this morning's event was Sam Webster. Sam was in the midst of playing a racquetball game when he collapsed. A Mikey defibrillator saved his life. We thank them both for sharing their emotional stories with us today.

I'm pleased to say that the McGuinty government is working with one of our key heart health partners, the Heart and Stroke Foundation, to save more lives throughout the province of Ontario.

I want to welcome Rocco Rossi, who is the president of the Heart and Stroke Foundation. He's in the gallery, along with his colleague Justin Brown. We thank them very much for their leadership in this important issue.

I'd also like to recognize a special guest in the House, Mr. Hugh Heron, who is right up there. Hugh Heron is the president of Heathwood Homes and co-founder of the Mikey Network. The Mikey Network is a community-based organization that raises money for public-access defibrillators. Earlier this month, I was pleased to join Hugh, who's a great community leader not just in the business community but he's also taken on this cause because a good friend of his passed away as a result of cardiac arrest. He's keeping his spirit and his memory alive through placing these defibrillators in schools in the Toronto area and other public-access facilities. Hugh, thank you very much for a job well done.

As I mentioned, these units are called Mikeys in honour of Mike Salem, a respected member of the home building community who passed away from sudden cardiac arrest in 2002.

Je suis heureux d'annoncer que, par l'entremise de la Fondation des maladies du cœur de l'Ontario, notre gouvernement investit 3 \$ millions pour garder les Ontariennes et les Ontariens en bonne santé et pour sauver des vies.

The funding announcement is in addition to the Ministry of Health Promotion's investment of \$3.4 million a year in initiatives designed to promote heart health across Ontario through the Ontario heart health program. This program is a community partnership that focuses on risk factors for cardiovascular and other chronic diseases and is making a difference in the lives of people in our province. We're taking steps to improve the heart health of Ontarians young and old.

I'd also like to recognize the efforts of my colleague Minister Gerry Phillips, the Minister of Government Services, who is fulfilling the government's commitment to install 250 life-saving portable heart defibrillators in close to 100 provincial government buildings in our province.

I'd also like to acknowledge my colleague Bruce Crozier, MPP for Essex, who has led the way in this Legislature to remove any doubt about liability when it comes to AEDs. Without his efforts, this day may not have been possible. His legislation, the Chase McEachern Act, has now been incorporated into Minister Smitherman's Bill 171. This act is named in honour of a brave young boy, Chase McEachern, who passed away at the age of 11 as the result of cardiac arrest. I had the true honour—I know Kathleen Wynne shares this with me—a very emotional speech by his father, John McEachern, talking about how he is taking this terrible tragedy that has affected his family personally and making a good of it as a result of the work that Bruce Crozier and others of the Mikey Network and Heart and Stroke have done.

In conclusion, I'm proud to be part of Premier McGuinty's government, a government that recognizes the importance of partnering with the community, with the private sector and other levels of government. This \$3-million investment today, while significant in size, more importantly is significant in that it will save lives in this province. That alone is something that makes me extremely proud to be the Minister of Health Promotion in this great province of Ontario.

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

Mr. Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to respond to this. I'm pleased that the minister recognized Chase McEachern, a young 11-year-old hockey player from Barrie, Ontario, who in February 2006 passed away at his school. One of his last wishes, when he wrote to Don Cherry, was to seek a defibrillator program through the province and through the Heart and Stroke Foundation because of the cause he believed in. I have worked with his father at many fundraisers to raise money to bring awareness. I've been with Minister Phillips in Barrie in terms of raising awareness with

respect to defibrillator use. In honour of Chase McEachern in Bill 171—and I supported Mr. Crozier in terms of his bill and bringing that forth to the House—it would be nice to see the government allocate some of that \$3 million towards the Chase McEachern Foundation and to the Heart and Stroke Foundation to encourage and raise awareness of defibrillator use in this province. The memory of Chase McEachern is in this House. It's something that would be a worthy cause throughout this province for what he did to bring this issue to the fore.

LOCAL HEALTH INTEGRATION NETWORKS

Mrs. Elizabeth Witmer (Kitchener-Waterloo): I would like to respond to the statement that was made regarding LHINs. Our party does support the need for integration of the health system. However, having said that, by the LHINs' own admission, they are not able to do anything to address the doctor shortage. Even the LHINs know this. In fact, Georgina Thompson, the chairwoman of the South East Local Health Integration Network, headquartered in Belleville, said, "The new organization promising to improve health care in Ontario says doctor recruitment is not on its agenda." She said that this chronic shortage "is being dealt with by the Ministry of Health."

We all know, if we take a look at the report that was released today by the College of Physicians and Surgeons—they have released their 2006 registration statistics and survey of Ontario physicians, entitled 2006 Physician Resources in Ontario: Small Triumphs, Big Challenges. Last year, the college issued 2,961 medical licences. Thirty-seven per cent of those doctors graduated from an Ontario medical school; however, 42% came from a medical school outside North America. So I think we can appreciate that there is some reason for concern.

1410

However, the fact that the numbers are increasing is in large measure due to the initiatives that our government undertook between 1995 and 2003; in fact, the minister on many occasions lets us know that. If you take a look at the number of licences—and the government should look at this—issued to international medical graduates in 1995, it was 419. In 2003, thanks to our initiatives, that number had increased to 962—an increase of 130%. That's the increase in the number of international medical graduates, and so I think this government needs to acknowledge that fact.

They also need to acknowledge what the survey says: that we need a long-term-care plan to create more doctors, because we have an aging population, we have physicians retiring, there are more than a million people without a family doctor, including 130,000 children, and these patients without a doctor are waiting long hours for treatment in overcrowded emergency rooms throughout the province of Ontario and in walk-in clinics.

The other challenge that this CPSO report points out is that the number of family doctors accepting new patients is down to 9.6%. Just seven years ago, when we were in

office, 39% of family doctors reported they were accepting new patients. So I think you can see that there's a lot of work that needs to be done, and certainly there's a long-term-care plan—

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

Ms. Shelley Martel (Nickel Belt): In response to the statement made today, the Minister of Health has often said that the creation of the LHINs is going to result in decision-making that moves from Queen's Park closer to home, and that's going to make the LHIN board members more accountable to the people they serve in that geographic area. No doubt the LHIN board members are very well-intentioned people who care about health care and care about the delivery of health care, but the fact remains that they are controlled by the government, they are accountable to the government, and all the provisions in Bill 36 make that oh, so very clear.

"Cabinet may create, amalgamate, dissolve or divide a LHIN." It's cabinet that decides who will be appointed, who will be remunerated and at what level, and it's cabinet that decides who the chair and the vice-chair of the LHIN will be. It's cabinet that makes the determination about how long the members will continue to serve "at the 'pleasure' of cabinet," and they can be removed at any time without cause. Their reappointment is entirely dependent on cabinet.

A LHIN is explicitly defined as "an agent of the crown" in the legislation. The LHINs are funded "on the terms and conditions that the minister considers appropriate." While the LHINs may fund health care services, the funding must be "in accordance with government requirements, including the terms of the funding that the LHIN receives from the ministry, terms of the accountability agreement by which it is bound to the ministry, and any other requirements that cabinet may prescribe." At the end of the day, who sits on the LHINs and for how long, who is the chair, the vice-chair, how much money they get and how it is spent is all controlled by the government, and the accountability is back to the government.

This regrettably sets up the LHINs to take the fall or to take the flak for negative funding decisions made by the government, in the same way that the former Conservative government used the Health Services Restructuring Commission to take the flak for decisions made on hospital amalgamations or hospital closures. Indeed, the North East LHIN has already been the target of such an action, and this occurred even before funding transferred to the LHINs, which doesn't occur, of course, until April 1.

The matter in question involves an announcement of transitional long-term-care beds which was made on February 16, an announcement, interestingly enough, made by the LHIN boards and not by the government, even though the transfer of money had not taken place. Twenty-five new transitional long-term-care beds were announced for northeastern Ontario: 10 for Sudbury, 15 for Sault Ste. Marie. North Bay didn't get any interim long-term-care beds, even though they've got a problem

with alternate-level-of-care patients being in the hospital because there are no community services for them.

When asked by the media why North Bay didn't get these beds, the MPP for Nipissing said that the bed and funding allocation decisions were made by the LHIN. Strangely enough, when the media posed the same question to the LHIN chair, she said that the announcement on how much funding, when and where, and which facilities got beds was made by the government. Small wonder that the editorial in the North Bay Nugget of February 19 said:

"North Bay got shafted. Most likely this was the reaction of the ordinary citizen who read the report on page A2 of Saturday's Nugget.

"It concerned the allocation of new long-term-care beds in northeastern Ontario. North Bay and District Hospital got zilch. Others got a little, but not much.

"These were the essential facts. They were all wrapped up in a fog of bureaucratise"—bureaucratic nonsense—"apparently intended to convince the public that all is well and, most of all, distribute blame and evade responsibility.

"The government recently created the North East Local Health Integration Network—one of many similar outfits that are supposed to know and understand local problems better than distant bureaucrats at Queen's Park. They may, but they can also serve as nearly impenetrable cotton wool blankets protecting the bureaucrats and politicians from both decision-making and responsibility."

I regret to think that after April 1, we're going to see more of the same.

The final point I want to make has to do with First Nations and the lack of consultation by this government with respect to the setting up of the LHINs.

Alvin Fiddler came to our committee hearings, and I suggest that the Minister of Health read what he had to say, because he said this: "The province of Ontario committed itself to a new working relationship with First Nations in the document Ontario's New Approach to Aboriginal Affairs.... Since this declaration, and mindful of what has occurred over the last year, it can be said that the province has made no real efforts to fulfill its obligations to First Nations, including actively seeking First Nation input regarding Bill 36."

At a meeting that he was at last week, the Deputy Grand Chief reiterated those concerns. They are very concerned about the impact that LHINs will have on native health care, and the government has not fulfilled its responsibility to reply.

ORAL QUESTIONS

ONTARIO LOTTERY AND GAMING CORP.

Mr. John Tory (Leader of the Opposition): My question is for the minister in charge of lotteries. We've had four days, and this issue is not going away. In fact,

what is becoming clearer is that the version of events that you spin in this House is not adding up to what actually happened.

You say you didn't know about this rip-off at the lottery corporation until October 2006, yet we know an e-mail went into your office months before October 2006, to the man who in fact is now your chief of staff.

You say you've had no contact with the lottery corporation, yet the Globe and Mail reports that your office was advising the lottery corporation to "fight hard" rather than to "come clean."

We know that two of McGuinty's top political fixers were summoned to spin the scandal, going so far as to weave a tale with numbers pulled out of thin air.

But at no time—until you got caught—did you do anything to protect the interests of Ontarians. This is a monumental failure of leadership, in respect of which you should resign. Will you do the honourable thing and submit your resignation?

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): Of course, the member opposite is afraid to quote the Ombudsman, an independent officer of this Legislature, who commented on this matter, in the most sweeping and thorough review that was done—and I would say, by the way, we've had others and some that are ongoing.

I want to quote for the member opposite what the Ombudsman had to say on page 68: "I commend the minister and the government for its openness and responsiveness to my report and recommendations and for their immediate and resolute commitment to ensuring change."

I know for a fact that Mr. Tory, the Leader of the Opposition, has written to the Ombudsman to ask him to clarify these sections of his report, and I know that the Ombudsman wrote back to him and said that his report speaks for itself.

In fact, the Ombudsman went further in his press conference held on Monday, and he said—and I have more of the Ombudsman's remarks that I will share with the member opposite about the actions that have ensued and the work in restoring the public trust and confidence in the Ontario Lottery and Gaming Corp.

Mr. Tory: As usual, the minister is completely missing the point, which was that what we're looking into is the period well before October, when you did nothing. You sat on your duff and did absolutely nothing when information was brought to the attention of you and your office about people in Ontario being ripped off for millions of dollars.

In fact, yesterday the Ombudsman did write a letter in which he said, "I think the context of the comments in question is quite clear: They refer to the government's response to my completed investigation and my recommendations." In other words, when he gives all these words that you repeat so often, he's talking about what you did after you got caught, not about what you did any time before that. That's clearly what he's saying. You did not ask a single question of anybody. You didn't make an inquiry; you did nothing until you got caught and until it

became public—as weak an example of leadership and lack of leadership as we've ever seen.

1420

You have e-mails into your office. You have people calling. The people of Ontario have the right to expect that you would have acted before a story was on the air and before the Ombudsman investigated.

You should stand up and do the honourable thing and resign. Will you do it?

Hon. Mr. Caplan: In fact, I don't have to say what the Ombudsman says in other words; I can say what he says in his own words. And he did say at his press conference, and I would quote for the member opposite:

"I conclude that they"—the Ontario Lottery and Gaming Corp.—"put profits ahead of public service. I think there was a point, a crossroads, in" the year "2002. At that point, the OLG could have gone two ways. It could have said, 'We'll apply the law and take the measures to act diligently.' One month later, Bob Edmonds surfaced, and they pretended that binding law from the Supreme Court didn't apply. Then it became a slippery slope."

That is what the Ombudsman says: that actions should have been taken in 2002. The minister who was responsible for the OLG, of course, was the member for Lanark-Carleton, Mr. Sterling, and I regret that these matters were swept under the rug. They were put in a closet and locked away. Others would look away, but this government chooses to shine a light on things in order to delve into them. It shows real leadership to take responsibility.

Mr. Tory: The fact remains that you did absolutely nothing about this until you got caught. The fact of the matter is that you did absolutely nothing. Let me quote from the Ombudsman's report. You're very fond of doing that. Let's quote from page 5: "...there are disturbing signs that the culture that led to the difficulties in the first place is not gone. It was not conscience or self-criticism that smartened the OLG up—it was a public relations nightmare, played out on the public airwaves despite its best efforts at suppression. A profound cultural shift has yet to occur..."

That's what he said, and in the meantime there are e-mails going back and forth between the very same corporation he's referring to and your staff and your office. I suspect that somewhere you knew about that because you just did—you are the minister. It's not conceivable or believable that your chief of staff didn't come and talk to you about it.

The bottom line is this: A true leader would have acted sooner. You sat and did nothing for months while people were ripped off to the tune of millions of dollars across this province—dozens of articles published, for that matter. These are just the articles from 2005 about Bob Edmonds. You did nothing.

Hon. Mr. Caplan: I certainly am heartened to know that the leader of the official opposition has read the report. In fact, the Ombudsman went quite a bit further in his comments in his press conference, and I would quote

him again: "Of course we all know things began to happen quickly once the Edmonds case became public, and now have already some initiatives that have been implemented, such as"—and he goes on to list quite a few. Then the Ombudsman goes on: "Is the government committed to reforming the system and perhaps making it the best in the world? Certainly," he says, "I would find that very encouraging."

In fact, we already have taken action. Of the Ombudsman's and KPMG's recommendations, of the total sum of 60, 17 have already been implemented. By the end of June, another 25 will be fully operational. The remaining 18 have begun and are ongoing.

As well, we'll adhere to the Ombudsman's request that we report back on a regular basis to him and that we also report to the public on the significant progress we are making.

The Speaker: New question. Leader of the Opposition.

Mr. Tory: To the minister of lotteries, maybe a couple of other quotes on page 2 of the Ombudsman's report: "In the immediate aftermath of the CBC program, the OLG responded by trying to downplay its revelations."

Or on page 21: "It appears that 2004 was a banner year for controversial insider prize claims." That's on your watch, during which time you did nothing.

Clearly we are here at an impasse. The minister's account doesn't jibe with the facts being reported in the media. An investigation is required. We need to know once and for all who knew what, when they knew it and what they did about it. The investigation needs to go into the lottery corporation, the minister's office and the Premier's office if people in Ontario are ever going to get any satisfaction as to what happened and why it happened when they got their money ripped off.

Will the minister agree to appoint such an investigation today—the minister's office, the Premier's office and the lottery corporation itself—a wide-ranging explanation so the people who got ripped off will know why, who was involved and who knew what? Will you do it?

Hon. Mr. Caplan: We've had several investigations. In fact, we've had an all-party committee of this Legislature. All members of all parties had a chance to talk to and go through Ontario Lottery and Gaming. We've had an independent officer of this Legislature, the Ombudsman, do one of the most sweeping investigations and prepare an excellent report. I've accepted all of the elements in the report and have committed—and the Ombudsman has taken the undertaking that we have made to make sure that his recommendations are implemented.

In addition to that, through the board chair, I called in KPMG to do a review. KPMG, of course, should be well known to Mr. Tory, the leader of the Progressive Conservative Party. They are in fact the auditor for your party and have an excellent worldwide reputation as leaders in this regard.

In addition to that, following the Ombudsman's allegation made in his press conference, I directed that all files that were reviewed be turned over to the Ontario Provincial Police for their review, and they will determine what the appropriate next steps are.

Mr. Tory: Let me just follow up on that last point. And by the way, you shut down the all-party committee you talk so fondly about.

But let's talk about the last point and the OPP. The minister says he has turned the files over to the OPP, and I'm sure they'll do a good job as far as they can go. But there's a problem with that. We obviously can't have the OPP investigating itself. Michael Sharland was the chief superintendent of the OPP until two weeks ago. He's also the head of security at the lottery corporation. We already have questions there about his role and the role that took place with respect to the Bob Edmonds case.

The OPP also can't investigate the minister's office or the Premier's office to determine what level of involvement your office and the Premier's office, Mr. McGuinty's office, had in all of this. So will the minister commit today to asking an outside police service to investigate this issue so that Ontarians can get the truth about how they got ripped off these millions of dollars by the lottery corporation and others, and who is involved and who knew what when? Will you commit to an outside police service investigating this?

Hon. Mr. Caplan: It's rather astounding that the leader of the official opposition continues to call for direction and police investigation into these matters. All members of this House understand the nature of how these matters are handled. The files have been turned over to the Ontario Provincial Police for their review. They will determine what the appropriate next steps are. I want you to know, Speaker, I trust the OPP. I trust them to determine whether and what type of review is warranted and I trust them to take the appropriate action.

The Ombudsman is thorough in his excellent report. He specifically recommends the separation of the judge and jury. I want this member to understand that we have already begun to work with my colleague Minister Phillips, the Minister of Government Services, to separate that out and have that proper oversight through the Alcohol and Gaming Commission. In fact, I know that Minister Phillips has already met with the Ombudsman.

These are the steps that leadership does take. Unfortunately, previous ministers and previous governments chose not to act when they had the opportunity, but this government does not shirk from its responsibilities.

Mr. Tory: What we really know is that the Dalton McGuinty government only acts on anything when they get caught. That's when you acted, when you got caught by the fact that you sat and did nothing for months and months while millions of dollars were stolen from innocent people around this province. That's the only time you did anything, and your first reaction and that of your spin doctors was to try to cover this up and spin a tale that would deflect, deny and defer people off the real issue.

The OPP can't investigate itself. The OPP can't investigate the minister's office and the OPP can't investigate the Premier's office. That's why we need an outside police force. We want to see, and the people of Ontario who buy these tickets want to see, the truth. A terrible injustice has happened here, and the fact is that for two years the McGuinty Liberals did absolutely nothing until they got caught. We need an investigation into this entire sordid mess. Why doesn't the minister commit to getting to the bottom of this, ask an outside police service to investigate and then, as that last good thing that he might do, submit his resignation, which would be a second good thing?

Hon. Mr. Caplan: Several investigations have already taken place. In fact, the member opposite talks about the standing committee. I recall from the Hansard of the committee on November 22, Laurie Scott, PC member from Haliburton–Victoria–Brock: “I think the report we're providing should reflect what we heard at the time. That's maybe why this was taken out originally. I'm trying to remember back. I think we should not go down that path. No disrespect, but I think we should just leave it as the time at which the committee heard the agency's testimony.”

Even members of his own caucus do not agree, unfortunately, with the leader of the official opposition's position. I want this House to know that public trust and confidence in their corporation, in this agency, is paramount, and this government has taken actions where others and previous governments refused to, where they looked the other way, where they hid it away in a corner. We've opened those doors, we've shone a light on it, and action has been taken.

1430

Mr. Norman W. Sterling (Lanark–Carleton): Mr. Speaker, on a point of order: What does a member do when a minister of the crown continues to charge me with false accusations about my responsibility for the Ontario Lottery Corp. during 2002? I was responsible for the regulatory arm, the Alcohol and Gaming Commission, not the lottery corporation. I ask the minister to apologize for attacking my reputation.

The Speaker: A member obviously always has the opportunity to put before the House questions of privilege. I am in no position to counsel members on how they should approach these things, but there are ways that you can put your position.

New question. Leader of the third party.

