

No. 73



Nº 73

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Thursday 15 June 2000**

**Journal  
des débats  
(Hansard)**

**Jeudi 15 juin 2000**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers

Président  
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Thursday 15 June 2000

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Jeudi 15 juin 2000

*The House met at 1000.  
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

WASTE DISPOSAL

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** I move the following resolution:

That this House,

(1) Acknowledges that only 30% of Ontario's waste diversion goal for the year 2000 has been reached so far;

(2) Resolves that the province of Ontario must commit to and embrace a diversion program which reduces the need for landfill space and garbage disposal;

(3) Resolves that the province must now employ cost-effective, modern technology, which is presently available as a progressive process to manage and dispose of waste; and

(4) Urges that a more aggressive objective than the present goal of 50% be established to divert waste away from landfill sites.

**The Acting Speaker (Mr Michael A. Brown):** The member has up to 10 minutes to speak.

**Mr Beaubien:** It's a pleasure to bring this issue to the floor of the House today for the constituents of Lambton-Kent-Middlesex, and especially the constituents of Lambton. Why am I bringing this resolution to the floor? The reason is that there is a proposal for the landfill site located in the community of Watford-Warwick wherein there are terms of reference that have been submitted to the Ministry of the Environment for the past two years. The terms of reference have changed in an ongoing process over the past two years. I'm certainly confused and I think my constituents in the area are confused as to what this company wants to do with this landfill site.

To give you a description of what the company proposes, they propose to extend a landfill site which has tonnage capacity of 2.5 million tonnes to 22 million tonnes. This would make it the second-largest residential landfill site after Keele Valley. Furthermore, what I and the residents in the area find totally unacceptable is that in the terms of reference submitted to the Ministry of the Environment, the garbage, the waste, will be piled 135 feet high. I submit to you that the water tower in the town of Watford, which is located approximately half a mile to three quarters of a mile away, is 135 feet high. I think the highest hill in Lambton county is probably 70 feet to 75

feet. Needless to say, this is not acceptable to yours truly and it's certainly not acceptable to the residents of that area.

What is the problem? The problem is that many municipalities in small-town Ontario have dealt to a certain degree with the difficulties they have with their waste. However, the megacity of Toronto, after 20 years of debate and discussion, is still wondering what they're going to do with their waste. I don't want to make this an urban-rural problem; it may appear to be one. I think there are some solutions. As part of rural Ontario, we are willing to submit some solutions on how we can deal with this problem, but I submit to you that strictly land-filling and piling waste 135 feet high in rural Ontario is not acceptable.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** It's not high enough?

**Mr Beaubien:** It's not that it's not high enough; it's too high for us. For some people in Toronto it may not be high enough, but for us it is too high.

How do we deal with it? First, I've heard in the past few weeks that Toronto wants the province and the federal government to help with regard to upgrading the waterfront. Many people would probably co-operate and support that. However, on the other hand, we have to realize that Toronto cannot send its waste to rural Ontario and pile it up. There's technology available. I think there are better recycling practices we can use. There's composting we can do. There are all kinds of different technologies and processes we can use.

I don't want to enter into the debate this morning, because we don't have enough time, but certainly the packaging industry would be a good place to start. However, I realize there's a strong lobby—whether it's for metal, aluminum or plastic, whatever it is—for people to accept the packaging we have in place today. But I would strongly suggest to you that if, as residents of Ontario, residents of Canada, we are really, truly concerned about the environment, we have to look at how we package the products we consume today.

To show you how unpopular this proposal is, I have an article here which appeared in the Sarnia Observer on May 15, 2000. It says, "Don't Dump Trash Here, Toronto Told." There's another article. This one does not deal with my riding but it again deals with Toronto garbage. It says, "Northerners Ready to Battle Toronto Trash." Another says, "Farmers Wary of Landfill if Garbage-Mine Plan Fails." It goes on and on.

When we look at the Watford-Warwick scenario, we do not have a host that is willing to accept Toronto waste

at this point in time. Having said that—I don't want to speak for all of the constituents of Lambton-Kent-Middlesex at this point—if Toronto were willing to sit down with communities and discuss how they can deal with their waste, I'm sure some of it could be shipped to rural Ontario, if we had the proper recycling facilities, if we had the proper composting facilities. I say that because we could take a problem from urban Ontario, bring it to rural Ontario and create some jobs, create some economic activity with regard to trucks being repaired and fuel being consumed.