Mr. Howard Hampton (Kenora–Rainy River): My question is for the minister responsible for lotteries. Every week thousands of Ontarians put aside some of their hard-earned pay to buy a lottery ticket. Most know that their chance of winning may not be excellent, but at the very least, they expect that the government, your government, is going to run a fair lottery. But under your watch, the McGuinty government did not run a fair lottery. In fact, the McGuinty government has been running fraudulent lotteries. So my question is this, Minister: When are you finally going to admit that you failed to do

your job and you failed to protect those innocent Ontarians who were subject to lottery fraud?

Hon. Mr. Caplan: I certainly accept the Ombudsman's report that this corporation was set up incorrectly, that it was both the operator-retailer, the judge and jury, the investigator, and that should not have taken place. In fact, that was set up under the third party. It was nurtured in the culture of an organization which was ultimately conflicted, it was nurtured by the Conservatives when they were the government, and it has finally taken this government—of course, the Ombudsman has shone the light on this, as have others—and this minister to take the necessary steps and the responsible steps to make sure that we separate out and fix that flaw which was set in place.

I have begun the work with my colleague the Minister of Government Services, Mr. Phillips, and with the Ombudsman to make sure that we have the proper regime and the proper regulatory oversight to make sure that Ontarians—

The Speaker: Supplementary.

Mr. Hampton: Minister, for a week now, you've been trying to tell those innocent people across Ontario who were cheated in your lottery that you knew nothing. I have news for you: No one believes you. A woman who wrote to us today said, “I can only say I am sickened by the lack of respect, morality and integrity shown by the government.” Another person writes, “I strongly believe that David Caplan should resign from his position.”

We also heard from another courageous older gentleman who says he can't understand how you could be unaware of the problems at the OLG. His name is Bob Edmonds. Minister, why do you think Bob Edmonds doesn't believe you?

Hon. Mr. Caplan: I have certainly apologized to Mr. Edmonds for the hardship that he was placed under. His case began in 2001. Mr. Hudak, the member from Erie–Lincoln, was the minister at those times, and I cannot provide any insight into what actions were ordered, what was asked to be done. I do know that the Ombudsman comments on this matter quite directly, and I would quote the Ombudsman from his press conference on Monday for the member opposite. He says:

“I conclude that they”—the OLG—“put profits ahead of public service. I think there was a point, a crossroads, in 2002.... At that point, the OLG could have gone two ways. It could have said, ‘We'll apply the law and take the measures to act diligently.’ One month later, Bob Edmonds surfaced, and they pretended that binding law from the Supreme Court didn't apply.” Then it became a slippery slope.

I agree with the Ombudsman, with his assessment and with his conclusions and recommendations. That's why action has been taken to make sure that this kind of situation does not happen again.

Mr. Hampton: Minister, I'll tell you why Bob Edmonds doesn't believe you. Under your watch, you spent \$200,000 trying to silence him and keep his story out of the media. And then, when his story did break in

the media, you went out and engaged two Liberal hacks, the Premier's former communications person and Warren Kinsella, to try to discredit him. That's why he doesn't believe you. Mr. Edmonds's lawyer says, "Unless Mr. Caplan is suggesting that no one from the government reads the newspapers or watches TV, I don't see how he can credibly say the government wasn't aware of Mr. Edmonds's claim."

Minister, there is a way that you can clear this up. You can turn over your e-mails, your records and your briefing books from the time you became minister. That would clear this up. Will you do that?

Hon. Mr. Caplan: I would say to the member that an all-party legislative committee has taken a look at the OLG, and the Ombudsman has done the most sweeping and thorough investigation of this matter. He is an independent officer of this Legislature, unbiased and non-partisan. I have ordered that all of the files that the Ombudsman reviewed be turned over to the Ontario Provincial Police for their review. I trust the Ontario Provincial Police to do the right thing, to make the right determination, to understand and to determine what the next steps ought to be. I have tremendous confidence in the Ontario Provincial Police.

But I would also say to the member opposite that there is a change to a higher standard right across the country. In Nova Scotia, we have a government investigating its lottery corporation. In New Brunswick, the Ombudsman there is looking into it and investigating. In British Columbia, the Ombudsman too has launched an investigation.

Mr. Peter Kormos (Niagara Centre): We've got a crooked minister.

The Speaker: I would ask the member for Niagara Centre to withdraw.

Mr. Kormos: I withdraw.

The Speaker: New question.

Mr. Hampton: To the minister responsible for the lottery corporation: Innocent people across Ontario who were defrauded, innocent people who work hard and play by the rules every day, simply do not believe you. Bob Edmonds doesn't believe you did your job.

You became minister responsible for the lottery corporation in June 2005. Just before that, Bob Edmonds's case of lottery fraud was settled. You know what, Minister? These are some of the newspapers that covered it: CanWest, the National Post, the Ottawa Citizen, the Guelph Daily Mercury, the Brantford Expositor, the Sarnia Observer, Canada Press Newswire, CTV National News, the Hamilton Spectator, the Sault Ste. Marie Star, the Peterborough Examiner. Minister, if you really didn't know what was going on, why won't you release your own briefing books, e-mails and records? That way, we would know whether you were in the dark or—

The Speaker: The question has been asked. Minister.

Hon. Mr. Caplan: In fact, the Ombudsman spoke quite clearly in his press conference, where he talked about the government and the actions that have taken place. "Of course, we all know," he says, "that things

began to happen quickly once the Edmonds case became public, and we have now seen some initiatives that have been implemented, such as a lowering of the insider win policy from \$50,000 to \$10,000."

In fact, there has been a great deal more than that which has ensued. Of the recommendations of both the Ombudsman and KPMG—more than 60 in total have come up—17 have already been implemented; 25 are under way and will be complete by the end of June. The remaining 18 are under way and working along.

For example, as the Ombudsman recommended, a public statement has been posted on the website. The KPMG report has been made available. As well, an action plan to implement all 40 of them has—sorry—

The Speaker: Supplementary.

1440

Mr. Hampton: Minister, it was covered in the Globe and Mail, it was covered in the Montreal Gazette, it was covered in the Halifax newspapers, the Regina newspaper, the Saskatoon newspaper, the Edmonton newspaper—It was covered by virtually every newspaper and radio network in Ontario. That's why Bob Edmonds doesn't believe you. He doesn't believe you could be that totally oblivious, that clued out.

There is no greater fraud than a government defrauding the public, and there's a way for you to clear this up. What are you trying to hide, Minister? Why won't you release your own e-mails, your own briefing books and your own records so that we can see? Either you were totally in the dark and didn't know what was going on or someone's not telling the truth.

Hon. Mr. Caplan: In fact, if I could expand on the earlier answer that I was providing, 8,800 self-checking devices have been made available and will be fully rolled out by the end of June. To date, 4,000 have already been installed. As I mentioned, the OLG insider-win policy threshold is down from \$50,000 to \$10,000. OLG escalates all insider-wins to corporate security and surveillance. Insider win investigations include interviews with retailers to verify purchasing information and previous playing patterns. Only when the investigation is complete and the claim proved to be valid is the prize paid out. If the OLG believes there's a serious concern with the retailer lottery prize claim, the appropriate police authorities are contacted immediately. All instant ticket processes have been detailed, and formal documentation is under way. Additionally, I am working with my colleague Minister Phillips to implement the oversight and the regulatory regime.

Ontarians can have every confidence that when they spend that toonie or that loonie on a game at Ontario Lottery and Gaming, it is a fair one and it is one they can have trust—

The Speaker: Thank you. Final supplementary.

Mr. Hampton: You know what, Minister? None of these things that you talk about is going to do anything for the hundreds and possibly thousands of people who were defrauded out of money in a fraudulent lottery under your watch. It won't do one stitch.

Bob Edmonds doesn't believe you, because he settled out of court and it was covered in no less than 81 different news outlets just as you became minister. You say you were totally oblivious; you had no clue what was going on. Well, Minister, Bob Edmonds doesn't believe you. But there is one way you can convince him. You can do what you have ordered the lottery corporation to do. You ordered them to turn over their records. Will you, Minister, turn over your records, your briefing books, your e-mails so that Bob Edmonds will know whether you're telling the truth or you were totally in the dark?

Hon. Mr. Caplan: I know that Mr. Edmonds has accepted the apology, certainly from myself and from the former president and CEO of the lottery corporation, Mr. Brown, when they spoke directly.

As soon as I did become aware, I acted quickly by ordering a third party review, the KPMG report, which forms a big part of the Ombudsman's recommendations, 40 of which are implemented. And when the Ombudsman said in his press conference that he felt there were—and made—some very serious allegations, immediate action ensued to deal with the matter that the member has raised here. I instructed Ontario Lottery and Gaming to ensure that all files and all other relevant information would be turned over to the Ontario Provincial Police for their review. In fact, the Ontario Provincial Police will make the determination about what the next steps are. I have faith and confidence in them to be able to get to the bottom of the matter.

The Speaker: New question. The Leader of the Opposition.

Mr. Tory: A question to the minister for lotteries. Clearly, the whole situation with respect to what you did, what you knew, what your office knew, what the Premier's office knew, what their involvement is, is a big issue here. It's a big issue with the public. The leader of the third party, the leader of the NDP, says that there are people out there who don't believe you. There are lots of them. We see them talking on television every night. It's a big issue in here. There are people who don't believe we're getting to the bottom of this.

No one has looked at these files so far. For all the investigations you point to that have been done, no one has looked at your files, your briefing books, your memos, your appointment calendar and so on. So if you're so strongly of the belief that you want to be open and transparent, if you're not trying to hide anything, if you're not trying to cover up and you really want to help the people who got bilked to understand what went on here, will you make those documents public? Will you make those documents subject to being reviewed so we can see exactly what you did and when?

Hon. Mr. Caplan: I understand the nature of this place. Members opposite engage in partisan activities and partisan views, and that's perfectly acceptable within this chamber. But we do have legislative officers who are independent, who are unbiased, who are non-partisan. The Ombudsman conducted the most sweeping investigation of this matter, and in fact, he says, "I commend the min-

ister and the government for its openness and responsiveness to my report and recommendations and for their immediate and resolute commitment to ensuring change."

That is in stark contrast to the way these matters were dealt with previously by ministers like Sterling, Hudak and others who swept these matters under the carpet, who put it in a closet and locked it away. It took this government to welcome the Ombudsman's investigation, to bring in KPMG, to refer the matter to the police, to shine the light of day on these matters and to take quick and decisive action to protect the public interest.

Mr. Tory: The Ombudsman's letter of yesterday makes it very clear that he has not at any time commented on what you did or, more precisely, did not do prior to October 2006. The answer is, there's not much for him to comment on. He would have reached the same conclusion as everybody else: You sat on your duff and you did nothing while people had millions of dollars stolen from them.

While we're at it, in terms of all the things you won't turn over to anybody to look at because you're trying to cover them up and keep them secret, we do have the evidence of the political fixers being sent in to cover this up and to concoct some story to mislead the public and the press. The Premier and you said yesterday that the lottery corporation hired Mr. Kinsella. We'll know how much Mr. Warren makes from the sunshine list that will come out tomorrow. Will you come here—in addition to your books, your memos, your calendars, your briefing notes, will you table Mr. Kinsella's contract, showing us how much he made and who signed the contract? Will you do that?

Hon. Mr. Caplan: As the Premier indicated yesterday, Ontario Lottery and Gaming, independently and on their own, makes the day-to-day decisions and did choose to hire Bob Reid, a very well-known gentleman to you. Their information is available under freedom of information, as are others.

The member knows full well from his colleagues who have served in the capacity that certainly a minister does not make the day-to-day operational decisions at Ontario Lottery and Gaming, nor the personnel decisions that are made there. I can tell you, though, that this government, unlike the previous, is committed to the highest standard of accountability and transparency. That's why, in fact, we've had a standing committee of the Legislature take a look at Ontario Lottery and Gaming and other agencies, where a previous government absolutely refused to do so. That's why we welcomed the Ombudsman and his investigation. We've embraced his report, accepted his recommendations and have begun implementing them. That's why, in the spirit, and directed because of the comments of the Ombudsman that the files be turned—

The Speaker: Thank you. New question.

Mr. Hampton: My question is for the minister responsible for lotteries. Bob Edmonds, that very courageous senior who took on the lottery corporation to prove that he had been the subject of lottery fraud, doesn't believe you. He doesn't believe that while the

lottery corporation was spending \$200,000 in 2005 and 2006 trying to silence him, you knew nothing. He doesn't believe you when you say that you didn't know that big Liberal Party fixer Warren Kinsella had been hired to discredit Mr. Edmonds and his story. He doesn't believe that you didn't know about that. But there is a way for you to clear the air.

The question is this: Will you turn over your briefing books, your e-mails and your own records so that Mr. Edmonds will have a chance to know whether or not you're telling the truth? Will you do that, Minister?

1450

Hon. Mr. Caplan: Mr. Edmonds, unfortunately, was treated in an incredibly disrespectful manner and in a manner that I don't think any Ontarian ought to be treated; unfortunately, that happened under the watch of a previous government. We have Mr. Sterling, a former minister. We have Mr. Hudak, also a former minister. I can't tell you why they chose the actions that were taken at the time, why Mr. Edmonds was put through the ordeal that he was.

On behalf of the people of Ontario, I have apologized to Mr. Edmonds. The president and CEO, Mr. Brown, also took the opportunity formally to apologize to Mr. Edmonds. I am certainly—

Interjections.

The Speaker: The interjections are just going a little bit over the top here.

Interjections.

The Speaker: I'd ask the member for Lanark—Carleton to withdraw his comments.

Mr. Sterling: Which comment? That he's a piece of work? Withdrawn.

The Speaker: Just withdraw. Withdrawn. Minister.

Hon. Mr. Caplan: In fact, the Ombudsman himself comments on the government's sincerity and the government's determination, where he says in his report, on page 69, "I am happy to see that both the government and OLG appear to be headed in the right direction."

That's the kind of leadership that this government has brought. We've shone a light on these matters, and we've taken decisive action to make sure that Bob Edmonds and the Bob Edmondses of the world are not treated in disrespectful fashion yet again.

I want all members to know that I treat this matter with all of the seriousness that it deserves, as does the Premier and the government.

The Speaker: Thank you. Supplementary.

Mr. Hampton: Minister, all those words do not do a thing to restore to those people who were cheated in the lottery fraud under your watch, and they do nothing to give confidence to Mr. Bob Edmonds.

The other day you suggested that the lottery corporation should turn over their records to the police, and you suggest that there was a sweeping investigation, but no one has been able to look at your briefing book, your records or your e-mail. You are the person who was ultimately responsible. You are the person who's supposed

to protect the public interest. I'm going to ask you again: Will you turn over your briefing books, your e-mails or your records? What do you have to hide, Minister? Why are you trying so hard to hide the only thing that really will provide a sweeping investigation?

Hon. Mr. Caplan: The Ombudsman of Ontario is non-partisan—unlike members of the this House is unbiased—unlike all members of this House, I say quite fairly. The Ombudsman is independent and has, under the act granted by this Legislative Assembly, broad and sweeping powers to be able to investigate, and he did conduct his own investigation under his act, perhaps one of the most thorough reviews of the lottery and gaming corporation in this province's history in my knowledge and certainly in my memory. I accept his recommendations and report.

On Monday, the Ombudsman made a serious allegation in his news conference. That is why I took very quick and decisive action to make sure to direct Ontario Lottery and Gaming to provide all of the files that the Ombudsman reviewed and any other files that the OPP would deem necessary. I directed all of that information to be turned over to the police for—

The Speaker: Thank you. New question.

AFFORDABLE HOUSING

Mr. David Zimmer (Willowdale): My question is to the Minister of Municipal Affairs and Housing. As former chair of the Toronto Community Housing Corp., I've learned over the years that stability and security for families in Ontario begins with a place called home. All Ontarians need a roof over their heads. This is a concern found all over the province, and my constituency in Willowdale is no exception. Housing advocates want to know what our government is doing to ensure more Ontarians than ever have access to affordable living accommodations.

Minister, could you provide this House with the details of our government's plan to help municipalities build new, affordable housing and rehabilitate existing housing units across the province?

Hon. John Gerretsen (Minister of Municipal Affairs and Housing): One of the real good-news stories in the budget last week was the fact that this government is investing \$392 million for those with housing needs in our province. It starts off with a program of new housing allowances to 27,000 different families clear across this province that are going to be helped with their housing needs. Rent is going to be paid for to the tune of \$100 per month. That's going to help 27,000 families that are currently on the waiting list across this province. That will cost \$185 million. We are also investing \$127 million of \$392 million for our housing service managers across this province to assist with either the building of new affordable housing or with rehabilitating existing affordable housing that's already out there. We're also investing another \$80 million for the aboriginal housing community that's out there.

Mr. Zimmer: As chair of the Toronto Community Housing Corporation, I promoted the revitalization of the Regent Park neighbourhood here in Toronto, a neighbourhood represented by my colleague George Smitherman, who provided tremendous help in promoting this revitalization. I've watched that community, as well as others in Toronto, grow and develop over the last number of years with great pride.

By announcing our latest investments last week, our government took another step in creating new affordable housing opportunities for the most vulnerable households in Ontario. In fact, in response to our budget last week, the executive director of the Ontario Non-Profit Housing Association, Sharad Kerur, said, "We hope these commitments will serve as the building blocks of healthy communities."

Minister, what work has our government done to assist the most vulnerable households in Ontario so that they may have safe and affordable shelter?

Hon. Mr. Gerretsen: We are living up to our commitment to create 20,000 new affordable housing units during our first mandate, in addition to a total of 35,000 new housing allowances for families that are out there. What has already been done up to now is that there are 6,600 housing supplements that are going to families on an ongoing basis, an increase of some 3,500 over what we inherited back in 2003.

We also have a housing supplement program, under the strong communities rent supplement program, that will commit \$50 million per year for 20 years—that's total of \$1 billion—to help rent supplements across this province. That's in addition to the rent banks we have set up across this province, which have been funded to the tune of \$18 million, that have helped over 8,800 families stay in their homes when they were involved in an emergency situation.

Interjections.

Hon. Mr. Gerretsen: The NDP may laugh about this, but we think it's real progress over what happened before. More and more people are going to be helped in their housing needs across this province through these various housing allowances, rent supplements and new affordable—

The Speaker: Thank you. New question.

ONTARIO LOTTERY AND GAMING CORP.

Mr. Robert W. Runciman (Leeds–Grenville): My question is for the minister responsible for lotteries, and it has to do with Bob Edmonds, the 81-year-old senior who was cheated out of \$250,000—the same Bob Edmonds who doesn't believe you, doesn't believe that you knew nothing about what was happening at the OLG under your watch.

Minister, the trust of thousands, if not the total population of the province of Ontario, has been shattered by this scandal. People were cheated out of possibly millions of dollars in winnings while you apparently sat on your

hands or slept under your desk; we're not sure which. This has now been compounded by your failing to fully compensate Mr. Edmonds for his legal costs. This is shameful. You've paid hundreds of the thousands of dollars for legal firms to fight this man, and now you're not fully compensating him for his legal costs. Will you indicate today that you're prepared to fully compensate him for those costs?

1500

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I have apologized to Mr. Edmonds; former president and CEO Mr. Brown has. This member was the chair of the executive council for the province of Ontario, I believe, when Mr. Edmonds's case surfaced. I would ask Mr. Runciman if he would do likewise, if he would apologize to Bob Edmonds. His colleagues who sat around the cabinet table, who unfortunately looked the other way or, perhaps even worse, have refused to stand in their place and take responsibility for their actions—I would say that this member should stand in his place and apologize to Mr. Edmonds, as I have. I understand if the member won't. This government takes responsibility, where others previously have swept these matters under the rug. This government has taken action to clean up this mess, where other governments locked it away and hid it in a closet.

Mr. Runciman: Talk about a spineless and insulting response—we just heard it from that minister. This is beyond the pale. I asked him about an 81-year-old man who had been wronged by the system in this province. That government paid \$600,000 to a law firm to fight this man tooth and nail throughout the years. They're now leaving him stuck with a bill of over \$70,000 that he's been tagged with, and this minister gets up and makes sleazy comments like he just did.

I'm asking you again: Will you pay Mr. Edmonds what he was stuck with—a \$72,000 legal bill? Will you do that? Will you commit to paying that bill today?

Hon. Mr. Caplan: I understand the partisan nature—sometimes the rhetoric goes over the top.