There are some solutions but I think the will is not there with the city of Toronto, especially when we look at methane digesters today. This is technology that has been accepted around the world. It's being used in countries like Japan, Germany and France. But for some reason we're still not willing to accept that technology. There are other technologies available also and, as I mentioned, better ways of recycling. Those are available and they're cost-effective. All we have to do is be willing to do it.

#### 1010

I received a letter from the Brewers of Ontario dated May 16. The Brewers of Ontario is a corporation, an amalgamation of brewing companies, that does a good job with regard to their recycling plan. I would like to read this comment, "... 97.6% of beer packaging sold through the Beer Store is returned for reuse and recycling. The Beer Store packaging management system protects the environment by diverting almost a half-million tonnes of packaging from Ontario's blue boxes and landfills annually." We know the technology is there if the will is there.

Let me read an article which appeared in the Toronto Star on June 10. It's entitled "Toronto Set Garbage Goal Backwards." It says, "Since 25% of the garbage is already being diverted through recycling and backyard composting, the city's goal is really a modest diversion increase to 50% of the total garbage by 2006.

"By pushing the technological envelope, it might have achieved an early diversion rate of 80% to 90% of the total, with no additional greenhouse gas emissions ... .

"The companies wanted to build methane digesters, turning garbage into methane, soil and water, and using the methane as a fuel to generate electricity."

Toronto council was not very willing to accept that. It says, "City staff hope to negotiate a landfill contract allowing the city to divert progressively more garbage away from landfill, in line with its goal of diverting 80% by 2020."

**Mr Guzzo:** They'll be a separate state.

**Mr Beaubien:** I don't know if there's going to be a separate state. By the year 2020, I don't think I'm going to be here. Hopefully I'm going to be here but we never know. That's 20 years from now. That is not acceptable.

As the article says, "But 20 years is an awfully long time to continue adding to global warming."

The problem with this is that I have a lot more to say. In closing: Yes, we have to look at packaging; yes, we have to be more aggressive with regard to our recycling

and composting processes; yes, the municipalities must be willing to deal with their waste stream; and yes, the Ministry of the Environment must show leadership.

I don't mean we have to spend more money because we don't have to. It's a matter of policy. It's a matter of commitment. We must direct municipalities, whether they're small, medium or large, to deal with their waste stream to make sure of that 80% to 90% of their waste stream, which is an achievable goal and can be done immediately.

**Mr David Ramsay (Timiskaming-Cochrane):** I'd like to thank the member for Lambton-Kent-Middlesex for bringing forward this resolution. There probably hasn't been a private member's resolution brought forward in a long time that I agree with so strongly and so personally. It involves a very big and similar issue that affects my riding of Timiskaming-Cochrane. It also couldn't be more timely because Toronto is on the verge of making a decision as to the disposition of its garbage.

Unfortunately, the site at the Adams mine south of Kirkland Lake tends to be looked upon as being the favourite site at the moment of the city of Toronto, despite all the opposition that is coming to a head and developing in the Kirkland Lake region, especially in the region south of the dump. The water flows south, as we're at the top of the Atlantic Ocean watershed and the water moves north to south. Immediately south of the dump site is the little clay belt which is the biggest and most economically sound agricultural belt in northern Ontario, a very productive area.

The concerns of the farmers and residents who live south of the site are very strong and growing, especially after this awful tragedy that happened in Walkerton. People are more conscious now of groundwater, the source of much drinking water for residents across this province, probably much more than many people believe. Most of us, who don't live, as I do, on our own water system, open up a tap and take it for granted that a pure product comes out of that tap. Now our confidence has been severely shaken.

As I said, Toronto's on the verge of making a decision that I believe would be absolutely wrong, for many of the reasons the member stated, in that what is presented before them today from the Adams mine coalition is a 1950s megaproject solution where we find basically the biggest hole we have in Ontario and we bring all that garbage up and put 20 million tonnes in that biggest hole.

The site the member is talking about in Lambton I know has some very good heavy clay soils there. If we are to bury garbage, and I don't believe we should ever again be burying garbage in the ground, at least maybe you have a chance there of slowing down leachate escape, though there's not a dump anywhere that does not have an escape of leachate, which is the garbage juice that develops over the years as the water washes through the garbage. But what we have is a 600-foot-deep fractured rock pit that was blasted on a daily basis for 20 years up to the late 1980s as Dofasco extracted iron ore from that location.

We don't have a liner in this. What we have is a containment system at the bottom so that gravity brings down the leachate to the bottom and it's pumped to a water filtration plant and put out into a creek. To me, this is the biggest crap shoot you could ever imagine, as this 600-foot-deep funnel sits right at the top of this little clay belt. It is certainly not worth the risk to consider and approve such a foolish project.

I would say to the city of Toronto—I know I have to leave time for my members; I could go on for hours on this—that they should be more forward thinking, quite frankly. As the member said, they should be embracing new technology. They should, as the member says, be embracing greater diversion. Why should we be finding the biggest hole in the province and dumping all our garbage there? We could do a much better job of diverting most of the waste stream to composting, when we get a wet-dry separation system going, and all the other reusables and recyclables we should be developing so that there's very little residual waste left.

I make my plea, as I'm going to next week before the public works committee of the city of Toronto, that they need to be a proud city of the 21st century, and not embrace a 1950s-type of hide-your-head-in-the-sand solution but embrace the modern techniques of handling the waste stream. This is the way to go about it. The people in my area will not accept that garbage. As you saw from the rail blockade we had, that is just the beginning. I salute the folks who did that. I will be with them on the next one.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I rise to speak to this resolution on waste diversion submitted by my seatmate the honourable member for Lambton-Kent-Middlesex. This resolution suggests that the province of Ontario is not doing enough to divert its waste from landfill sites and that a more aggressive goal for waste diversion is needed. The honourable member's resolution is well-intentioned. I know personally of his concerns about landfill in his riding. I'd like to take this opportunity to put some facts on the record.

Ontario's waste diversion goal is to reduce the amount of municipal waste per capita that is sent for landfill disposal by 50%, compared to 1987 levels. We are well on the way to achieving this target.

Ministry of the Environment statistics differ a bit from what we've heard this morning. By 1997 the province had achieved a waste reduction rate of 35%. We expect that when the 1998 results are in, Ontario will be at a 39% per capita waste reduction rate. Between 1994 and 1998, Ontario municipalities increased their total waste diversion rate from 860,000 tonnes to more than 1.25 million tonnes. This is a 45% increase. Backyard and central composting of organic material increased by 57% over that same period, and blue box recycling has grown by 43%.

#### 1020

As members may know, Ontario's blue box program began in 1985 and it has evolved into one of the most comprehensive curbside recycling systems in North

America. In fact, the blue box popularity has made Ontario's municipal curbside waste diversion rate among the highest on the continent. Under provincial law, municipalities with populations of 5,000 or more must provide residential blue box collection of at least seven recyclable materials. More than 90% of Ontario's population now has access to this program. As I mentioned, in 1998 Ontario municipalities diverted a total of 1.25 million tonnes of waste from disposal, again, as many of us know, through reduction, reuse and recycling. Blue box programs were responsible for 650,000 tonnes of that figure, a 9% increase over the previous year. The total tonnage of municipal waste diverted from landfill in 1998 also increased by 9%. This amount of diverted waste would fill more than five SkyDomes—and don't get me wrong; I'm not suggesting this is a use for the SkyDome.

In 1998, some 476,000 tonnes of waste paper was recovered from Ontario households, an increase of 11% over 1997. Over that same period, the total tonnage of material for centralized composting, such as leaves and yard waste, rose to 290,000 tonnes. In the same year, 1998, the average Ontario household recycled a total of 168 kilograms of material, compared to 159 kilos the year before.

I think it's important to point out that the blue box program is highly cost-effective. On average, the program costs Ontario households about \$14 a year, just over a dollar a month. Over the past decade and a half, the blue box program has proved not only that it's good for the environment but also that it works, and Ontario's future waste diversion efforts are designed to build on the strengths of this popular and successful approach.

It's clear that Ontario has made progress in waste diversion, but in the future we aim to do even better, as urged by the member from Lambton-Kent-Middlesex. To that end, the government has entered a new partnership with industry, municipalities and the Recycling Council of Ontario to create the Waste Diversion Organization, also known as WDO.

The WDO is a voluntary partnership that was set up through a memorandum of understanding. The organization's mandate is to ensure that Ontario meets its 50% waste reduction target—not only meets that target but exceeds it, as urged by the resolution we're debating today. To date, the WDO partners have contributed a total of \$14.5 million to carry out a wide range of diversion activities.