I want the member to know that Mr. Edmonds' lawyer has asked OLG to cover the remaining balance of his legal costs. I can inform the member that I've directed the board and the corporation to review the request and to give it due consideration. I'm hopeful that a satisfactory resolution to the outstanding issue will be reached in quick order, in order to put closure to the sorry saga that Mr. Edmonds has had to endure, unfortunately, under past government. If the board agrees, I would want all members to know that I would be very supportive of that decision.

This government has a hallmark and a history of taking action, of doing the right thing. Unfortunately, that has not always been the case. We have former ministers in the House—I've asked Mr. Runciman if he would stand in his place and apologize for the role that he and his colleagues played in the treatment of Mr. Edmonds,

and unfortunately one has not been forthcoming, and I won't—

The Speaker (Hon. Michael A. Brown): Thank you. New question. The leader of the third party.

Mr. Howard Hampton (Kenora–Rainy River): My question is to the minister responsible for the lottery corporation. Minister, now that Bob Edmonds has exposed the fraudulent lotteries at the lottery corporation, you say that you now want to clean up the situation, but at the same time you say that you didn't hear, you didn't know, that senior Liberal fixers Jim Warren and Warren Kinsella had been contracted to conduct a false and misleading campaign to discredit Bob Edmonds.

Minister, my question is this: If indeed you want to clean the organization up, when is Jim Warren, who organized the false and misleading campaign to discredit Mr. Edmonds, going to be fired from the OLG?

Hon. Mr. Caplan: The leader of the third party knows full well that Mr. Warren was hired by Mr. Brown, the former president and CEO, well over one year ago. In fact, his employment, as with all employees of the Ontario Lottery and Gaming Corp., is not directed by myself, as the member is well familiar with. I'm not involved in the day-to-day operational decisions and the personnel decisions of that agency.

The Ombudsman in fact commends me and commends the government for taking the appropriate response and the appropriate actions in regard to his report. The Ombudsman notes in his report, both on page 68 and page 69, but also in his press conference, where he says, "Is the government committed to reforming the system and perhaps making it the best in the world?" The Ombudsman answers his own question and says, "Certainly I would find that very encouraging."

I understand the partisan nature of all members opposite, but the Ombudsman, independent, unbiased—

The Speaker: Thank you. Supplementary.

Mr. Hampton: There's nothing partisan about this. This is somebody who was hired at the OLG. He is currently being paid a salary in the range of \$200,000 a year. We know from other work that's been done that he set out to discredit Mr. Edmonds, that he in fact put out a false and misleading story to try to discredit Mr. Edmonds and all of the details surrounding his unfortunate lottery fraud situation. You say you want to clean up the OLG. Well, my question is: Why is Jim Warren, who would put out a false and misleading attack on Mr. Edmonds, still at the OLG, being paid something like \$200,000 a year, if you want to clean up the OLG?

Hon. Mr. Caplan: All of the employees of government ministries and government agencies are subject to the salary disclosure laws, and Mr. Warren is no different. The Ombudsman is quite critical of the Ontario Lottery and Gaming Corp. for treating the Fifth Estate investigative journalism program, in the Ombudsman's words, as a "public relations exercise," as opposed to dealing with the substantive matters raised in the show. I agree with the Ombudsman. I think he is fair and balanced. I think his review, his investigation, yielded much

good information and, more importantly, good direction for the government to follow to make sure that the fatal flaw that it was set up with by New Democrats, nurtured by Conservatives, would be fixed. This government and myself as minister have taken appropriate action. Seventeen of the recommendations from the Ombudsman and KPMG have already been implemented, 25 more are on the way and will be completed by the end of June, and the rest—

The Speaker: Thank you. New question.

CRYSTAL METH

Mr. John Wilkinson (Perth–Middlesex): My question is for the Minister of Community Safety and Correctional Services. Minister, you will recall that about a year ago, the front page of the Toronto Star said that my hometown, Stratford, in my riding of Perth–Middlesex, was the crystal meth capital of Ontario. As I have said before, if the devil himself were to create a deadly narcotic drug, he would have made crystal meth. It is a scourge in our community. It is something we've been warned about from our sister provinces and the western United States.

So what I want to tell you is that my community and Perth county came together to form a task force. From right across our community, municipal leaders, our first responders and treatment centres all came together with the health unit. We came up with a vision of Perth county being a meth-free zone. We're going to run this suicide drug out of our community.

I know, Minister, that you were able to come and visit Stratford and meet with those people. I'd like you to share with us what our government is doing to eradicate the scourge of crystal meth in my riding and right across this province.

Hon. Monte Kwinter (Minister of Community Safety and Correctional Services): I want to commend the member from Perth–Middlesex for his leadership and for what the Perth county task force on crystal meth has been doing.

About two and a half years ago, I had the occasion with the leadership of the OPP to visit Wisconsin and Minnesota to talk to them about grow-ops. They seemed to think that grow-ops were not a problem for them but crystal meth was, and that crystal meth was something we should really be preparing for, because if we didn't have it, we were going to get it. I have to say that crystal meth is a dangerous drug because it can be made from readily available ingredients. It's easy to do and it's a scourge that really is very, very serious.

As a result of that, we have initiated several things. One of the things we've done is to set up a mock crystal meth lab at the police college in Aylmer to train police officers to identify them, to be able to disassemble them, and to make sure that they and others—

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

Mr. Wilkinson: On behalf of all of my constituents, I want to thank the minister, because in our recent provincial budget there was \$1 million allocated to the Perth county crystal meth task force. Because we have a vision of Perth county as a meth-free zone, we've taken it upon ourselves, with the support now of our provincial government, to crack the problem of crystal meth. We realize there are three things we have to do: We have to educate our public to avoid this drug. If you take it, you have a 90% chance of being addicted with the first use and then you have a life expectancy of just seven years. It's a suicide drug. We have to educate, we have to help our law enforcement to crack down on this drug, and then we have to treat those unfortunate people who are addicted to it.

After saying thank you yet again from my community, I'd ask the minister: What do we expect from the crystal meth task force, the pilot project? What will be the benefit to all of us in this province?

1510

Hon. Mr. Kwinter: I think it's important to realize that we also had set up a green tide action group to look at grow-ops. We've now asked them to expand their investigation into the area of crystal meth because crystal meth is as dangerous as, if not more dangerous than, what is happening with the grow-ops from a health point of view.

I should also say that the \$1 million that has been allocated in this year's budget to the Perth county task force is to allow them to come up with a strategy that will help us address the identification, the dismantling and the education of those people who will be exposed to crystal meth. This is a very serious issue. It's an issue that permeates a lot of rural Ontario and is making its way through eastern Canada. We're very concerned about it and we are providing the resources to make sure we can deal with it in an effective way.

ONTARIO LOTTERY AND GAMING CORP.

Mr. John Yakabuski (Renfrew–Nipissing–Pembroke): My question is for the Minister of Public Infrastructure Renewal, or should I say the minister of oblivion? Minister, what we do know—

Interjections.

Hon. James J. Bradley (Minister of Tourism, minister responsible for seniors, Government House Leader): If you're going to address a question in this House, you have to address it to a minister, not make some flippant remark like that with it when you're addressing it. I thought John Tory was going to bring about a new way of running this House. This means nothing.

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

Interjections.

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

Mr. Yakabuski: Thank you, Mr. Speaker. Clearly we've touched a nerve.

Minister, here are some of the things we do know.

Interjections.

The Speaker: Order. I need the government House leader to withdraw that last remark.

Hon. Mr. Bradley: I withdraw the word "hypocrisy."

Mr. Yakabuski: We're back into the yo-yo game here.

Minister, here's what we do know: Virtually every news outlet in this country knew about this mess. The OLG spent \$630,000 defending themselves against an 82-year-old man bilked out of his winnings. Senior staffers in your office have admitted and acknowledged that they knew all about it. Warren Kinsella and Jim Warren, people so close to the Premier they could borrow clothes from one another, knew all about it and have had their fingerprints all over it. Yet you continue to deny that you had any knowledge of this issue.

Minister, don't you know that everywhere out there the people know that you have no credibility whatsoever left on this issue? Will you, in the absence of your willingness to disclose the information that has been asked for with regard to your e-mails, do the only responsible thing and resign your position until we can get to the bottom of this?

Hon. David Caplan (Minister of Public Infrastructure Renewal, Deputy Government House Leader): I understand, as I said earlier, the partisan nature of this Legislature, but we do have an unbiased, non-partisan independent officer of this Legislature, and he doesn't agree with the member opposite. He says in his press conference, "I conclude that they"—the OLG—"put profits ahead of public service. There was a point, a crossroads," in the year 2002 and I would indicate to Mr. Yakabuski that it was his colleague Mr. Sterling, the member from Lanark–Carleton, and Mr. Hudak, the member from Erie–Lincoln, who were ministers at that time. "At that point, the OLG could have gone two ways," says the Ombudsman. "It could have said, 'We'll apply the law and take the measures to act diligently.' One month later, Bob Edmonds surfaced, and they pretended that binding law from the Supreme Court didn't apply. Then it became a slippery slope." Quite clearly, the Ombudsman does not agree with Mr. Yakabuski or the leader of the official opposition. There was a time to act, but thank God we have a government in place now that will act to protect the public interest.

Mr. Yakabuski: I am not surprised but I can't believe, and I know the people of Ontario cannot believe, the arrogance and the insolence of the responses by this minister. He likes to quote from one single portion of the Ombudsman report that sheds some positive light, but it has nothing to do with the actions of this minister prior to this report. That is what the question is here, Mr. Minister: your actions prior to this report. The people of Ontario have a right to believe and trust in the integrity of their lottery system. As long as you're at the helm, that is

impossible. That is the crux of the matter, Minister. You have a responsibility, not only to the people of Ontario but to the integrity of the system that they want to trust, to step aside until this matter can be cleared. For the sake of every citizen in this province, do the right thing. I'll ask you one more time: Please step aside until this can be cleared.

Hon. Mr. Caplan: The Ombudsman disagrees with Mr. Yakabuski and the Conservative caucus. He says that if the recommendations he makes in his report, taken together with the recommendations that KPMG has recommended, public trust and confidence should be restored into Ontario's lottery and gaming system. I agree with the Ombudsman. That's why, when he says in his news conference on Monday, "Is the government committed to reforming the system and perhaps making it the best in the world?" he answers his own question. He says, "Certainly. I would find that very encouraging."

The Ombudsman disagrees with you; I disagree with the member opposite because I know that of the actions we have taken in those 60 recommendations, 17 have already been implemented, 25 more by the end of June, and 18 have begun and are under way. I have begun to work with my colleague Minister Phillips, the Minister of Government Services, to put the appropriate regulatory regime in place to fix the fatal flaw that—

The Speaker: Thank you. New question. The leader of the third party.

Mr. Howard Hampton (Kenora–Rainy River): To the minister responsible for lotteries: Minister, earlier this week you passed the buck for investigating your Lottogate lottery fraud to the OPP, but there is growing evidence that the OPP was already in a conflict-of-interest situation in the Bob Edmonds lottery fraud case. You repeatedly said, when asked questions about what was going on in the ministry, that you were not aware, that you did not know. Minister, were you not aware of the allegations of conflict of interest against the OPP when you indicated the OPP should investigate your Lottogate lottery fraud?

Hon. Mr. Caplan: That a member of this Legislature—in fact, a former Attorney General of this province—would make that kind of charge and show that disrespect for the Ontario Provincial Police is quite astounding.

The Ombudsman in his Monday press conference made a very serious allegation—so serious, in fact, that I directed Ontario Lottery and Gaming to turn over all of the files that were reviewed to the OPP. I want this member, all members and all Ontarians to know that I trust our police. I trust them to do the right thing. I trust them to determine whether and what type of review is warranted. I trust the Ontario Provincial Police to take the appropriate action, as this government has, to protect the public trust and confidence. I have faith and confidence in Chief Fantino and the Ontario Provincial Police to uphold that public trust, unlike the member opposite.

VISITORS

Hon. Jim Watson (Minister of Health Promotion): On a point of order, Mr. Speaker: Earlier, during ministerial statements, I had the opportunity to talk about Jiri Fischer from the Detroit Red Wings, whose life was saved by a defibrillator at the arena when he was playing in an NHL game. He has joined us in the gallery. I'd like to introduce Jiri Fischer from the Detroit Red Wings, his fiancée, Avery, and their son, Lukash, and thank them very much for their support of the defibrillator program.

1520

PETITIONS

LABORATORY SERVICES

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition regarding lab services at Muskoka Algonquin Healthcare, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas Muskoka Algonquin Healthcare (MAHC) has indicated its support for moving significant parts of its laboratory operations to the Royal Victoria Hospital in Barrie; and

"Whereas MAHC has indicated that it intends to cease doing community-based lab work if it does not receive \$150,000 more in funding from the province of Ontario; and

"Whereas the impact of such decisions will negatively affect timely health care delivery to residents of Muskoka, while increasing the overall cost to taxpayers;

"We, the undersigned, petition the Legislative Assembly of Ontario to work with Muskoka Algonquin Healthcare to maintain hospital and community-based lab services at the existing facilities in Bracebridge and Huntsville, including restoration of lab services that have recently been contracted out to hospitals in Sudbury and Barrie."

I support this petition.

LAKERIDGE HEALTH

Mr. John O'Toole (Durham): I'm pleased to present a petition that was given to me by the CAW retired workers. It reads as follows:

"Whereas Durham hospitals currently receive \$270 per person less funding than the rest of Ontario; and

"Whereas our hospitals need strong community support to address the issues of hospital funding inequity between hospitals in Durham region and hospitals outside the GTA 905 corridor; and

"Whereas the Ontario government, by providing \$7 million in ongoing funding and a one-time grant of a \$1-million cash infusion, is forcing Lakeridge Health to cut costs by \$8 million; and

"Whereas these cuts come in the form of (1) major reductions in addiction care, child and adolescent mental

health and crisis intervention services; (2) coverage of payment to physicians; (3) potential consolidations of some services from smaller sites such as Bowmanville and Port Perry to the Oshawa site and other so-called 'efficiencies';

"Therefore, be it resolved that the CAW, Local 222, Retired Workers Chapter, representing some 9,500 retired auto workers and their families in Durham, call on the Ontario government to support Lakeridge Health to (1) maintain essential core services at each site according to their current health service plan; (2) maintain their current addiction and mental health programs; and (3) maintain the current level of Lakeridge Health staff positions, volunteers and foundations whose caring, hard work and dedication have helped Lakeridge Health rank in the top 25% of hospitals in terms of efficiencies."

I am pleased to support this on behalf of Jerry Ouellette, Christine Elliott and myself, as well as Marion Saunders, the foundation's chair, and present it to George Smitherman.

ADULT EDUCATION

Mr. Lorenzo Berardinetti (Scarborough Southwest): I have a petition that's addressed to the Legislative Assembly of Ontario. It's a bit long, but I'll try to read it as quickly as I can.

"Whereas Citizens for Lifelong Learning promotes the importance of providing educational programs to Ontario communities which are affordable, local and accessible. In Toronto such programs have been the tradition for nearly 150 years with the Toronto District School Board;

"Whereas these programs serve not only seniors and adults of average employment but also a large number of low-income earners, immigrants, widows, mothers, pensioners, the handicapped and users of social assistance. The program provides mental, physical and social benefit and generally enriches the quality of community life;

"Whereas such programming can best be offered by going through the board of education in communities across Ontario; with 2,280 schools, they are the best places to offer these programs because of their accessibility to residents and availability of suitable facilities and staff;

"Whereas these cuts reached their peak during the previous government" of Mike Harris;

"Whereas the McGuinty government indicated a commitment prior to and during the last election campaign to focus on keeping seniors well and active as well as promising to not let schools fall behind because of flawed funding; and

"Whereas currently seniors alone pay more than \$0.5 billion in education taxes and receive no support for lifelong learning programs;

"We, the undersigned, petition the Legislative Assembly of Ontario to ... request that the Ministry of Education take ... action to mandate and subsidize these

lifelong learning programs that are desperately needed by seniors for their physical, mental and social health."

I agree with this petition. I affix my signature to it and give it to page Alex who is here with me today.

STEVENSON MEMORIAL HOSPITAL

Mr. Jim Wilson (Simcoe-Grey): "To the Legislative Assembly of Ontario:

"Whereas Stevenson Memorial Hospital needs \$1.4 million in new funding over the next three years to get its birthing unit reopened and to ensure that they can recruit enough obstetricians and health care providers to supply a stable and ongoing service for expectant mothers in our area; and

"Whereas forcing expectant mothers to drive to Newmarket, Barrie or Orangeville to give birth is not only unacceptable, it is a potential safety hazard; and

"Whereas Stevenson Memorial Hospital cannot reopen the unit under its current budget and the McGuinty government has been unresponsive to repeated requests for new funding;

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

"That the McGuinty Liberal government immediately provide the required \$1.4 million in new funding to Stevenson Memorial Hospital so that the local birthing unit can reopen and so that mothers can give birth in Alliston."

I agree with the petition and I have signed it.

SMITHS FALLS ECONOMY

Mr. Norman W. Sterling (Lanark-Carleton): "To the Legislative Assembly of Ontario:

"Whereas Hershey Canada has announced the closure of its Smiths Falls plant, putting 500 people out of work; and

"Whereas the McGuinty government has announced that it will close the Rideau Regional Centre in Smiths Falls as of 2009, putting another 800-plus people out of work; and

"Whereas these closures will result in additional job losses at local suppliers to Hershey, such as dairy farms, local tourism operators and all local businesses; and

"Whereas the 9,200 residents of Smiths Falls will be devastated by these 1,300-plus job losses;

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

"That the government of Ontario continue to work with Hershey to reverse the decision to close the Smiths Falls plant;

"That the government of Ontario immediately fund infrastructure projects in Smiths Falls like the hospital redevelopment in order to attract new industry;

"That the government of Ontario complete the four-laning of Highway 7 and the reconstruction of Highway 15 at an accelerated pace;

“That the government of Ontario postpone the closure of the Rideau Regional Centre at least until it has replaced the 800 jobs with an equal number of new public sector jobs; and

“That the government of Ontario create a fund equivalent to the northern Ontario heritage fund to attract investment to eastern Ontario.”

I sign this, fully in support of my constituents.

LONG-TERM CARE

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

“Whereas” we “will not meet the needs of” an “aging population and ensure access to hospital services unless long-term-care homes can provide the care and services that residents need; and

“Whereas staff are now run off their feet trying to keep up and homes are unable to provide the full range of care and programs that residents need or the menu choices that meet their expectations; and

“Whereas dietary, housekeeping and other services that residents and their families value are being put at risk by increasing operating costs; and

“Whereas some 35,000 residents still live in older homes, many with three- and four-bed ward rooms and wheelchair-inaccessible washrooms; and

“Whereas, on November 23, 2006, this Legislature unanimously passed a private member’s motion asking government to introduce a capital renewal program for B and C homes; and

“Whereas such a program is required to support the limited-term licensing provisions in the ... new Long-Term Care Homes Act;

“We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year to renew the first 2,500 beds.”

I agree with the petition and I have signed it.

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

“Whereas the proposed Long-Term Care Homes Act is extremely lengthy and complex and requires full and extensive parliamentary and public debate and committee hearings throughout the province; and

“Whereas the rigid, pervasive and detailed framework proposed is excessive and will stifle innovation and flexibility in the long-term-care sector; and

“Whereas the additional burden, red tape and punitive measures imposed by the proposed legislation will aggravate and exacerbate the chronic underfunding of the sector, to the detriment of residents of the homes; and

“Whereas the proposed legislation will have serious implications for the viability of the for-profit, and not-

for-profit, charitable and municipal long-term-care sectors;

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

“We demand that the McGuinty government withdraw the proposed act, or remove the offending sections, and fulfill its commitment by a substantial increase in funding on a multi-year basis in the order of the promised \$6,000 per resident, per year.”

This is signed by many people from the riding of Haliburton–Victoria–Brock.

AFFORDABLE HOUSING

Mr. John O’Toole (Durham): I apologize for the remarks that I may have made earlier that were out of order.

My petition reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas 122,000 households across Ontario are on waiting lists for affordable housing, enduring wait times of five to 10 years;

“Whereas housing affordability problems are worsening in Ontario, with one tenant household in five paying at least 50% of its income on rent, and almost 65,000 facing eviction in 2005 because they couldn’t afford to pay their rent;

“Whereas Ontario’s current social housing stock is increasingly rundown, with tenants forced to endure degrading conditions, including mould, cockroaches and mice; and

“Whereas the cost of ignoring the plight of our poorly housed and homeless neighbours affects all citizens of Ontario through increased health costs, emergency shelter costs and other public expenditures;

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

“To ensure there is a major allocation of funding for affordable and supportive housing in Ontario’s 2007 provincial budget, with a commitment to release this funding quickly; and

“To urge the government of Ontario to reassume financial responsibility for the cost and repair of the current social housing stock which was downloaded onto municipalities” by the federal government “who cannot afford repair and upkeep costs.”