One of the WDO's key tasks is to develop options for sustainable funding of up to half of the operating costs for the blue box program. This will ensure that this popular and effective approach to recycling remains a permanent feature. In addition, WDO has been asked to develop a household special waste program, again including options for funding.

As part of the partnership agreement, the Waste Diversion Organization is currently working on a number of important initiatives: programs to increase blue box efficiency, programs for centralized composting, funding

to establish municipal household special waste depots and continued funding for the collection of glass wine and liquor containers through the blue box program. The WDO will provide municipalities with the funding they'll need to drive greater waste diversion to meet and to exceed that 50% waste reduction target and to provide recommendations to government for the long-term stability of the blue box program.

Referring back to the resolution, I'll quote one portion. It "Resolves that the province must now employ cost-effective, modern technology, which is presently available as a progressive process to manage and dispose of waste." By and large, this resolution has admirable goals: We all want to see more waste diversion; we all want to see less landfill, less garbage; we want to see more technology, as this resolution calls for.

In the resolution, if we employ more technology, we have to be cognizant of the cost, the cost to industry. The question is, does this resolution mandate the taxpayer to foot the bill for development of new technology or are options open that it be funded through the private sector, through the WDO, through municipalities, through users themselves? If the member means the broader scope in this resolution, I can support this resolution.

The blue box program, as I said, is only part of the waste management initiatives available. I believe it's important to note a number of other achievements. In 1997 the government introduced tough new landfill standards to protect the environment, while making the approvals process more timely, certain and more cost-effective. This has involved major reforms to improve Ontario's environmental assessment system, including a more effective approvals process that is more workable and efficient. The changes were designed to provide a faster yes to projects that are environmentally acceptable and a faster no to ones that are not.

These are several of a number of important reforms which, together with the track record in the blue box program and, as I am stressing, current and future efforts of the Waste Diversion Organization, we feel demonstrate the government's commitment to protecting Ontario's environment and to meeting our waste diversion objectives.

**Mr Steve Peters (Elgin-Middlesex-London):** I would like to take this opportunity first to recognize a municipality that has not only achieved but exceeded the goals of 50% diversion by the year 2000, and that municipality is the city of St Thomas. The city of St Thomas recognized that they had to do something with their waste management and they have more than met that goal by 60% of the municipal household waste being diverted from landfill sites.

You talk about the province committing to and embracing diversion programs. I wholeheartedly agree with that statement. But there has got to be a caveat attached to that statement, and that is that there has to be financial support from the province. You can't continue to download new programs on to municipalities. Municipalities require financial support. There used to be

financial support for the blue box program, but when this government was elected they cancelled that funding to the blue box program. That was a real shame.

If you're going to look at issues, why don't you look at the possibility of deposits on bottles and cans across this province? Why don't you look at what you've done to your beer can levy, the environmental tax on beer can levy? That tax was supposed to be dedicated to help environmental programs. That has now gone into general revenues. Now for beer cans you're paying an additional levy, which is totally unfair.

You talk about consumers. We all here in this room very much have a choice. We can choose not to buy a product because of packaging and we do have that ability. But the province has to take the lead. But in order for them to be successful, they need to have that financial support offered to municipalities.

Let me just relay our own situation. In 1991 the city of St Thomas found its landfill closed. We recognized that we had to do something. In 1994 we introduced a pilot project with 1,000 households which developed a three-stream system of waste management: first, the blue box; second, your regular garbage system; but the most important component of the garbage system was the green box, the compostainer. Then we went city-wide with this project in 1995.

#### 1030

The large compostainer sits in your backyard just like a regular garbage can and is collected on a biweekly basis. Into that compostainer you can put your yard waste, your coffee grounds, your pizza boxes, your milk containers and a whole variety of items that previously weren't acceptable to go into the blue box and would have gone into a landfill. So for St Thomas, a city of 12,000 households, we have been able to achieve a waste diversion of 60%, all at a cost of \$107 per household. It's a very cost-effective way to help the environment and also keep costs low.

The compost that goes through the central composting facility comes out 26 days later as new soil—soil we can use within our parks system, soil householders can use, soil that can be put on agricultural fields. There's a good end product as a result of that.

St Thomas has also taken the initiative to make sure that leaves and woodcuttings don't go into landfills. They offer a regular service so that you can take wood down to a chipping facility.