I’m pleased to sign this and present it to the Legislative Assembly.

1530

CORMORANTS

Mr. Norm Miller (Parry Sound–Muskoka): I have a petition, and it reads:

“To the Legislative Assembly of Ontario:

“Whereas recent scientific studies have conclusively demonstrated that double-crested cormorants consume more fish than commercial fishing, sport fishing and poaching combined;

“Whereas double-crested cormorants are devastating nesting areas for other birds;

“Whereas double-crested cormorants are fouling water and making beaches unusable;

“Therefore we, the undersigned, support the private member’s Bill 156 of Ernie Parsons, MPP Prince Edward–Hastings, to reclassify the double-crested cormorant into the same family as American crows, brown-headed cowbirds and the common grackle. This will allow for greatly increased opportunities for the culling of cormorants, in addition to other steps being taken to control cormorant populations and protect the environment.”

LONG-TERM CARE

Mr. Ernie Hardeman (Oxford): I have here a petition that I want to present on behalf of the residents, families and staff of peopleCare in Tavistock. I thank them for going to all the trouble of signing this petition, recognizing, of course, that this was intended to convince the government that the budget needed money for long-term care and so it is somewhat redundant to read it. But I will read it into the record on their behalf just the same.

“We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year to renew the first 2,500 beds.”

I affix my signature on behalf of my constituents, as I agree with this petition.

Mr. John O’Toole (Durham): I’m pleased to present a petition on long-term care. It comes from Tina Bravos, the executive director for Fosterbrooke Long-Term Care in Newcastle; Patrick Brown, the administrator of Strathaven Lifecare Centre in Bowmanville; Heather Cooper, administrator, and John Dodds, president of the residents’ council of the Community Nursing Home, Port Perry.

The petition has been read many times, but just to summarize, I’ll read the “whereases”:

“Whereas Ontario will not meet the needs of its aging population and ensure access to hospital services unless long-term-care homes can provide the care and services that residents need; and

“Whereas staff are now run off their feet trying to keep up and homes are unable to provide the full range of care and programs that residents need or the menu choices that meet their expectations; and

“Whereas dietary, housekeeping and other services that residents and their families value are being put at risk by increasing operating costs; and

“Whereas some 35,000 residents still live in older homes, many with three- and four-bed ward rooms and wheelchair-inaccessible washrooms; and

“Whereas, on November 23, 2006, this Legislature unanimously passed a private member’s motion asking the government to introduce a capital renewal program for B and C homes; and

“Whereas such a program is required to support the limited-term licensing provisions in the proposed new Long-Term Care Homes Act”—Bill 140, which will be debated today in the Legislature;

“We, the undersigned, petition the Legislative Assembly of Ontario to increase long-term-care operating funding by \$390 million in 2007 and \$214 million in 2008 to provide an additional 30 minutes of resident care, enhance programs and meal menus and address other operating cost pressures, and introduce a capital renewal and retrofit program for all B and C homes, beginning with committing to provide \$9.5 million this year to renew the first 2,500 beds.”

I’m please to present this to page Alistair from the riding of Markham.

AFFORDABLE HOUSING

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

“Whereas 122,000 households across Ontario are on waiting lists for affordable housing, enduring wait times of five to 10 years;

“Whereas housing affordability problems are worsening in Ontario, with one tenant household in five paying at least 50% of its income on rent, and almost 65,000 facing eviction in 2005 because they couldn’t afford to pay their rent;

“Whereas Ontario’s current social housing stock is increasingly rundown, with tenants forced to endure degrading conditions, including mould, cockroaches and mice; and

“Whereas the cost of ignoring the plight of our poorly housed and homeless neighbours affects all citizens of Ontario through increased health costs, emergency shelter costs and other public expenditures;

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

“To ensure there is a major allocation of funding for affordable and supportive housing in Ontario’s 2007 provincial budget, with a commitment to release this funding quickly; and

“To urge the government of Ontario to reassume financial responsibility for the cost and repair of the current social housing stock which was downloaded onto municipalities, who cannot afford repair and upkeep costs.”

I’ve signed this petition. I want to thank Don Lindsay of Wasaga Beach for sending it to me.

BUSINESS OF THE HOUSE

Hon. Michael Bryant (Attorney General): Mr. Speaker, pursuant to standing order 55, I rise to give the Legislature the business of the House for next week.

Monday, April 2, 2007, in the afternoon, second reading of Bill 187, the budget bill; in the evening, second reading of Bill 171, Health System Improvements Act. That's a good one.

Tuesday, April 3, 2007, in the afternoon, third reading of Bill 103, Independent Police Review Act; in the evening, second reading of Bill 184, Endangered Species Act.

Wednesday, April 4, 2007, in the afternoon, PC opposition day; on Wednesday evening, second reading of Bill 187, the budget bill. That's a really good one, Speaker.

Thursday, April 5, 2007, in the afternoon, budget motion.

C'est tout.

The Acting Speaker (Mr. Joseph N. Tascona): Thank you. Perhaps you could give a copy of that to the Clerk.

ORDERS OF THE DAY

LONG-TERM CARE HOMES ACT, 2007 LOI DE 2007 SUR LES FOYERS DE SOINS DE LONGUE DURÉE

Mr. Smitherman moved third reading of the following bill:

Bill 140, An Act respecting long-term care homes /
Projet de loi 140, Loi concernant les foyers de soins de
longue durée.

The Acting Speaker (Mr. Joseph N. Tascona): The Chair recognizes the Minister of Health and Long-Term Care.

Hon. George Smitherman (Deputy Premier, Minister of Health and Long-Term Care): Mr. Speaker, I'll be sharing my time today with the member from Nipissing. I would like to share not just my time but I'd like to share my very sincere thanks, for it has been her dedicated efforts over three and a half years here that have seen us move to the point today when we're able to bring back to the House an improved Bill 140, a bill that is a very important, substantial improvement for those living in long-term-care homes. My hat is off to the member from Nipissing.

I enjoyed the great privilege this past Saturday of experiencing a spring day in North Bay. That meant very considerable amounts of snow accumulation and cold winds, but none of that was enough to cool down the hearts of the great people of Nipissing and North Bay who were there to extend their arms and shovels to turn the sod—not sod, really—but to turn the dirt to build a new \$300-million hospital for the good people of North Bay and Nipissing. That is another example of the kind of effort that the member from Nipissing has been involved in leading, not to mention the new hospital already under way in Mattawa. My hat is off to her. I wish I could deliver the goods for my riding in a similar way.

I'm very pleased to speak about our government's proposed Long-Term Care Homes Act. People will know that when our government came to office, there were circumstances in common report in the media of the day that indicated the extent to which there was neglectful care occurring in our long-term-care homes.

1540

At the heart of it, this bill says that there is no circumstance where neglect shall be tolerated. We've taken serious steps—even before this bill—to ensure that our residents, some of the most vulnerable people in the province of Ontario, living in our more than 600 long-term-care homes, receive the kind of care that gives life and expression to the use of the word “home” itself.

Our government has worked hard to improve long-term-care homes, not just for the residents and to give comfort to the families but also to enhance the quality of the circumstances for those who work on the front line. We do, of course, owe a debt of gratitude to all of those who work in health care. Across Ontario today, something like 300,000 people, women and men dedicated to patients, will take their places on the front line and will seek to give good, quality care in our public health care system.

But we know that there was important work to do, as always, to enhance the quality of care that's available. As legislators, the responsibility falls to us to stand up for those who are most vulnerable in our communities, in keeping with the theme that was expressed so profoundly in our government's budget of one week ago today, when we reached out to continue to build on those areas that had been so sorely disappointed by the leadership that came from the party that preceded us.

Back on January 2, 2004, our government launched our long-term-care consultation and action plan. Extensive consultation was undertaken to identify areas of improvement. Just to take people back for a short historical ride, in January 2004 our party was but two or three months into the privilege of serving. I was a relatively fresh-faced minister at the time—I say “relatively”—and the member for Nipissing, my parliamentary assistant, really dove into the work at hand with productive abandon, all of it motivated by a strenuous desire to give better and more consistent quality of care and support to our loved ones who are depending upon long-term care.

That consultation led to Monique Smith's report in May 2004, Commitment to Care: A Plan for Long-Term Care in Ontario, and I want to compliment the member for the work she did. I had the chance to visit, on an unannounced basis, several long-term-care homes in the province, but the member spent so much time in long-term-care homes that we were really afraid that she was at risk of being a candidate for admission, not on any demographic basis but just on the fact that she was such a frequent visitor in those environments.

In drafting the proposed legislation, we had the tremendous advantage of a lot of input from Ontarians with a variety of perspectives, numbering 700. The advice

they gave in response to the report, especially in response to the future directions for legislation aspect of it, really helped to inform the way that we've gone forward.

The plan has guided our efforts to improve and restore confidence in the province's long-term-care homes system, and we've remained committed to openness and accountability as important principles of that. Now, some have come to suggest that if you seek to make sure that the actions that are to be provided are being provided and you require people to provide evidentiary basis of that—some people will complain about paperwork burdens. But we must be mindful always to balance these challenges out. Yes, of course we want to dedicate all the time we have available to front-line care. We understand that our front-line health care workers must be involved in providing that care. But it's crucial as well for the purposes of research and accountability that we are measuring the work we're involved in; that for the purposes of making sure our seniors are safe, as an example, from the challenges related to medication, distribution and the potential errors, all of the paperwork is appropriate to enhance the quality of care.

At the heart of it, what we sought to do was to develop the idea that a long-term-care home must be a home. We have not been entirely successful in expunging the word "facility" from the vernacular of health care providers, but we have made progress. I really want to give appropriate consideration and thanks to a lot of those who are advocates, a lot of family members and a lot of people from the community who express such considerable love and support for the work and for the residents that they have helped to strengthen this concept and this culture of home. But we have more work to do on this front.

Our revolution in long-term care is rooted in this principle. We want to move from the idea that that long-term care is a facility to home. We want to do all that we can to support our seniors to experience that: from a cultural standpoint, from a religious standpoint, from a dietary standpoint. We have a lot of potential in our province to evolve our long-term-care home sector in a fashion that really does reflect the diversity—this beautiful, fantastic, enriching diversity—which is the heart of Ontario's strength.

We want to thank the members of the legislative committee and the members from the public who participated in the consideration of this bill. The bill was here in Toronto, and it travelled to Kingston and to Sudbury and to London. We listened at committee, and we were able to reaffirm our government's support for the non-profit sector. This is an important element that's written right into the bill. The addition of the establishment of staffing and care standards—that's important work that we're undertaking at present.

We'll be engaging a tremendous range of stakeholders as we seek to move Ontario into a direction that is sophisticated enough to acknowledge, on the one hand, that not all of our residents are the same, that if Mrs. Jones and Mrs. Smith are experiencing different circumstances, we are sophisticated enough to tailor our care in

a fashion which addresses their direct needs; not in suggesting, as some do, that they are widgets, that they all have identical needs and that they should all have identical amounts of time directed to them. We believe, fundamentally, that it's our obligation to amass as much support as possible and to allow those on the front lines to be more involved in helping to direct that care, with an understanding which they have uniquely. They're uniquely qualified to do it because they know these patients. Part of what we'll do to embed that principle even further is make sure that upon admission to a long-term-care home, we have a really good understanding of the health circumstances that the individual is experiencing.

We're moving with respect to licence terms. It's a fundamental component of the bill, and we sought at committee to amend it in a fashion based on the advice that we received from organizations like the Ontario Long Term Care Association and others. But at the heart of it, what we've attempted to impress upon these individuals is that a licensing regime is a matter of accountability for the government as well. No longer shall we operate in an environment where we can pretend our way through things. We will have to be very, very forthright in our dealings with long-term-care homes about where the future lies for them, particularly as those homes become a little bit older.

On this point, I fully acknowledge the necessity of creating a program that will see enhanced renewal of our older homes in the province. We've noted very, very clearly the need for such a program. I've been clear in communicating more recently with the leadership from the Ontario Long Term Care Association about the desire that we're involved in, in helping to develop a model which is at the same time reflective of the need to redevelop the C and the D homes, but also to acknowledge that in our province of Ontario we have a lot of these homes out there in more rural parts of our province where they are such essential parts of the fabric of community. We want to make sure as we develop programs that we're particularly attuned to the necessity of a model that works for a home that doesn't have 125 or 130 beds.

I've had the chance in the last number of months, with several colleagues who are here, to visit long-term-care homes in communities like Zurich and Milverton and to be able to see, in one case, redevelopment ongoing, and in another, to be able to commit to a model that will work for redevelopment for those scales of homes. I think that's so essential. We believe, fundamentally as a government, that the best health care you can find is the health care that you find as close to home as possible. Accordingly, we want to work with all of these sectors to develop redevelopment policies that work well, no matter whether you're in a big city like Toronto or in a smaller town like some of those that I mentioned.

We have worked to reduce some of the reporting requirements, in keeping with the concern about a burden of paperwork. But back to this issue a bit more about the staffing and care standard. I've spoken prior about the dedication of our front-line health care workers. We're so

grateful for not just care but love: love. I like so much the privilege of my work because I get to talk about the love that so many are delivering—volunteers, in so many fashions, and also our front-line health care workers.

When we had a chance at committing to fulfill a commitment that we made to reinstate staffing and care standards, I'm proud to say we fulfilled that, with support and encouragement from the New Democratic Party and from others. Unfortunately, the leadership of the Progressive Conservative Party did not see it as appropriate to support a return to staffing and care standards, something that they wiped out in a vigorous way during the earliest days of their dark eight-and-a-half-year reign—a reign of health care terror.

1550

I'm proud of the progress that we've made, as well, in creating more opportunities for people to be employed in long-term care. There is in health care, on lots of occasions, more that can be done, but we must acknowledge that there are almost 5,000 more people working today in the provision of care to our loved ones in long-term care—4,891 additional bodies as delivery agents for care—as a result of a very generous funding initiative that the Minister of Finance has supported.

Through the course of the next several months, we'll be announcing a significant contribution of additional registered practical nurse care in our long-term-care home environments. We have a lot of registered practical nurses who are graduating from very qualified programs. They're not meeting with all the opportunities that they should, and we're going to put a whole bunch of them to work in our long-term-care sector.

I've spoken about the licensing requirements and the legislative framework that supports long-term-care home renewal. It's about having the appropriate rules in place, as well, to protect our people and promote a zero tolerance policy for abuse and neglect, as I've spoken about. If anyone in a long-term-care home environment is experiencing a circumstance where they think the care is neglectful, they have an obligation. It's a duty. It's placed upon all of us, and we have established through our 1-800 action line a very capable capacity to respond.

We ensure an enhanced and more clearly enforceable residents' bill of rights, stronger and more consistent reporting requirements and stronger and more consistent inspection and enforcement. I want to note that this piece of legislation gives the Ministry of Health and Long-Term Care the means to promote a policy of zero tolerance for abuse and neglect. For instance, it holds people responsible, accountable. Operators must operate a safe home and provide effective care. They must provide direct and immediate action in response to any cause for concern around neglect and abuse and ensure faster, targeted enforcement in response to resident complaints.

I want to start to wind down here by saying some thank-yous. I especially want to say thank you to all those who contribute to care and long-term care. I hope that I've done that well, but I'm so mindful, as I travel around, that it really is community coming together in the

form of volunteers and front-line health care workers and the families of residents all contributing something to the quality and to the environment that we're able to create. I've seen some fantastic ones.

There were those who said it wasn't possible to bring forward a consolidated piece of legislation. We have done that. We've done so through the good, hard efforts of many in my ministry; I can't name them all. But I want to again acknowledge the work of my parliamentary assistant, Monique Smith, the member for Nipissing. She's poured her heart and soul into this work. As a result, as we bring forward for third reading debate today Bill 140, the residents in long-term care in the province of Ontario can be assured that stronger protections and a better framework that will enhance the quality of care they receive is what this bill is all about. This will pave the way for the long-term-care sector to evolve even more forcefully as it moves forward as one of those most important providers we have in our whole public health care landscape. This will be pivotal in ensuring that some of our most vulnerable citizens—something like more than 75,000, experiencing an average age of at least 83 years of age, people from every walk of life, every nook and cranny of this fantastic and vast province, are there, and they need care.

We're privileged to be able to provide it and I'm privileged today to be able to lead off the debate on third reading of Bill 140. I will be voting for this bill and I recommend it to others.

The Acting Speaker: The Chair recognizes the member for Nipissing.

Ms. Monique M. Smith (Nipissing): I too will be voting in favour of this bill. I'd like to thank the minister for his kind words and opening remarks on this the third reading of Bill 140.

As the minister noted, we spent a very cold day in North Bay on Saturday. I have to say that for three and a half years I worked hard to get shovels in the ground on my hospital in North Bay. I've worked three and a half years to get this bill to this stage, and I'm delighted to be here today as we debate third reading. Certainly I wouldn't be here today without a huge team and a huge effort on behalf of so many in the ministry who have worked so hard. There were many people who said we wouldn't get a consolidated bill together and that this has been talked about for some 20 years. So I'm delighted that I'm joined here today in the Legislature by a good many of the leg. team and Michelle Rossi from my staff. So many of these people have given so many hours, so I would hope the members of the House would join me in thanking them for all the work they've done on behalf of all of our seniors across the province. Thank you to the team.

I also want to take this opportunity to thank the member for Nickel Belt and the member for Kitchener-Waterloo, as well as the member for Oshawa, who joined us for a bit of our travels, for the kind attention and certainly the vast amount of energy that they've put into this bill as well. I think it was really a group effort on the

road that improved Bill 140 and that has brought it here today as really a wonderful piece of legislation that will protect our seniors for years to come.

As the minister noted, we took this bill on the road. We were in Toronto for two days. We travelled to Kingston, Sudbury and London. We heard from a wide variety of people. We heard from family members, from long-term-care home operators, from front-line workers, including dietary staff, nursing staff and personal support workers, and we heard from residents. We had the privilege of hearing from some resident council members, some family council members, so many people who were involved in the day-to-day lives of our seniors in our long-term-care homes, and we took very much from what they had to say. We had the opportunity to join again at the end of January as a committee to review hundreds of amendments that were put forward, many of which were accepted by the committee and are now part of this third reading debate on Bill 140.

I just want to go through some of the recommendations and some of the amendments that we made to the bill that I think have improved the bill and that I think are really demonstrative of the ability of this government to listen, to hear what the front-line workers, those people who are involved in the day-to-day operations of our long-term-care homes, had to say, and to take their advice and really improve our long-term-care legislation.

In the preamble, we included a provision that would require mutual respect among residents in our homes. Because these homes are homes for many, and many of their families are involved and many of their friends come and visit and we have so many of the community, we hope, involved in our homes, we felt it was important that we put in that concept of mutual respect.

We supported the delivery of long-term-care services by the not-for-profit sector, a nod to that sector that does such great work in our long-term-care homes across the province.

We recognized that the safety of residents is a key consideration in meeting our residents' needs, and we recognized the importance of an environment that supports continuous quality improvement in our long-term-care sector across the province.

We enhanced the fundamental principle in our legislation. While still focusing on the concept that a long-term-care home is primarily the home of its residents, it is the place where the physical, psychological, social, cultural and spiritual needs of each of its residents are adequately met. We felt it was important to include in the fundamental principle that description of what is provided for our residents in our long-term-care homes across the province.

We expanded our bill of rights at the behest of some of our advocates to include the right to have a family member, a friend or a person of importance to the resident attend meetings with the resident and licensees or staff of the home to give them that support and that extra comfort when they have those meetings.

In our plan of care, we changed it to clarify that the plan must be in writing and that it includes nutritional

care, as well as a number of other provisions of care that are already in the legislation, and we extended the frequency of revisions to at least every six months.

As the minister noted, we included a staffing and care standard provision. There was much talk about this at the hearings. Many, many front-line workers came to speak to us about the need for this, the need for a standard that had been removed by the previous government. We listened to those discussions. There still remains much discussion to be had. There's no consensus on what should be included in that standard, and so we are engaging the stakeholders now in a discussion on what should be included in that standard, what services should be included.

On reporting on restraints of residents, the licensees are now required to keep records relating to restraints, but they are not required to submit them to the director. They're also not required to report on the use of environmental restraints, or, as we call them, a secure unit in the home. This was in order to address some of the concerns that were raised around paperwork and an increase in paperwork. We wanted to make sure that our front-line workers have as much time as possible to provide the services that they are there to provide to our long-term-care residents across the province. We heard some of the concerns around paperwork and endeavoured in really a great way to reduce the amount of paperwork but still ensure that we have those safeguards in place for our residents.

We respected the autonomy of residents by specifying that only residents may sit on our residents' councils, and of course we've enshrined residents' councils and family councils in our legislation.

1600

We heard a great deal, particularly from the not-for-profit sector, about the duties of directors and the penalties attached to directors. We changed the requirements for board members, directors and officers to make them more consistent with the obligations placed on those individuals who serve, particularly, on public hospital boards, and we reduced the penalties for individuals who are on boards of not-for-profit homes as well as municipal and First Nations homes. We've also removed the possibility of imprisonment for conviction of any offence under these sections for any board member, director or officer.

With respect to volunteers, you've heard me speak on a number of occasions in this Legislature—and I've spoken about it a great deal on the road—about the importance of our volunteer programs in our long-term-care homes and just how important it is to have community members involved in the lives of our residents and involved in the day-to-day operation of our long-term-care homes. We've replaced the requirement for training of volunteers with a requirement for orientation. We think it's very important for all of our volunteers in our homes to know about certain policies and procedures in the homes, but we didn't want to make it too onerous on our homes, so we have an orientation for our volunteers.

With respect to our satisfaction surveys, which we've entrenched in the legislation as being required in our homes and which we think are very important for getting feedback from our residents and our family members for the continued improvement and betterment of our homes across the province, we now require that they be done but that they just be kept in the home and not sent to the director. Again, this is a reduction in the administrative workload for our homes, but it ensures that they are still done and available for the annual inspection when the compliance adviser is in the home.

We've provided for temporary emergency licences in order to address some issues that come up in our homes from time to time or in certain areas from time to time, where we need temporary emergency licences.

We've added a right to appeal from orders made to municipalities. This was a concern raised by AMO. They wanted the ability to appeal any orders that are made with respect to renovations, additions and alterations, and we've placed that ability to appeal now in the legislation.

We've ensured in our legislation, through the amendments that we've introduced at second reading, that the homes must be inspected once a year. We have not allowed for any exemptions from this, but we have, as a quid pro quo, also enabled the director to be able to recognize long-term-care homes with a record of excellence in compliance. So we're working with the sector and we've asked for input from various stakeholders on how to acknowledge our homes. We have so many fabulous homes out there that are providing great service in a variety of communities, from very small communities like Deep River, where I visited a home which provided a spectacular home-like environment to its residents, to larger homes like the Yee Hong centres here in Toronto and Mississauga, which are providing a culturally specific, lovely environment for our Chinese seniors and our southeast Asian seniors in the greater Toronto area. We want to be able to have a way to recognize those homes that have very few compliance issues and that are providing top-quality care to our residents across the province.

We've provided in our legislation a requirement for public consultation on any proposed initial regulations. We recognize, as many indicated in the hearings and as my colleagues across the way have indicated, that oftentimes the devil is in the details, and we certainly recognize that there will be lots of work going into the drafting of regulations that support this legislation, so we wanted to provide the public with an opportunity to have input into those regulations.

As my colleague the minister also said, we've addressed some of the concerns around term licences, and we're looking at, longer term, how we are going to redevelop our B and C homes, as so many people called for during the legislative hearings. This, of course, is a question more of a budgetary nature and not of a legislative nature, but we did provide for longer terms in order to allow governments to provide for those changes that are required over time.

As you are aware, this legislation has a policy to promote zero tolerance in order to prevent abuse and neglect of our residents. It has a comprehensive and detailed least-restraint policy to minimize the use of restraints in our homes. It allows for the establishment of an Office of the Long-Term Care Homes Resident and Family Adviser to provide information and to assist our residents, their families and others who are concerned about our long-term-care sector. It has protections in place and due process rights for persons who are incapable of consenting to admission or a transfer to a secure unit in a long-term-care home. They now have their rights protected and will be provided with rights advice. We have included an enhanced and more clearly enforceable residents' bill of rights that really addresses the rights that we believe every resident should have in our long-term-care homes.

We've strengthened our reporting requirements, and we've strengthened our requirements related to the development of an integrated, interdisciplinary plan of care for every resident. This is so important, because there are so many people involved in the day-to-day care of our residents. We think it is absolutely essential that everyone involved in the care of the residents—the personal support workers, the nurses, the director of nursing, the social workers, the activities coordinators—be involved in the interdisciplinary plan of care for each and every resident so we are meeting the needs of the residents in a very particular way.

We've substantively reformed and strengthened the inspection, compliance and enforcement system to ensure that we have faster, targeted enforcement in response to any complaints or concerns that are raised with respect to a particular home. We have a continuing requirement for our southern municipalities to operate their long-term-care homes, and we have a licensing system for our long-term-care homes that I believe will provide us with the tools we need to do some long-term planning in the long-term-care sector, which was much lacking and noted in various Auditor General reports. We believe it's important that those tools be there for the government, for our LHINs in the future, to be able to plan and determine where the needs are and to ensure that we have the appropriate care for our residents on the spectrum of care, so not just for our residents but for all our seniors across the province. Whether it's appropriate for them to be aging at home or in a long-term-care home, we want to make sure that we have those appropriate supports in the community where they are needed. We believe that our licensing scheme has allowed us the flexibility and the tools to enable us to address that.

I want to take this opportunity to thank once again, as did the minister, all those people who were involved in our hearings, who came out to provide us with their input, to provide us, in some cases, with some really heartfelt insights into the care that is given in long-term-care homes. We heard from some front-line service providers—our nurses, our personal support workers, dietary care workers—who really put their heart and soul

into the day-to-day running of the long-term-care homes. We heard from some operators across the province who do the same. Their heart and soul is in the operation of their home and they are really there, providing service to our long-term-care residents. To all of them, I want to say thank you.

I also want to join the minister in thanking all our front-line workers, who do such a great service for our over 75,000 long-term-care residents across the province.

Finally, I want to end by again thanking the team, who were so great, who provided so much help, so much work over the last two and a half, three years. Not everyone is here; we've had some people come and go on our team, but we've got a core that's still with us. So thank you all again for being here.

And thank you to the member for Kitchener–Waterloo and the member for Nickel Belt, because certainly the last two days of clause-by-clause were a challenge. We got through it, I think in the best way, and demonstrated really the best way that this place, this Parliament, can work. So I want to thank everyone who participated.

And thank you, Mr. Speaker, for this opportunity to speak in support of third reading of Bill 140.

The Acting Speaker (Mr. Jeff Leal): Questions and comments? The member from Waterloo–Wellington.

Mr. Ted Arnott (Waterloo–Wellington): Thank you very much, Mr. Speaker. It's good to see you in the chair.

I'm pleased to have a chance to respond briefly to the Minister of Health and Long-Term Care and his parliamentary assistant, who made a presentation this afternoon explaining the government's position on Bill 140. I was present for most of the speech, but what I didn't hear was an explanation of why the long-term-care sector was so dramatically ignored in the most recent budget.

As we know, the long-term-care sector had lobbied I think all members of the Legislature. I certainly received information from long-term-care homes in our area—from Leisureworld and Chateau Gardens, both in Elmira, from the Westmount in Kitchener, from Royal Terrace in Palmerston, and others—all of which are excellent operators of fine nursing homes in Waterloo–Wellington.

I was very disappointed that the response of the government to the lobbying effort, the explanation as to what was needed to ensure that seniors in our communities receive the standard of care they deserve and which this government promised in the election in 2003, was not forthcoming in the provincial budget.

As we know, there was a small amount of additional money—I think \$14 million—allocated to the long-term-care sector. It's my understanding that the long-term-care sector has indicated that it's enough to provide one minute of additional care per day per resident, which is clearly insufficient and represents yet another broken McGuinty Liberal government promise.

I'm disappointed that neither speaker made reference to this and never even made an effort to explain why their budget was so remiss in its approach to the long-term-care sector. I hope that as the debate on third reading of this bill unfolds we will hear some explanation from

some of the other government members. I look forward to hearing the speech that's coming up from our deputy leader and critic for health and long-term care, Elizabeth Witmer, the member for Kitchener–Waterloo, who's coming up next. I'm sure she'll give the House a good deal of feedback on this bill.

1610

Ms. Shelley Martel (Nickel Belt): Let me just make a couple of comments in response to the comments that were made by the parliamentary assistant. I want to echo her thanks for the work that was done by the ministry staff during the bill itself and the days we spent on the road and during clause-by-clause, but also the work that went into the bill before that happened. I appreciated very much that they were prepared to answer questions from all members, from all sides, who had concerns and who had questions about the bill.

Secondly, I want to mention Ralph Armstrong, legislative counsel, who did yeoman's service, especially in light of the very limited time we had between the end of the public hearings and the start of the clause-by-clause. That he was still standing after some 300 amendments was a remarkable feat in itself. I really appreciate the work he did.

Also, the two days during which we did the clause-by-clause, for eight hours the first day and close to eight hours the second, was a lot of work on behalf of all three parties, and the three of us in particular who led that for our own parties, who hung in there for the whole time. I did appreciate that we got it through and got it done with, I think, a minimal amount of bickering and arguing and partisanship.

Having said that, the parliamentary assistant will not be surprised that we will not be supporting this bill. In the time I have, which probably won't start this afternoon—or maybe I'll get into a bit of it—I will be continuing to express the very serious concerns I have with respect to the inability of the government to meet the promise it made with respect to standards of care, the fact that we don't have an ombudsman who will look after long-term care, the fact that I think we really missed an opportunity to put not-for-profit long-term care out at the forefront—and that opportunity has been missed—and some other concerns that I hope I might get to today.

Mr. Brad Duguid (Scarborough Centre): I want to begin by thanking the member for North Bay, I think on behalf of all of us here today. The member for North Bay has done an incredible amount of work on long-term care. From pretty much the day she got here, she was assigned a very difficult task of consulting with stakeholders, consulting with seniors, with residents, with the people of Ontario. She's travelled from one end of the province to the other, looking at and touring facilities, getting to know this file probably better than any of us here know this file. I want to thank her for the leadership she's shown on this, because her leadership is quite clearly a very important part of what we're looking at here in this bill.

So to the member from North Bay, thank you for the great work you've put into this. I'm sure the people of

North Bay appreciate the work you've done, and I can assure you that your colleagues here in this Legislature, probably from both sides of the House, respect and appreciate the hard work you've put into this. I'm sure the people of Ontario, in particular those seniors we're serving in these homes, are very much going to appreciate the higher level of quality of care that's going to be seen throughout the province because of the good work that you've put into this.

This bill will be a cornerstone of our strategy to improve and strengthen care for the residents of our long-term-care homes. There will be improvements made to the licensing and capital renewal areas, which is very, very important to homes right across the province. And for the first time we're going to make a little more sense in where we invest these dollars, that areas that currently have a surplus of homes will probably see less of it and areas that require expansion will be able to get more of those dollars.

I think this legislation is a very important step forward and I again commend the member from North Bay for the great work she's put into this.

Mrs. Elizabeth Witmer (Kitchener–Waterloo): I am pleased to respond to the comments made by the Minister of Health and by the parliamentary assistant. I would certainly echo the comments that have already been made about the fact that the staff did an outstanding job. It was a huge bill and there was a lot of work to do in preparation. I know that there was a huge number of amendments. I don't think I've ever been part of a bill that had so many amendments, and the truth is, I think all three parties did work very well. We had two days to get those amendments through, and I think people were committed to the task of doing so and yet making sure that the amendments that were being put forward were duly debated and discussed.

Having said that, at the end of the day there were many, many people who had made presentations throughout the province of Ontario, and I was really quite pleased at the number of people who stepped up to the plate. We heard from people on the front lines, doing all sorts of jobs within the long-term-care sector; we heard from a lot of the residents' families; we certainly heard from the owners, the operators; and we heard from municipalities that have homes. The input was certainly widespread.

I would hasten to add that I think that at the end of the day there was a lot of disappointment because, despite the fact that there were changes made, many of them dealing with the issue of enforcement, the government had not lived up to its promise, and still has not lived up to its promise, in its budget that it was going to increase the level of funding for the residents in order that there could be more personal, hands-on care, whether it be in the area of nursing or feeding or toileting—some of what needs to be done in order to make sure that the residents in the long-term-care sector get the highest and best level of care that they possibly can. So I think there's still a lot of disappointment, and there wasn't any capital renewal plan either.

The Acting Speaker (Mr. Joseph N. Tascona): The Chair recognizes the member for Nipissing in response.

Ms. Smith: I want to thank the members from Waterloo–Wellington, Nickel Belt, Scarborough Centre and Kitchener–Waterloo for their kind comments today.

I do want to join with the member for Nickel Belt in acknowledging Ralph Armstrong. I think he did yeoman's service, and the fact that he was still standing at the end of it all was incredible. So hats off to him for getting us through the clause-by-clause craziness of the week; so thank you to him.

I want to thank the member for Kitchener–Waterloo and the member for Nickel Belt for, again, acknowledging the staff at the ministry. I think they did such a great job, and the fact that all three parties are in agreement and appreciate that good work is really a testament to the team and to all that they did, so I want to thank them.

I would be incredibly remiss if I didn't thank one of my colleagues, Louise Edmonds, who did yeoman's service with me from the very beginning on this file, writing Commitment to Care with me, travelling to all the long-term-care homes that we did together and providing a huge amount of support to this project. I just wanted to put that on the record because she has been tireless on this file and in her quest to improve the quality of life for our seniors across the province.

I do acknowledge some of the comments that were made by the member for Waterloo–Wellington. I would just like to remind him that we have over the last three and a half years invested in new staff in all of our homes across the province, including the hiring of over 4,800 new direct care staff, including 1,100 new nurses. We've seen the return of minimum standards, which the previous government had removed, including the minimum standard of at least two baths or showers per week, that all food menus be approved by a registered dietitian, and that we have a registered nurse on hand 24/7.

Finally, before I give up my time, I do want to thank again the two critics for the patience and the professionalism they showed. I think, to the member for Nickel Belt, our dads would be proud.

The Acting Speaker: Further debate?

Mrs. Witmer: I'm pleased to join the third reading debate on Bill 140, An Act respecting long-term care homes, which was introduced on October 3, 2006. This bill—again, I just want to review it. It consolidates three existing pieces of legislation—the Nursing Homes Act, the Charitable Institutions Act, and the Homes for the Aged and Rest Homes Act—into one single act. Certainly, that is a very good thing.

1620

However, having said that, I think at the end of the day this bill has failed to respond to the needs and some of the issues that had been identified by the residents, by the families of the residents and certainly by the front-line workers. Although there were some amendments made, I think based upon the input and the huge number of people who not only made oral presentations but also

came to us with written presentations, the bill at the end of the day failed to make the changes that did respond to the requests that had been made.

In fact, if you take a look at this bill, in many respects we don't see much of a vision on the part of this government at a time when the health needs of our seniors and the number of seniors in this province are escalating. We know that our senior population, those over the age of 75, is going to grow. We had about 776,000 in 2006, and by 2016 we're going to have almost one million people over the age of 75.

We are going to have to take a look at how we can appropriately plan for the care of those seniors. Although many of them hopefully will be able to remain in their own homes if we can ensure we have proper home care support in place, inevitably there are going to be some of these people who are over the age of 75, and sometimes much younger, who are going to require long-term-care support. They will be living in residences, and obviously the number of beds that are available today are not going to suffice. This government has not put in place any long-term-care plan to respond to the future needs of those residents. I'm going to speak about that a little bit more in the future.

Not only do we not have a plan for new beds for the increasing numbers, we don't have a plan for renewal of the older beds as well, the B and C beds of which there are about 35,000, almost half of the beds in Ontario.

I think in this respect this bill certainly doesn't demonstrate any vision as to responding to the needs of the senior population in Ontario, those who are frail, those who are vulnerable. Obviously, we need to make sure we have the resident space available, that within those homes we have innovative programs, we have services that can respond to needs. This bill doesn't speak to that at all.

This bill also didn't address the promise that had been made by Premier Dalton McGuinty in 2003. He promised each resident \$6,000 for an additional 20 minutes of personal care, and unfortunately we haven't seen that money provided. We were told during the debate on Bill 140 that we should keep focused on the budget, because this bill wasn't going to provide the funding but perhaps there'd be something in the budget. We haven't seen any commitment, and as a result we have another broken Premier McGuinty promise. In breaking that promise, I would say to you that the trust of many of the citizens in this province has been betrayed.

I'm going to speak a little later about the campaign that's taken place since the passage of the amendments to Bill 140, when so many seniors had been asking for that additional care and for a capital renewal plan. We just have to recognize that these older people, about 75,000 residents in this province, are frail and they are vulnerable. They need help with feeding, they need help with dressing and they need help with toileting. Currently the amount of time available to help those individuals is simply not sufficient.

I was quite struck during the hearings to listen to the front-line workers, to hear the stress and the compassion

they felt for the older residents and the fact that they were not able to provide them with the quality time that was needed to provide them with the best quality of life. They would tell us that what they could do for these people makes such a huge difference in the lives of these men and women, and they stressed the fact that if they had received money that would allow them to provide the full additional 20 minutes of care, it would certainly help these residents lead a healthier, happier and less stressful life. We know that in some instances in the homes throughout the province of Ontario, family members are going in to provide some of the care that the stressed, overworked staff is not able to provide today without additional money to do so.

This bill failed to address that issue. Indeed, in some instances, some of the new regulations and the enforcement measures actually mean that people are going to be taken away from front-line personal care and will be doing more paperwork. We need to keep that in mind.

If you take a look at the budget, it totally failed to meet the needs of the residents. Yet on Tuesday, January 23, 2007, the member from Nipissing said in committee, "Certainly we recognize that long-term care is a work in progress, and while this is legislation, we know that there are funding issues. We've heard from a lot of presenters, and I'll certainly make sure the Minister of Finance hears your point of view on this as we continue our budget deliberations."

Do you know what? I have no doubt that the member from Nipissing did make representation to the Minister of Finance. I know that she certainly does care about these individuals and I appreciate the work that she has done. However, obviously the Minister of Finance, together with the Premier of this province, did not see these residents, these seniors, as a priority for this government, because the money that had been promised, the additional \$6,000 per resident, was not forthcoming. Obviously, the Premier did not respond to the pleas for additional funding which were made to him by the member from Nipissing.

The government has chosen to ignore the needs of Ontario's most vulnerable citizens. The only support that they got in the budget was 50 cents additional per resident per day, or a mere one minute of additional care per resident. That's a far cry from the 20 minutes that were promised.

This also means—and we were told this by people in the long-term-care sector—that there will probably be some layoffs. There are going to be even fewer staff available to support these residents, and they are going to have fewer caregivers to assist them with their daily activities, such as bathing, dressing, eating—the simple basics. The needs of these residents go far beyond that. Regrettably, there wasn't anything in the budget, as we were led to believe there well may be.

I'll tell you, the residents, the staff, the people involved are concerned. After the budget, the Ontario Association of Non-Profit Homes and Services for Seniors put out a press release on March 22 of this year.

They headlined it “Liberals Break Promise to 75,000 Residents of Long-Term-Care Homes.” This is what they go on to say: “With virtually nothing in the provincial budget for long-term care, the McGuinty government will be headed into the next election without having fulfilled its pledge to the 75,000 seniors who live in these homes.”

Then Donna Rubin, the CEO of the Ontario Association of Non-Profit Homes and Services for Seniors, a very dedicated and hard-working individual, says, “For long-term care, the cupboard is bare.

“Unless the Liberals have a sudden conversion on the way to the polls on October 10, they will have to explain another broken promise—a promise made to long-term-care residents and their families across this province.”

1630

The press release goes on to say, “During the last election campaign, the Liberals pledged a \$6,000 increase in annual care funding for every long-term-care resident. But after four”—and I repeat, four—“provincial budgets, the funding increase has totalled only about \$2,300.

“For the McGuinty government to deliver on its promise, it will have to inject an additional \$277 million into the operating budgets of long-term-care homes over the next six months.” And we know that in this budget, they only gave them \$14 million.

“In the lead-up to the last election, the Liberals identified increased funding for long-term care—funding that would go directly to improving the level of care of residents—as one of their top priorities. Today, they failed to keep their word. This is a huge disappointment, especially after the Liberals promised after coming to power that they would lead a revolution in long-term care,” stated Rubin.

“While the budget contained \$14 million for the hiring of nurses in long-term care, the reality is that with no money to keep up with inflation, homes will be forced to lay off staff. ‘Homes have been given about 50 cents a day more to hire new nurses, but we needed over \$2 a day just to keep the ones we have. We will be laying off three nurses to hire one,’ said Rubin.

“For years, OANHSS has been urging the province to put more money into the care and services that directly benefit residents so that some of their most basic needs are being met in a timely manner. And with increasing public attention focused on the sector—including the Casa Verde inquest, media stories about homes and staff being stretched to the limit, growing awareness about the inadequate funding provided to feed residents (currently \$5.46 per day per resident)—there was an expectation that the Liberal government would really take action on these issues.”

“‘We thought they got it, that they understood how impossible the situation has become,’ said Rubin. ‘But their lack of response suggests otherwise.’

“Unable to improve care levels for residents because of inadequate funding, homes are now facing a further financial squeeze as the Liberal government moves to enact the Long-Term Care Homes Act. Bill 140 will

place a whole new set of regulatory demands on the sector without providing the financial means to meet them.

“‘This will result in even more staff time being devoted to non-care functions. And ultimately that means residents end up getting short-changed by government,’ Rubin stated.

“Homes are being swamped by increased costs, new regulatory requirements and lack of adequate funding. Operating costs are rising—everything from utility to wage rates are up. Government continues to demand more. Yet funding falls further behind.”

Donna concludes by saying, “Sadly, this budget will mean layoffs and service cuts.”

I think that pretty well summarizes the impact of Bill 140, the position of this government in its total disregard in responding to the needs of those who live in long-term-care homes.

This is from an organization, by the way, OANHSS, that is a provincial association. It represents not-for-profit providers of long-term-care services and housing for seniors. The people who are part of OANHSS include municipal and charitable long-term-care homes, non-profit nursing homes, seniors’ housing projects and community service agencies. These people together operate over 27,000 long-term-care beds and over 5,000 seniors’ housing units across the province.

So I would remind the Premier: You made a promise to long-term-care residents in 2003. You said, “We will build a seniors strategy that guarantees our seniors be treated with respect and dignity.” I would say to the Premier, and certainly it’s reflected in the press release put out by OANHSS, you have failed in your promise to treat the seniors with respect and dignity. You have failed to deliver on the promise that you made to the residents of these homes.

On the day that the budget was released and the long-term-care sector got a paltry \$14 million—one minute of additional care per day—there was another press release put out by the long-term-care association, who represent those individuals in the other half of the 75,000 beds. I have here a quotation from Karen Sullivan, executive director of the Ontario Long Term Care Association. She writes:

“We feel that the residents in long-term-care homes in the province in this budget have been forgotten.... The budget investment translates to 50 cents a resident a day, which is one minute of additional care. We were looking for 30 more minutes of care for our residents in this province. In fact, 50,000 people signed petitions over the last three weeks to say that’s what was needed....

“I think the message is that they have been forgotten and I think that’s hugely, very concerning for the 75,000 people who live in these homes and their families.... We were looking at \$300 million in additional funding and we got \$14” million. “With the one more minute of care funded in today’s budget, staff will still be run off their feet to meet basic care needs. The double standard of physical comfort and privacy between old and new

homes will continue, with no commitment to a capital renewal and retrofit program.

“Government has repeatedly said that more needs to be done in long-term care, and care levels and capital renewal were described as budget issues when they were repeatedly raised just over a month ago during the public hearings on the new Long-Term Care Homes Act, Bill 140.”

So again we have Karen Sullivan, executive director of the Ontario Long Term Care Association, representing the residents. Again she alludes to the promise that was made during the deliberations on Bill 140. The government says to all the people appearing—and we heard from hundreds of people—“Yes, more needs to be done. Yes, we need to improve care levels. Yes, we need to have a program for capital renewal.”

It’s not here. It’s not in the budget. This was the last budget before the fall election. The promise that the Premier made: He broke it.

Somebody said to me that this is a government that’s prepared to say anything during an election campaign, anything to get elected, and it’s so true. We’ve had over 50 promises that have been broken by this Premier. Unfortunately the trust that these people, the most vulnerable and frail elderly people in our province, had in government has been broken. They feel betrayed.

But I want to go back to the committee hearings that took place between January 16 and January 31. As I say, there were some amendments made to the legislation. But certainly on the significant ones that would make a real difference in the lives of people, that would be visionary, there was no response by this government—neither in Bill 140 nor in the last budget. Many people have said that the government failed to listen to those who made representations, and they failed to amend the legislation to provide a capital renewal program.

There are B and C beds in the province of Ontario. About half of the 75,000 beds are B and C beds. B and C beds are beds in homes that usually have residents living in three- and four-bed wards. These individuals deserve to live in homes that meet the 1998 design standards that our government introduced. In fact, we did build 20,000 new beds that meet those design standards. We also renovated the D beds—about 16,000—and those people live in homes that meet those standards.

1640

What does that mean? It means that the residents in those homes that meet the new 1998 standards do live with dignity, they do live with respect, they do live with privacy, because they don’t live in three- and four-bedroom wards, oftentimes wards that don’t have a bathroom in the room. These individuals now live in rooms with a maximum of two residents per room, an ensuite bath, in a home that is totally wheelchair-accessible.

We have to remember that a lot of these residents are in wheelchairs. If you’re in an older home, you’re going to be living, obviously, with little privacy if you’re in a three- or four-bedroom ward. You’re going to be living in a small room. You’re going to be living in a home

where there are hallways that don’t allow for two wheelchairs to pass. You’re going to be living in a home that doesn’t have a dining room on the floor where you live. You’re going to have to have the staff take you to the elevator. Everybody lines up. Oftentimes they go to one huge dining room, sometimes in the basement, and it takes a lot of additional staff time just to get the residents there.

This government has made absolutely no commitment to renew half of the beds in this province where residents don’t live in homes that meet the 1998 standards. It’s disappointing that the government has not moved forward. Our government was prepared to move forward, to have a capital renewal plan, to renew the B and the C beds and to make sure that everybody in this province lived in a home that met the 1998 standards and had the privacy and the dignity that they deserved.

If you take a look at the licensing scheme that this government did introduce, there was a lot of negative response. They made a few minor adjustments to the licensing scheme, but again, it takes a look at the age and the structure of the building and not so much in the way of the performance of the home in meeting the personal care requirement needs. In fact, what did they do to change that section? They lengthened the term and deleted the section that indicated that the government could miss the three-year deadline, and we were supposed to know that our licence would not be renewed. They now at least are on the hook. They have to tell the operators something three years before, and the term was lengthened to 15 years.

The Ontario Long Term Care Association presented a lot of outstanding amendments that would have responded to the issues of uncertainty about the future of long-term-care homes, and the government did not make any attempt whatsoever to reach a compromise and to introduce some of those amendments, which I think would have been in the best interests of the residents in the homes. It would have meant that any decision that government made would have been based on the need for beds in the community and the operator’s performance in keeping the building up physically.

If the government had responded, I think it would have provided much clearer direction to the entire long-term-care sector and also to the lenders, because we heard from a lot of people that, because of the uncertainty related to the licensing scheme this government has introduced, there are people who may be wanting to undertake capital renewal. But the banks are not going to be lending you any money if they’re not quite sure that you’ll have your licence over the long term. The government today can still take your licence away; the home is still at risk. I think it’s important to put that on the record.

Also, I want to point out again that when the bill was amended, despite the fact that there is a less onerous regulatory regime and perhaps a little less in the way of administrative duties, the vast majority of the obligations today are still on the home as opposed to the government. There is an introduction of new administrative duties, and

we've already heard from the quotes that I read that unfortunately it's going to mean less personal care for residents as the people within the homes, the front-line providers, struggle to meet the new administrative workload. I think it's really important that we point that out.

I've talked about the licensing scheme. I don't think I will say anything more about that except to say that, although now there is an obligation on the part of the government to at least speak to the issue, three years out the licence can still be removed. There can be a decision made to take away the licence, which would mean the home would close, creating uncertainty for the residents and also people in small communities. We heard from a lot of people in small communities where there is only one retirement long-term-care home. They were quite stressed about not being able to move forward and do capital renewal because of difficulty in obtaining loans and not knowing whether they would have their licence in the future or whether the licence would be taken away and the beds might be moved to another community. The way it is now, there is still all this uncertainty. An operator could be asked to invest money, and again there is that whole issue of lending. There's absolutely no guarantee under the current legislation that the licence is going to be renewed no matter what an operator does or for how long.

Again, the concerns that were brought to our attention have not been fixed. In fact OANHSS said during the deliberations, "The fixed-term licensing provision will increase financing costs for long-term-care homes and complicate refinancings." That's an important note to make. They also said, "It's likely that lenders will attach a premium to cover the risk of non-renewals and will make the negotiation of new financings more difficult." So, again, we just know that some of what the government is doing is going to be creating, and is creating, hardship for people in the province.

I want to take a look at the issue of capital renewal. I find it unbelievable—in light of the fact that when I brought forward my private member's motion in the fall that the government should invest in a capital renewal plan for the 35,000 residents who continue to live in four-bed wards and it was unanimously accepted in this House—that this Premier would not have made a priority in his budget to commit to a capital renewal program. Obviously, in not doing so, it again shows their lack of concern for that particular population. We need to keep in mind that that population is going to be growing, not only in the next 10 years but in the next 20 years, in the next 30 years. Right now these residents, half of the residents in this province, are living in accommodation that is substandard and it is certainly quite different than the residences that students in our universities are living in. We seriously need to take a look at that.

Mr. Mihevc from the Toronto Homes for the Aged had this to say about operating funding and funding for capital renewal when he appeared:

"We find it worrisome that the ... legislation offers no commitment to fund long-term-care homes at the level

needed to provide the right level of care, achieve the enhanced quality that residents deserve or support homes in meeting the expanded legislative requirements.... As an order of government, municipalities have a mandatory obligation to operate long-term-care homes, yet there is no obligation for the province to provide sustainable operating funding or funding for capital renewal. We are concerned that this sets long-term-care homes up for failure."

So this was a big concern, and I'm going to read more letters just a little bit later.

1650

This whole issue about the capital renewal plan and the need for the additional total \$6,000 has been highlighted recently in the last three and a half weeks coming up to the budget when we had 50,000 Ontarians signing petitions wanting the government to take action on more personal care funding and capital renewal. Obviously, without a firm capital renewal plan, it's going to be difficult for the operators to move forward independently without any government support. If you remember, our government did provide financial support to the operators and the individuals who had the D homes. It's really sad that this government didn't show the same type of leadership.

Mr. Scott Kozachenko from the Heritage Green Nursing Home, when he came, had this to say about this lack of ability and the need for additional funding for upgrades to his long-term-care home:

"Heritage Green is a non-profit home for 167 residents that provides jobs for 200 staff in Stoney Creek and the surrounding region.... The nursing home has an occupancy level of almost 99%, a waiting list that averages 75 on any given day, and an aging population that continues to look to us for long-term-care services to meet their immediate and future needs."

He goes on to say, "One solution was projected to cost just over \$2 million, not huge as building renovation and redevelopment projects go but still significant for a 167-bed long-term-care home. Our board, residents, families and staff are now disappointed that we are not able to proceed. We're financially stable, yet we're unable to obtain the financing within our current circumstances. With the uncertainty in Bill 140 and the absence of a government commitment to a capital renewal program, I am not sure when, or even if, we will ever be able to proceed."

We get letter after letter from people who are really concerned about this lack of commitment to a capital renewal program to bring all of the homes in this province up to the 1998 design standards. We're going to have a lot of people who are going to continue to have to call a three- or four-bed ward their home.

We hear from people such as Fraser Wilson, the CEO of Omni Health Care. He had this to say regarding the legislation's lack of a capital renewal plan:

"I've been in long-term care for 20 years and served in many elected capacities at the Ontario Long-Term Care Association, including president in 2002-03...."

"I am here to express my disappointment and disillusionment with the proposed new act. I had hoped that Bill 140 would move us forward to embrace the next 20 to 25 years, provide equality for all residents by introducing a capital renewal program for B and C homes, be responsive to current needs, and plan for the future.

"Is this government sending the message that those living in B and C homes are not worthy of the same comfort, privacy and dignity as those in new homes? I had hoped that Bill 140 would recognize this inequality and outline a capital renewal and retrofit plan. Instead, Bill 140 did nothing to address the modernization of older homes or the equality of those residents living in them. Rather, the government introduced the limited licences ... with no plan for the future."

This legislation falls short of its goal to create resident-centred home environments for the over 36,000 Ontarians who continue to live in the over 300 B and C classified homes.

I would say to the minister that if he believes this legislation is a cornerstone—and that's what the minister tried to tell us—upon which the system of the rest of the country is going to be built, he's too late. The rest of the country has plans to eliminate the last four-bed wards for residents while the minister has no plan at all.

I want to contrast the lack of a plan by the McGuinty government with what happened when our government was in office. We recognized in 1998 that there had been no long-term-care beds built in this province for over 10 years. But we also recognized that there was an increasing number of seniors who were going to require long-term-care accommodation, so we invested \$2.1 billion in long-term-care homes in order that these individuals who were going to require these beds could live in comfort, in dignity and with privacy.

We introduced new 1998 design standards—as I say, a maximum of two residents per room, with an ensuite bath. These homes were totally wheelchair-accessible and were designed in a way that there were 32 residents per little home area. They had their own dining room, and all of their own activities could take place within that particular setting. Our government realized that these individuals needed accommodation to respond to their needs, so these new design standards superseded all prior structural standards and guidelines and responded to the needs of these individuals. It provided the residents with a much more home-like setting.

I also want to remind the McGuinty Liberal government that when we made the long-term-care bed expansion investment of \$2.1 billion, it represented the largest-ever investment in health services in Ontario's history. It also represented a big commitment on the part of a government, unlike the fact that for the past 10 years, Liberal and NDP governments had added not one more bed. I guess that's what concerns me, because we have a growing population. The 20,000 beds are filled. We have demand throughout the province of Ontario, we have long waiting lists throughout the province of Ontario, and we have no plan to renew the old beds, nor do we have a

plan for new beds that are going to be required over the next five, 10, 15, 20 years. Nobody quite knows what's going on.

I can tell you that there's a growing crisis in this province. The government has no vision for long-term care. There are currently in this province, as of last October, more than 18,000 people on a waiting list for a long-term-care bed. This is an increase of more than 4,000 from October 2005. So how many more people are we going to have in October 2007 who are going to be waiting for a long-term-care bed? In my own community of Waterloo, there are 669 people on the wait list. In Ottawa, the list sits at a staggering 1,349. In North Bay, the number is over 300.

The shortage of these long-term-care beds is not only affecting the people who are on the waiting list but, as we all know, it is drastically affecting the other parts of the health care system, especially our hospitals, where many of the beds today are filled with patients waiting for a bed in a long-term-care home or waiting for services to be provided in the community. As a result of these individuals being forced to stay in an acute care bed, surgeries are being postponed, they're being cancelled, and patients are waiting hours or days in emergency rooms because there are no beds for them in the hospital.

1700

So the lack of a vision, the lack of a plan, on the part of this government and the fact that so many people need a long-term-care bed and can't be accommodated is putting pressure on other parts of the system.

Last year, we saw the emergency room crisis. We saw emergency rooms throughout the province of Ontario that couldn't respond to the needs of the people who flocked in because we had people occupying beds who should more appropriately have been accommodated in the long-term-care homes or in their own homes. As a result, we had surgeries that were cancelled.

So it is important that the government address the critical shortage of long-term-care beds that we have in Ontario.

An article in the North Bay Nugget on December 19 reinforces the fact that the government doesn't have a vision or it doesn't have a plan by stating that the Ministry of Health has no short-term or long-term vision of how they're going to manage this situation. We have seen this before.

I made reference a few minutes ago to the fact that no new beds had been built in the province for 10 years prior to our 1998 announcement for the construction of 20,000 new beds. Obviously it is time for action.

There were other parts of the legislation that were not addressed.

The Royal Canadian Legion wrote all of us, the government included, and I have a letter here from Robert Silverton, district commander C, Ontario command, who says:

"I am writing to you ... to express our strong concerns about Bill 140 in its present form.

"District C has 51 branches and some 20,438 members."

This letter is to me, and I know that people in other parts of the province got similar letters.

He says that they're active in long-term-care advocacy issues and that many of their members provide considerable financial and volunteer support to the long-term-care homes in Ontario.

He says:

"While we have much in common with the spirit of Bill 140, we cannot support the bill in its present form. Our major concern is the failure of this Bill 140 to include the creation of an ombudsman for long-term-care issues. While the bill provides for a long-term-care adviser, the adviser position is not equivalent to an ombudsman position and lacks many of the powers accorded to the current Ontario Ombudsman. The adviser does not have clearly stated powers to investigate complaints, take action, notify the police if warranted etc., nor the independence that the Ontario Ombudsman enjoys. In fact, we believe this represents no improvement"—and I stress "no improvement"—"over the current provisions the ministry currently commands.

"We believe the creation within the proposed new Bill 140 of an ombudsman can be achieved simply by expanding the mandate of the office of the current Ontario Ombudsman, Mr. André Marin, to include long-term-care issues.

"Unfortunately, the government is backing away from its position to create an independent ombudsman for long-term-care issues and simply abandoning our most vulnerable Ontarians, the seniors and veterans residing in long-term-care homes. Surely"—and this is the letter to me—"you will not allow this to happen to our seniors after so many horror stories about their abuse were exposed on television and news media.

"We also support the positions and concerns expressed by the Ontario Association of Non-Profit Homes and Services for Seniors. We too are concerned about the lack of funding to implement necessary changes and enforcement and think this will lead to a reduction in hands-on care and services for residents.

"We urge you to support our position to include the creation of an ombudsman for long-term-care issues (by expanding the current mandate of the Ontario Ombudsman to include long-term-care-issues) to protect the rights of our most vulnerable citizens, the seniors who reside in long-term-care homes."

We did put forward the amendment that had been recommended. We would happily have seen the expansion of the mandate of the office of the current Ombudsman, Mr. André Marin. Regrettably, that amendment was not accepted by the government. I guess when you take a look at the situation today in relation to the gambling scandal, you can understand why they didn't want to expand the power of the current Ontario Ombudsman. Again, it showed a lack of response to what was being asked for in this legislation. There's absolutely no reason why the government couldn't have moved forward in this regard, because I believe it is important that there be an independent ombudsman, separate from somebody who

is going to be known as the long-term-care adviser. That individual simply doesn't have the same power and doesn't have the independence. I think it's important that we put that on the record.

I want to move forward and I just want to read from some of the presentations that were made. I have to say, I was moved by many of the presentations that were made. In fact, at times I felt rather depressed upon learning about the conditions in which some of our residents live and the stress that the staff are under to meet the needs, particularly in the older homes where people are living in different conditions than they are in the newly designed homes. I want to read from a few, there were so many that came forward.

I will begin with a presentation by Denise Bedard, the administrator for Scarborough Leisureworld, who's been working in long-term care for 30 years. She says, "The growing demands on an already overburdened and inadequately trained long-term-care service will soar in the near future." She reminds us:

"According to a 2005 Statistics Canada report, in 2001 seniors aged 65 and over accounted for 13% of the nation's population. Projections are that this number will reach 15% by 2011. The numbers of those 80 and over increased at the fastest pace and are expected to be an additional 43% from 2001 to over 1.3 million by 2011. This explosive growth in our aging population will continue to make ever-increasing demands on long-term-care services in the province of Ontario."

She said, "Amid the overwhelming level of need in the nursing home, it is easy to forget the enormous challenges inherent in the job of caring for the resident." She talks about how "the staff may face explicit conflicts, such as complaints from supervisors and peers, if they try to focus on residents' emotions and psychosocial needs in the face of demands for efficiency." She says that "recruitment and retention have become a huge issue within long-term care," and she says that we need to "care for and re-educate the caregiver to be sensitive and to develop meaningful relationships with the residents. What most of us fear about going into a nursing home is that we will have to leave who we were at the door."

She is concerned about the inability of the funding that is required to be provided. She says, "With no additional funding to hire staff to address the ever-increasing paperwork load, the number of hours committed to actual delivery of care to residents diminishes at a time when it should be increasing."

She also speaks to the need for "the development and implementation of electronic patient records," in order that when a resident goes to the hospital, that history or record would be available. It would expedite the treatment of that particular resident.

I have here a presentation from the Trillium Villa Nursing Home family council. This is Brenda Marshall, the chairperson of the family council. This is a home with 152 seniors. It's a C home. She asks for the government to "improve the licensing portion of of this bill." She talks about the uncertainty that the government has

created by its scheme. She says, "You're asking us to assume more responsibility, and yet this bill makes it harder each and every day." She says, "The seniors in our communities across Ontario deserve better than this."

1710

"Long-term-care homes need to stay open and the government needs to assist us with capital renewal like there was for the 20,000 new beds and the 16,000 rebuilt D beds." She's referring to the beds that we funded. She talks about the need "to protect the residents in these facilities."

Then she talks about her mother-in-law: "My mother-in-law is in the last few days of her life as I speak here today"—she, of course, is living in a C ward home—"but she has no privacy when family visits because she shares her room with another wonderful lady who must watch her die, knowing that one day it will be her turn."

She talks about the need for privacy, the need for comfort and the need for dignity. She says when you've got three or four residents sharing a room, sharing a washroom, that's difficult: "Try going to the washroom when you are in a wheelchair, but yet you cannot get your chair through the bathroom door. These residents" living in Trillium Villa "are living out their lives and dying without privacy and dignity. It is incomprehensible! And they call this the 'golden years'? I am not sure anymore."

Then she says, "We have some wonderful staff at Trillium Villa and, believe me, we've watched them come and go over the years, but they can only do so much. We as family members can only do so much. I must tell you that we are all burning out."

Again, it talks to the need for additional funding, which this government is failing to provide.

We hear from others. I've got a lot here. This is from the Family Council Network Four. These are people who represent the family councils from the 87 long-term-care homes, about 10,000 beds, in the Hamilton-Niagara-Haldimand-Brant region. They express their concern that this legislation has created uncertainty about the future of the older long-term-care homes. They say, "We expect the government to help ensure that accommodations with modern standards of comfort and dignity are available for all long-term-care residents...."

"For example, semi-private rooms with wheelchair-accessible washrooms should be the minimum standard. In Manitoba, there are currently only 63 four-bed ward rooms in the entire province. Ontario has thousands." It's disgraceful.

They talk about the need "for capital renewal to ... bring accommodation for all residents" in this province up to the modern design standards of 1998 that we introduced.

They also talk about the fact that this bill—and I guess they would say now "this budget"—does not respond to the election promise that was made to "invest in better nursing home care, providing an additional \$6,000 in care for every resident." Again, these are the family council members who are saying that this government hasn't lived up to the promise that was made.

Here we have a submission by Saint Luke's Place in Cambridge. Again, it is a not-for-profit long-term-care home. They talk about the fact "that in its present form, Bill 140 will have serious consequences for Ontario's seniors and our health care system as a whole." I have to acknowledge that there were some amendments made, but again, they are concerned that the bill wasn't addressing the "current and future needs" of residents. It was eroding care and services. It was failing "to recognize the already demanding workload of staff." They were concerned about the fixed-licensing term as well and the fact that, obviously, if people were looking for loans from the financial community, it was going to mean higher premium rates and shorter repayment terms.

Again, they feel there's a double standard because in seniors' accommodation right now you've got people who live in the new-bed, 1998 design standard homes and you've got people who are living in the C and B. They believe it's difficult to retain staff, so I want to put that on the record.

Here we have PeopleCare, a family-owned and -operated group of three long-term-care homes in Tavistock, Stratford and Cambridge. In fact, this is a third-generation home. The home was founded by this person's grandfather. They provide high-quality care in a homelike environment. Again, they expressed concern because they are C homes and their homes don't meet the 1998 standards, and obviously Bill 140 isn't going to allow them to move forward and make the investments that are necessary to make changes to the homes. Again, it's a home with caring, dedicated staff, but the funding simply is not there.

Here is a letter from Sean Weylie, Hamilton. He speaks about the fact that things are pretty difficult. He's saying, "With the downsizing of the psychiatric beds, we are now being charged with the responsibility to care for these individuals." We know that's happening, and those people require a different level of care.

This is from the Sun Parlor Home in the county of Essex. They express their concern about the fact that they haven't received the funding commitment that was made by the province for \$6,000 per resident.

Here's another one, from Bernard Maheu, president of the residents' council at the Gibson Long Term Care Centre, a 202-bed, class C home in North York. He's concerned because there are no changes going to be made in funding as required, and the government obviously isn't providing the funding.

Here's another one, from the region of Durham: They're concerned about the financial burden of this legislation and the fact they're already heavily subsidizing the care and services of residents, and the need for additional provincial funding.

The list goes on and on and on. Suffice it to say that this government, under the leadership of Premier McGuinty, has failed to respond to the commitments that it made to seniors in 2003. They have failed to keep their promise. They have presented no vision for the future of long-term-care homes in this province or for seniors,

whose numbers are increasing. They have not stepped up to the plate with any capital renewal programs for the C and B beds in the province of Ontario. We are not going to see the elimination of the three- and four-bed wards in the near future. We're not going to have totally wheelchair-accessible beds.

I would urge this government to seriously consider their broken promise. I would urge that in the last few months of their time in office they would come forward with a capital renewal plan, that they would live up to their commitment of providing each resident in this province with the additional \$6,000 in funding that they have committed, because as it is right now, they have betrayed the trust of seniors, the families and the front-line workers. Every senior in this province deserves to live with dignity in a homelike environment.

The Acting Speaker: Questions and comments. The Chair recognizes the member for Nickel Belt.

Ms. Martel: I just want to reinforce some of the concerns that were raised by the member from Kitchener–Waterloo, concerns that I will reinforce some more when I get an ability to speak.

1720

First of all, New Democrats have serious concerns with the fixed-licensing scheme that is evident in Bill 140, especially in the absence of a capital renewal program. We heard from many homes, small homes in particular, that this will create an enormous financial burden for them, that it will increase lending rates because there will be a risk premium that will be attached to redevelopment, and in light of that, that many of them would be unable to get the financing together to actually meet the standards that the government wants them to comply with. The notion of fixing your licence and tying it to structural compliance, which is new and not done anywhere else, is one that's going to have serious, serious negative consequences, particularly for the smaller and rural homes.

Secondly, with respect to the role of the ombudsman, you can do it in one of two ways: You could have a new ombudsman position for long-term care, and we heard that as an option, or expand the oversight of the current Ombudsman. The option that New Democrats put on the table was of course to expand the oversight function of the current Ombudsman to include long-term care, and this, regrettably, was voted down by the Liberals.

I can tell people that this office of long-term-care resident and family adviser is just not going to cut it for the folks who came before us and talked about the need for an independent oversight function. It certainly doesn't cut it for the Royal Canadian Legion, Ontario command, who lobbied on this matter long before Bill 140 showed up.

Finally, with respect to the funding, the government failed in this most recent budget to live up to the promise it made of \$6,000 in additional funding for enhanced care. I don't know how things are going to get better in homes under—

The Acting Speaker: Thank you. The Chair recognizes the member for Nipissing.

Ms. Smith: I appreciate the opportunity to respond to the comments made by the member from Kitchener–Waterloo. I thought it was interesting that she spoke about our record in office. I would just like to remind her that we have seen a 35% increase in the budget of long-term care since 2004-05, or some \$740 million.

As well, she talked about the need for redevelopment and the lack of any new bed announcements, when in fact our government announced in October 2006 that we would be creating 1,750 new beds and 662 rebuilt beds in the not-too-distant future. I believe we have RFPs out for most of those already.

I also noted that the member for Kitchener–Waterloo spoke about certain amendments that would have been visionary. I think she was referring to some she was proposing. I would just point out three that she was proposing that I don't think in any way would qualify as visionary. The member moved a Conservative motion that would have removed the obligation of long-term-care homes to involve residents and their family members in writing their individual care plans. Let me just repeat that for those who didn't understand: The Conservative Party wanted to remove the involvement of residents and family members in preparing their individual care plans. We encourage the involvement of residents and family members in developing their own care plan, for they are the ones who spend the most time with the residents and are most involved, in some cases, in the day-to-day care of the residents.

She wanted to remove the independence of residents' councils mandated under the legislation, and actually put forward a motion to remove the independence of our residents' councils, which is contrary to everything we heard from every resident and resident council member before the committee. Again, I wouldn't qualify that as visionary.

I just would like to wind up by asking the member for Kitchener–Waterloo—her leader has indicated that he plans to remove \$2.5 billion from the health budget. I wonder—

The Acting Speaker: Thank you. The Chair recognizes the member from Haliburton–Victoria–Brock.

Ms. Laurie Scott (Haliburton–Victoria–Brock): I'm pleased to have the opportunity to speak this afternoon to Bill 140, the long-term-care act, and the comments from the member for Kitchener–Waterloo, our critic for the Ministry of Health and Long-Term Care. She's done a great job at going through Bill 140 and listening to all the concerns out there at the many committee meetings, the presentations that were presented, and brought forth amendments—I think there was a record number of amendments presented. I thought I had a lot in the Clean Water Act, but this surpassed that with hundreds of amendments. It was a sign that the bill was seriously flawed. Some amendments were made; obviously not enough.

We've heard many quotes this afternoon from the long-term-care sector that the changes that were made—“For long-term care, the cupboard is bare” was the reaction to the budget. And that's the reaction to a promise

that was made that they would deliver outstanding long-term care, \$6,000 more for long-term-care patients.

And when asked in the Legislature by the member from Kitchener–Waterloo, the Minister of Health and Long-Term Care said about the capital improvements that were needed to provide more spaces and adequate upgrades to the B and C class homes, which were three- and four-bed rooms, that it was a budgetary matter. Then the budget comes, and guess what? Nothing. Zero. So in the hallway, the Ontario Long-Term Care Association is upset, and they should be upset. They are out there representing the residents in long-term care, and there wasn't adequate funding. How are we supposed to take care of our seniors, the most vulnerable in our society, when there isn't adequate investment for upgrading, for new homes? The phone calls coming into my office about the needs in the long-term-care centres—the staff, everyone, is doing all they can. They can't provide enough adequate care for the residents, and this government is not helping them.

Mr. Paul Ferreira (York South–Weston): I want to start by acknowledging the fine work of members on all sides of this House on this very important piece of legislation; in particular, the member for Nipissing, the member for Kitchener–Waterloo, from whom we just heard, and of course my colleague from Nickel Belt.

I listened intently to the member for Kitchener–Waterloo and her very wise critique of this legislation, and I concur, and my colleagues concur as well. We know that this legislation is flawed. It's flawed for a number of reasons, and we've heard those reasons quite clearly from the public and also from other stakeholders. There's been great interest in this bill. We shouldn't be surprised by that, given the changing demographics of the province. We know that over the next few years there will be an incredible strain put on our long-term-care facilities and the system itself.

During my short time here, I have already heard from almost 200 of my constituents, some of them long-term-care facility residents and their family members, who have called for improvements on things such as the standards for hands-on care, which is a very important element of this legislation. My party has offered some significant amendments to this legislation. Unfortunately, the government has chosen, as they chose with the amendments proposed by the official opposition, to reject them. That's unfortunate, because the amendments certainly would add to the legislation and would make it more appropriate in terms of meeting the needs of our long-term-care facility residents, both now and in the future. For that reason, and for others that my colleague from Nickel Belt will outline in her presentation later on this afternoon, we join with the official opposition in our opposition to this legislation.

The Acting Speaker: In response, the Chair recognizes the member for Kitchener–Waterloo.

Mrs. Witmer: I appreciate the comments from the member for Nickel Belt. I think most of the amendments that were put forward we both agreed on, and certainly

she identified again the key issues of concern: the fixed licensing, the impact that has on the capital renewal plan, and the fact that there was no money for capital renewal of the older beds. The ombudsman issue was a big one. I think in some respects people felt there had been a promise, a commitment made, and at the end of the day there is no one there who is going to provide the independent oversight with the power to recommend that changes be made. And of course there's that whole issue of funding, that \$6,000-per-resident broken promise.

I want to thank the member from Haliburton–Victoria–Brock for her comments. Obviously, as a former nurse she has a deep appreciation for the residents in this homes.

I want to say welcome to the member from York South–Weston. It's really great to have you in the House and I know you're going to make a great contribution.

To the member for Nipissing, she spoke to the fact that, oh, yes, they did have a plan to add long-term-care beds and she referred to a number of approximately 1,750. Well, that was an announcement that was made last fall. In this budget, they simply reannounced that number, and if you take a look at what I said in my remarks earlier today, we have at least 18,000 people on a wait-list. We had 4,000 more last October than we had the October before. And so without any plan for new building, we obviously are not going to meet the needs of these residents. It's going to mean that our emergency rooms continue to be backed up. It's going to mean that our hospitals continue to be occupied by people who should be in long-term-care beds.

I would urge the government: Take action now. Develop a vision.

1730

The Acting Speaker: Further debate?

Ms. Martel: It's a pleasure for me to participate in the debate this afternoon. I can see that I'm going to run out of time, so I'll do the best I can to get as much as I can on the record, and then people will have to tune in on another day when I finish up my remarks.

I want to begin by recognizing some friends from ONA up in the gallery today: Sandra Bearzot, Andy Summers, Carolyn Edgar, Shannon Dacunha, Lawrence Walter. Thank you for being here. I hope I got that all right for all of you. It's a pleasure to see you here, and I want to thank ONA for participating in the consultations around Bill 140 because they added a great deal of very excellent information to those proceedings.

I also want to thank the other organizations, particularly the front-line staff from many homes who came forward and spoke about their experiences right now in long-term-care homes. Frankly, it was distressing indeed to hear about those experiences because it was very clear that there are not enough staff; there are not enough hands to provide the quality care that residents in our long-term-care homes need. That's not an indictment of those staff who are in the homes now, desperately trying to do that. It is a sad reality that they are doing the best that they can, but there are not enough of them to provide

the kind of care we should be providing to seniors in Ontario long-term-care homes today.

Many of the concerns that I raised on second reading were reinforced by those organizations, those individuals, who came before the public hearings, so I'm going to speak to them again. There were other concerns that were raised, frankly, that increased, from my perspective, the need for us to vote in opposition to Bill 140. I want to start to focus on those concerns today.

That leads me to the concern that is most important to me: minimum standards of care. As I stand here today, as we debate this bill, there are no minimum standards of hands-on care per resident per day in Ontario—none. For any resident in any long-term-care home, there is not a minimum standard of hands-on care that they can expect to receive every day. As I stand here debating this bill today, we have no idea when there might be some reinstatement of minimum standards of hands-on care per resident per day. We don't have any indication of when that's actually going to happen. We're three and a half years into the Liberal government's mandate and we still don't know when that's going to take place. As we stand here today and debate this bill, we also don't know what that minimum standard of care is actually going to be, because the government hasn't given any indication of that either. So this critical issue of the hands-on care that a resident can expect remains a critical issue despite all of what happened during the public hearings in terms of the Liberals being forced, kicking and screaming, to finally put some small measure of something in this regard into the bill.

I've got to tell you that it's a far cry from what Premier McGuinty promised in the last election campaign. Here's a copy of the Ontario Liberal Plan for Change regarding changes in long-term-care homes. It says, "Ensure residents get more personal care, including a minimum 2.25 hours of daily nursing care." We don't have that now and we have no guarantee that we're going to get it, despite the election promise that was made by Mr. McGuinty and despite the individuals, especially the front-line workers, who came in overwhelming numbers to say that if you don't have the minimum standard of care, you have no kind of guarantee of care at all, and you absolutely have to have that and it has to be funded if we're going to make positive change for residents in Ontario.

A little bit of history that I want to get on the record again: There was a standard of care under our government. It was 2.25 hours of hands-on care per resident per day. It was cancelled by the Conservatives in 1996. It was proof—that is, the cancellation—that that really had a negative impact on the quality of care and the level of care that were provided to seniors in our long-term-care homes.

In 2001, there was a study done by PricewaterhouseCoopers. It was funded by the Ministry of Health and it looked at Ontario homes and residents and the quality of care and compared those to other jurisdictions in Canada, in the United States and in Europe. I just want to put on

the record some of those findings to reinforce why you have to have a legislated standard of care.

"Levels of Service—Key Findings"

"The results of this study indicate that residents in Ontario long-term-care facilities—they use the word "facilities"; we use "homes" now, but that was in the report then so that's what I'm going to use—"receive less nursing and therapy services than similar jurisdictions with similar populations.

"Ontario LTC"—long-term-care—"residents have some significant differences in terms of their levels of depression, cognitive levels and behavioural problems which indicate higher needs for service levels to meet higher care requirements.

"Receipt of nursing services"

"In addition to the findings related to lower levels of nursing service:

"The proportion of care that is provided by registered nurses in Ontario long-term care is less than other jurisdictions—11% less."

If you look at the "Receipt of Specific Nursing Interventions," the study says the following:

"Restricted range of motion is an important problem in long-term-care populations. Given the high levels of those with arthritis (30%) in Ontario long-term-care facilities and strokes (22%), passive and active range of motion is an important part of disability limitation and activation which can be provided by nursing and aide staff.

"The data indicates that 68% of Ontario long-term-care residents do not receive nursing rehabilitation and a further 24% receive one intervention in a seven-day period. The data further demonstrates that 67.1% of the Ontario long-term-care population have" restricted range of motion, "yet only 32% of this population 'in need' actually receives any range of motion exercises."

With respect to "Receipt of Mental Health Services"

"Ontario long-term-care residents had the highest proportion of both mental health disturbances (61%) and problems (40%). The residents with mental health disturbances and/or problems would be considered those in need of mental health services.

"Less than 6% of Ontario long-term-care residents had any intervention related to evaluation or talk therapies while 31% received an anti-psychotic or restraint..."

"Given the high proportion of residents in Ontario long-term care with cognitive problems related to Alzheimer's or a dementia (53%), this presents a high resource demand for care providers in the Ontario long-term-care setting.

"Receipt of rehabilitation services"

"The percentage of people with rehabilitation potential based on the MDS 2.0 was reasonably similar across settings, with Ontario long-term care ... at about 14%, about 10% in Saskatchewan and 5% in Manitoba."

But "the service level for Ontario long-term care is lower than in Manitoba (13%) and substantially lower than in Saskatchewan (38%)...."

Those were some of the results of the study that was done in 2001, five years after the Conservatives had cancelled the minimum standard of care. Some government members during the course of the hearings tried to do what they could to minimize the impact of the study and minimize the impact of the findings. I find that particularly curious because it was some Liberal members themselves, past and present, who thoroughly embraced the study when it came out—who embraced the study, embraced the conclusions—and attacked the former Conservative government for the lack of minimum standards of care in long-term-care homes. I think it's worth putting on the record, because there was such an attempt to minimize the study findings during the course of the debate on Bill 140, what some other Liberals had to say about the study.

Mrs. McLeod, former Liberal leader, put forward a resolution in this House on November 7, 2002, and said the following: "That, in the opinion of this House, the Ernie Eves government should immediately establish minimum standards of care for nursing homes and homes for the aged, including the reintroduction of minimum hours of nursing care and the requirement for a minimum of at least one bath a week."

Mrs. McLeod said during the course of her remarks, "I've chosen to use the opportunity to present this particular resolution because of a growing personal sense of outrage I have at the Harris-Eves government's, in my view, deliberate abandonment of our most vulnerable seniors."

She went on to say, "The minister says"—that's the Conservative Minister of Health at the time—"We don't want numerical standards, because if you have a numerical standard, a minimum becomes a maximum. A minimum only becomes a maximum if the funding body, the government, only funds to the level of minimum care. If they provide more dollars, more care can be given; you don't get held to the minimums. But at least you get some basics, some basics for which this government"—the Conservatives at the time—"can be held accountable."

How appropriate. It applies to this Liberal government, doesn't it? Here's what the member from Hamilton Mountain, now the Minister of Intergovernmental Affairs, had to say, who participated in the same debate:

"I'm pleased to rise and support my colleague's resolution for minimum hours of nursing care and the requirement for a minimum of at least one bath per week. It's almost a shame that we need to make this resolution, that we've come to this in Ontario in 2002, isn't it?"

Isn't it a shame that in 2007 we stand in this House and there still is no minimum standard of care in the province of Ontario, despite the Liberal election promise in 2003 to reinstate a minimum standard?

1740

Here's the member for Sarnia-Lambton, the Minister of Culture now. This is what she had to say with respect to this particular resolution put forward by her colleague Mrs. McLeod:

"I find that, in this day and age, to actually have to be in this House to ask for a resolution to establish minimum standards is almost as if we're returning to the Dark Ages when it comes to our long-term-care standards." Well, no kidding. "Again, cutting minimum hours of standards for nursing care means that there is no accountability mechanism, so they don't have to answer as to why these hours are not being provided." And neither does the Liberal government right now today because there aren't minimum standards in place, so you can't hold the government accountable.

Let me make one final reference to the current Minister of Municipal Affairs and Housing who, during the course of this particular debate, referenced the study and said the following:

"That's really what this is all about. Even with the government's new investment on the operating side, for which I applaud them, we will still rank dead last. The decision we have to make in this province is, with the generally high standard of living we have, where we're rated one of the best countries in the world and we are the best province in the best country in the world, do we really think, in terms of the way we take care of our seniors, that it's good enough to rank dead last when it comes to nursing services and personal care services we provide for our seniors in the homes? That's what it's all about."

Mr. Gerretsen was absolutely correct at the time. This is what it's all about. And that's why I expected, when the government brought forward Bill 140, it would finally live up to the promise it made in 2003 to reinstate the minimum standards of care. Did that make its way into the bill? No, it did not.

Actually, what's even more interesting is that as the debate kicked off or as we started to deal with this bill—probably before we started to deal with this bill—the minister was asked about minimum standards: you know, the promise that his Premier made to families and to residents in long-term care. He was asked about minimum standards and why the government wasn't reinstating those and, on October 4, 2006, the minister said this in the *Timmins Daily Press*:

"Consultations for the legislation led the government to believe minimum hours of care was a bad idea, said Smitherman.

"It treats 75,000 people like widgets," he said, and added that his proposed legislation still gets to the heart of that election promise."

Well, no, it didn't. And you know what? I find it really hard to imagine that people came and told Ms. Smith that it was a bad idea to have minimum standards. I'd be very surprised if we could find more than one group, one organization that actually said that to Madame Smith during the consultations.

So I put in a freedom of information request—and I'm sorry that the Attorney General isn't here right now; I'm sure he's coming back soon—on October 4, the same day the minister made this statement and I said the following to the Ministry of Health:

"I am requesting a list of the names of individuals/groups/organizations who participated in consultations with the government in advance of the introduction of Bill 140, the Long-Term Care Homes Act, 2006.

"In particular, I would like to know which individuals/groups/organizations said during these consultations that having minimum hours of care/minimum standards of hands-on care, would be a bad idea.

"For your information and review," I say to the FOI coordinator at the Ministry of Health in this letter, "I specifically refer you to documents enclosed which outlined the Liberal promise on this issue, as well as remarks made by the Minister of Health and Long-Term Care in recent media reports so that there is no misunderstanding in this regard."

I put in that FOI request October 4, 2006. The date today? March 29, 2007. Still today I do not have any list of any organization, group or individual who told Madame Smith during the consultations that having a minimum standard was a bad idea. We have gone back and forth and back and forth and back and forth at least three times now with the FOI coordinator at the Ministry of Health to make sure that she clearly understands my request, and she does. She said she was hoping to get me this information for today, but I do not have it and I don't think I'm ever going to see it because I don't think anyone came and told the government that minimum standards were a bad idea. I don't believe it for a moment. And I hope it doesn't take me three years to get to the bottom of this freedom of information request, too.

At the public hearings, there were lots of people who had lots to say about why you needed a minimum standard, and some of these same people had also told the government that during Madam Smith's consultations. Let me quote just quote ONA, for example, since they're here today in the gallery. ONA said, "Many of the residents in long-term care are in need of complex nursing care. These residents require the broader assessment skill set that registered nurses bring (both from a physical and cognitive care perspective), and without legislating minimum staffing standards and levels of care, resident care is not going to improve."

They go on: "Legislating minimum staffing standards and levels of care is fundamental to ensure that resident daily nursing and personal care needs are met. It would also improve staff workload and working conditions in long-term-care homes. While the focus of Bill 140 is on resident safety, we believe worker safety and working conditions are equally important to quality care"—and they are right.

"The care needs of residents living in long-term-care homes in Ontario have increased—their conditions becoming less stable and more complex—since the beginning of the resident classification system in 1993. Nursing and personal staff care, however, has not kept up with this increase in resident acuity because of the elimination of minimum staffing standards. Bill 140 will make little difference in the daily lives of residents without minimum staffing standards and levels of care

reinstated and clearly regulated." They went on to call for "minimum staffing standards of 3.5 hours (including 0.68 RN hours) in line with staffing standards in other jurisdictions."

Who else came to talk to us about staffing standards? CAW said the following: "The most fundamental matter requiring redress is the reinstatement of the principle of a minimum staffing standard, a position we have consistently set out in our previous submissions concerning the Commitment to Care consultations and other opportunities to convey to government our views with respect to the provisions of quality care....

"If the Long-Term Care Homes Act, 2006, is to truly become 'the cornerstone of our strategy to ensure the best possible level of care for residents' and 'make Ontario a leader in protecting the rights of long-term-care residents,'" to quote the minister from his October 3, 2006, statement to the Legislature, then surely minimum standards must be the 'cornerstone' to such legislation."

What was interesting in their particular submission is that CAW pointed out in a graph that they gave to the committee all of the other areas where Ontario has minimum standards set out: minimum standards with respect to the administration and the ratio of beds to the administrator, the ratio of the director of nursing to the number of beds in the home, the ratio with respect to registered nursing staff. It goes on: food handlers, coordinator of therapy services, recreation and leisure services, registered dietician, etc. The government's okay to set out some of those standards, but they're not okay to set out some minimum standards of hands-on care daily.

CAW ended by saying, "Why is it appropriate to abandon the minimum staffing standards (or fail to reinstate the standard) but nonetheless maintain other minimum standards regulations requiring long-term-care homes to contain private bathrooms ... or ... illumination levels...? What we require is minimum standards of staffing for residents in long-term-care homes." Again, they also argued for a standard of 3.5 hours of hands-on care.

We came to another submission, by the Family Council Network Four. They represent the family councils in 87 long-term care-homes in the Hamilton-Niagara-Haldimand-Brant region. They said the following: "We had expected to find a commitment to more time for hands-on personal care in the bill. Ontario remains well below other jurisdictions in the amount of personal care provided to residents. Bill 140 does not stipulate minimum staffing levels or minimum hours of care.

"We have a great deal of respect for family members, but there is a chronic shortage of staff in our LTC homes....

"We look forward to the government providing the funding and staffing commitments to permit at least 3.5 hours of hands-on personal care per day."

That was also reinforced by a submission that was made to us by the Registered Nurses Association of Ontario. Interestingly enough, they quoted the Provincial Auditor's report and said that "the 2004 Provincial Auditor's report called on the ministry to

“—verify the reasonableness of the current standard rates for each funding category and develop standards to measure the efficiency of facilities providing services;

“—track staff-to-resident ratios, the number of registered nursing hours per resident and the mix of registered to non-registered nursing staff and determine whether the levels of care provided are meeting the assessed needs of residents; and

“—develop appropriate staffing standards for long-term-care facilities.”

1750

“Full action on these recommendations”—said RNAO—“would strongly address needs in the sector. Until 1996, the minimum standard of care was legislated at 2.25 hours per resident per day. It is time to reinstate a minimum standard of care.”

Their recommendation: “Reinstate a minimum standard of care in long-term care, and set that standard at 3.5 hours per resident per day.”

Even if the government didn’t want to take into account what people were saying at the public hearings, when they developed the bill they could have taken into account what had been said at the Casa Verde coroner’s jury. There were 85 recommendations that were made as a result of that coroner’s inquest into the very tragic death of two residents at the hands of another. They made a very clear recommendation with respect to staffing standards. I want to put it on the record. It says the following:

“That the Ministry of Health and Long-Term Care in the interim, pending the evidence-based study, should fund and set standards requiring long-term-care facilities to increase staffing levels to, on average, no less than 0.59 registered nursing hours per resident per day and 3.06 per resident per day overall nursing and personal care for the average Ontario case mix” index. “The funding formula for the nursing and personal care envelope must be immediately adjusted to reflect this minimum standard.”

One of 85 recommendations made after an inquest that went on 34 days, that heard from 43 witnesses, where the jury itself deliberated for nine days, and the bill comes forward to us and there’s nothing on staffing standards.

The outcome of the public hearings went something like this. Despite the minister’s claim that consultations for the long-term-care bill had led the government to believe that minimum hours of care was a bad idea, clearly those who came to the committee had something else to say, and they included front-line workers and family members of residents in long-term care. So that was reinforced by those people during the committee hearings.

It was for that reason that I moved this amendment on behalf of our party:

“I move that the bill be amended by adding the following section:

“Minimum care

“7.1 Every licensee of a long-term-care home shall ensure that each resident of the long-term-care home receives a minimum of 3.5 hours of nursing and personal

care each day from registered nurses, registered practical nurses, personal support workers and health care aides, of which a minimum of 0.68 hours must be provided by a registered nurse.”

Regrettably—oh, so regrettably—that was voted down by the Liberals in committee. What did the Liberals do? Despite what Minister Smitherman had to say—that nobody said this was a good idea—despite the fact that the government had made a promise and didn’t seem to be wanting to keep it, because of the overwhelming number of people who came to the committee and said, “You absolutely have to do that,” many of them front-line workers and family members of residents in care, the government had to bring forward an amendment that says the following:

“Every licensee of a long-term-care home shall ensure that the home meets the staffing and care standards provided for in the regulations.”

That is a far cry from what was recommended in Casa Verde. It is a far cry from what the government promised during the election of 2003. There is no reference to any hours at all and there certainly is no indication of when this is going to be delivered on. The amendment, frankly, represents the absolute minimum commitment that the Liberals could get away with on standards of care given what they heard during the public hearings. Otherwise, they risked being soundly condemned for refusing to acknowledge what so many people said over and over again.

It is marginally—underlined, emphasized—marginally better than the original bill, which said absolutely nothing about minimum standards of hands-on care. In the face of having something versus absolutely nothing, I reluctantly voted in favour of this particular amendment.

I think that it’s time—way past time—for the Liberals to meet their election promise. I don’t believe for one moment that right now in the province of Ontario we are at a standard of 2.86 hours of care, as was emphasized several times during the course of the public hearings. I have no doubt that in order to get to that conclusion, the government decided to use the hours of paid work of staff versus the hours actually worked by staff to bump up the numbers. There is a significant difference between the two, because you could have hours of paid work but still have people off on leave; you could have hours of paid work but still have people off on vacation. The key criterion is the actual amount of hours being worked by staff day in, day out. You don’t want to have management staff in there, either. You want to have staff who are providing hands-on care each day: registered nurses, PSWs, registered nursing aides etc., the people who are providing hands-on care every day.

So while I have heard the government say, “Oh, no problem. We’re already at 2.86 hours, so we’ve met our election commitment,” I don’t believe for one moment that that’s what the actual level is, because I think the government used hours of paid work to try and bump up their numbers to get there versus looking at the number of hours actually worked by staff, day in and day out.

My conclusion from all of this is that we desperately need a minimum standard of care in legislation, because that's the only way this government is going to keep its promise. This government in the last election, when it was looking for votes, went to families of residents in long-term care, went to staff and made a specific promise to reinstate the minimum standard of 2.25 hours. When the legislation was introduced over three years after the promise had been made, the legislation was silent on any kinds of minimum standards.

On the same day the bill was introduced, the minister said, "There's no reason to have a minimum standard because, during the consultations, people told us otherwise," which I cannot believe for one moment is true. From my perspective, the only way we're going to get some minimum standards in place in Ontario for residents is to actually have it in legislation. We don't have it now, and it is a failure of the Liberals to not acknowledge that and to not acknowledge that that is needed in order to be sure that something will happen.

I say again, as we stand here today and debate this bill, that there is no minimum standard of care in place three

and a half years after the Liberals made the promise. We don't know if and when there's going to be a minimum standard of care adopted in this province for residents in long-term-care homes, and we certainly don't know what that standard is ever going to be. The government refused to acknowledge it in the legislation and certainly refused to acknowledge it at all during the course of the public hearings.

I feel strongly that this is a very serious concern. It remains outstanding. We have talked to some of our colleagues at CUPE, ONA, CAW and at the Ontario Health Coalition. Nobody has said that the government is talking to them at all about any kind of standard. I don't know when this is going to happen or even if it's going to happen, and that's why a standard of 3.5 hours should have been put into the legislation.

I have other concerns which I will have to raise on another day.

The Acting Speaker: I thank the member in her lead.

It being almost 6 p.m. of the clock, this House stands adjourned until 1:30 p.m., Monday, April 2.

The House adjourned at 1758.

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Estimates / Budgets des dépenses

Chair / Président: Tim Hudak
Vice-Chair / Vice-Président: Garfield Dunlop
Kim Craitor, Bob Delaney,
Garfield Dunlop, Andrea Horwath,
Tim Hudak, Linda Jeffrey, Phil McNeely,
Jim Wilson, David Zimmer
Clerk / Greffier: Katch Koch

**Finance and economic affairs /
Finances et affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-Président: Phil McNeely
Ted Arnott, Wayne Arthurs, Toby Barrett,
Pat Hoy, Judy Marsales,
Deborah Matthews, Phil McNeely,
Carol Mitchell, Michael Prue
Clerk / Greffier: Douglas Arnott

General government / Affaires gouvernementales

Chair / Président: Kevin Daniel Flynn
Vice-Chair / Vice-Président: Jim Brownell
Jim Brownell, Vic Dhillon, Brad Duguid,
Kevin Daniel Flynn, Jerry J. Ouellette,
Tim Peterson, Lou Rinaldi,
Peter Tabuns, John Yakabuski
Clerk / Greffière: Susan Sourial

Government agencies / Organismes gouvernementaux

Chair / Présidente: Julia Munro
Vice-Chair / Vice-Présidente: Cheri DiNovo
Cheri DiNovo, Brad Duguid,
Michael Gravelle, John Milloy, Carol Mitchell,
Julia Munro, Laurie Scott,
Monique M. Smith, Joseph N. Tascona
Clerk / Greffière: Tonia Grannum

Justice Policy / Justice

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-Présidente: Maria Van Bommel
Bas Balkissoon, Lorenzo Berardinetti,
Christine Elliott, Frank Klees, Peter Kormos,
David Oraziotti, Shafiq Qaadri,
Maria Van Bommel, David Zimmer
Clerk / Greffière: Anne Stokes

Legislative Assembly / Assemblée législative

Chair / Président: Ted McMeekin
Vice-Chair / Vice-Président: Mario G. Racco
Ernie Hardeman, Linda Jeffrey, Rosario Marchese,
Ted McMeekin, Norm Miller, Jennifer F. Mossop,
Tim Peterson, Shafiq Qaadri, Mario G. Racco
Clerk / Greffière: Tonia Grannum

Public accounts / Comptes publics

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-Président: Ernie Hardeman
Ernie Hardeman, Jean-Marc Lalonde,
Lisa MacLeod, Shelley Martel, John Milloy,
Richard Patten, Liz Sandals,
Monique M. Smith, Norman W. Sterling
Clerk / Greffier: Katch Koch

**Regulations and private bills /
Règlements et projets de loi d'intérêt privé**

Chair / Présidente: Andrea Horwath
Vice-Chair / Vice-Président: Jeff Leal
Gilles Bisson, Bob Delaney,
Andrea Horwath, Jeff Leal, Dave Levac,
Gerry Martiniuk, Bill Murdoch,
Lou Rinaldi, Mario Sergio
Clerk / Greffière: Susan Sourial

Social Policy / Politique sociale

Chair / Président: Ernie Parsons
Vice-Chair / Vice-Président: Khalil Ramal
Ted Chudleigh, Peter Fonseca,
Kuldip Kular, Jeff Leal,
Rosario Marchese, Bill Mauro, John O'Toole,
Ernie Parsons, Khalil Ramal
Clerk / Greffier: Trevor Day

Continued from overleaf

TABLE DES MATIÈRES

Jeudi 29 mars 2007

PREMIÈRE LECTURE

Loi de 2007 modifiant la Loi sur les relations de travail (travailleurs suppléants), projet de loi 192, <i>M. Kormos</i> Adoptée	7565
Loi de 2007 modifiant la Loi sur la protection de l'environnement (gérance des produits), projet de loi 193, <i>M. Miller</i> Adoptée	7565

DÉCLARATIONS MINISTÉRIELLES ET RÉPONSES

Défibrillateurs cardiaques	
M. Watson	7567
M. Tascona	7568

TROISIÈME LECTURE

Loi de 2006 sur les foyers de soins de longue durée, projet de loi 140, <i>M. Smitherman</i> Débat présumé ajourné	7603
---	-------------

CONTENTS

Thursday 29 March 2007

PRIVATE MEMBERS' PUBLIC BUSINESS

Handgun ammunition , private member's notice of motion 73, <i>Mr. Duguid</i>	
Mr. Duguid	7545, 7552
Mr. Runciman	7547
Mr. Kormos	7548
Mr. Balkissoon.....	7549
Mr. Ouellette.....	7550
Mr. Qaadri	7551
Mr. Wilkinson.....	7552
Agreed to	7561
Rental accommodation , private member's notice of motion 74, <i>Mr. Ferreira</i>	
Mr. Ferreira.....	7553, 7559, 7561
Mr. Hardeman.....	7555
Ms. DiNovo	7556
Mr. Duguid	7557
Ms. Scott.....	7558
Mr. Leal	7560
Mr. Ruprecht.....	7560
Negated.....	7562

MEMBERS' STATEMENTS

Minister of Public Infrastructure Renewal	
Mr. Sterling.....	7562
Mrs. Savoline.....	7562
Mr. Arnott.....	7563
Jack Marks	
Mr. Duguid	7562
Awards in Beaches–East York	
Mr. Prue.....	7563
Parkinson's disease	
Mr. Rinaldi.....	7563
Ontario budget	
Mr. Milloy	7563
Mr. Wilkinson.....	7564
Children and youth	
Mr. Leal	7564

REPORTS BY COMMITTEES

Standing committee on general government	
Mr. Flynn	7565
Report adopted.....	7565

FIRST READINGS

Labour Relations Amendment Act (Replacement Workers), 2007, Bill 192, <i>Mr. Kormos</i>	
Agreed to	7565
Mr. Kormos	7565

Environmental Protection Amendment Act (Product Stewardship), 2007, Bill 193, <i>Mr. Miller</i>	
Agreed to	7565
Mr. Miller.....	7565

MOTIONS

Private members' public business	
Mr. Bradley	7565
Agreed to	7566

STATEMENTS BY THE MINISTRY AND RESPONSES

Local health integration networks	
Mr. Smitherman	7566
Mrs. Witmer	7568
Ms. Martel	7569
Defibrillation equipment	
Mr. Watson.....	7567
Mr. Tascona.....	7568

ORAL QUESTIONS

Ontario Lottery and Gaming Corp.	
Mr. Tory	7569, 7574
Mr. Caplan ...	7570, 7572, 7574, 7575 7576, 7577, 7578, 7579
Mr. Sterling	7572
The Speaker.....	7572
Mr. Hampton.....	7572, 7574, 7577 7579
Mr. Runciman	7576
Mr. Yakabuski.....	7578

Affordable housing	
Mr. Zimmer	7575
Mr. Gerretsen	7575
Crystal meth	
Mr. Wilkinson	7577
Mr. Kwinter.....	7577

PETITIONS

Laboratory services	
Mr. Miller.....	7579
Lakeridge Health	
Mr. O'Toole	7579
Adult education	
Mr. Berardinetti.....	7580
Stevenson Memorial Hospital	
Mr. Wilson	7580
Smiths Falls economy	
Mr. Sterling	7580
Long-term care	
Mr. Wilson	7581
Ms. Scott	7581
Mr. Hardeman	7582
Mr. O'Toole	7582

Affordable housing	
Mr. O'Toole.....	7581
Mr. Wilson.....	7582
Cormorants	
Mr. Miller	7581

THIRD READINGS

Long-Term Care Homes Act, 2006, Bill 140, <i>Mr. Smitherman</i>	
Mr. Smitherman.....	7583
Ms. Smith.....	7585, 7589, 7597
Mr. Arnott.....	7588
Ms. Martel	7588, 7597, 7598
Mr. Duguid	7588
Mrs. Witmer.....	7589, 7598
Ms. Scott.....	7597
Mr. Ferreira.....	7598
Debate deemed adjourned.....	7603

OTHER BUSINESS

Wearing of ribbons	
Mrs. Elliott.....	7564
Visitors	
Ms. Wynne.....	7564
Mr. Miller	7565
Mr. Racco	7565
Mr. Smitherman.....	7565
The Speaker	7566
Mr. Watson	7579
Business of the House	
Mr. Bryant	7582

Continued overleaf