We've tried very much to be a leader; to ensure that we would keep out of landfills items that shouldn't be in landfills.

I want to talk a little bit about the Toronto garbage situation. I think it's incumbent on the provincial government to be making it clear to the city of Toronto, which wants to be the province of Toronto, if they're going to be shipping their waste elsewhere, that everything possible is done to ensure it has been fully recycled and blue boxed. It should be composted so that the residual that's going to a landfill site is inert and is not going to be producing a leachate.

I think there's a real opportunity for all municipalities in Ontario to look at what has been going on in St Thomas and use that example for other municipalities and for one of the largest, or probably the largest, garbage producers in Ontario, the city of Toronto. Before the city of Toronto starts to ship that garbage out, let's make sure we've done everything possible to ensure that garbage is going to be safe and is not going to be producing a leachate that's going to cause long-term environmental effects.

I commend the member for Lambton-Kent-Middlesex for his resolution, but the financial support of the province must be there.

**Ms Marilyn Churley (Broadview-Greenwood):** I must admit when I read the resolution—and I'm going to read it aloud so I can tell you, although the word hasn't been mentioned yet, about a concern I have that I want to talk about.

"That this House,

"(1) Acknowledges that only 30% of Ontario's waste diversion goal for the year 2000 has been reached so far;

"(2) Resolves that the province of Ontario must commit to and embrace a diversion program which reduces the need for landfill space and garbage disposal;

"(3) Resolves that the province must now employ cost-effective, modern technology, which is presently available as a progressive process to manage and dispose of waste; and

"(4) Urges that a more aggressive objective than the present goal of 50% be established to divert waste away from landfill sites."

I have to admit that when I saw this resolution, alarm bells went off. I listened carefully to the member's speech on television from my office—I wasn't in here—for mention of the word "incineration," because it's not in here, and when we talk about modern technology and using the latest modern technology, alarm bells do go off.

I could say I started my political career fighting garbage incineration. I never knew I'd end up as a politician, as a result, fighting some other kind of garbage. That one went by, I believe. But here I am, and I would like a reassurance from the member who brought this before us today—although I admit he didn't mention it—because I want to support this resolution but I certainly don't want to do anything that will encourage garbage incineration again in any way.

There was a proposal back in the 1980s to build two giant garbage incinerators in south Riverdale, which had already been very badly polluted by lead, which I've mentioned in this House before, and by all kinds of other industry in the area. We had the old Commissioner Street incinerator there, and after we killed the plans to build two garbage incinerators in the riding, we finally got that one—the old, polluting incinerator—closed down.

Of course, there are a lot of people and a lot of big corporations who continue to lobby the government and others to allow incineration into Ontario, saying that the technology is so great now that there really is virtually no pollution. That's absolutely impossible. Even with the

best pollution abatement equipment, you've got a problem where there are going to be some dioxins going up the stack and furans and other dangerous pollutants spewed into our air, into our water and into the food that's growing in our fields. Even if it's a tiny amount, there is zero—very clear now—zero tolerance for dioxins. That's one part.

Also, the more pollutants, the better the equipment, the—whatever they call it these days—abatement technology, the more you actually have going into what's called the fly ash, or the bottom ash, that becomes hazardous waste and has to be disposed of. That's getting increasingly difficult to do. With air pollution the way it is today, and more and more knowledge we have about the danger and the fact that air pollution and smog causes deaths and all kinds of hospital admissions and problems, the last thing we need is anybody talking about incineration as one of the new technologies we could be using in this province.

The other thing I'd like to say about incineration is that in fact it would go against the member's resolution today, which is really focused on the three Rs—I believe it is, it should be. Incineration has a negative impact on those three Rs, because these big, huge garbage incinerators need a lot of waste. They have to burn at a very high temperature, because it's the mixing of plastics and certain other things that creates the dioxins and furans right in the burning process. The higher the temperature, the less of that there is, so it's critical that it's kept at a very high, steady temperature at all times. So in fact it's the wrong way to go just in terms of resource completion, when we're just burning this stuff up, and the need to have a lot of it.

Having said all of that and getting on the record again that we, as a government, banned garbage incineration as an option, and that is still very much the NDP position, it is the wrong way to go for all of the reasons I outlined and more. So now, coming back to what I hope is really the intent of the resolution today: the three Rs. On January 13, 2000, I released a press release entitled "WDO is more PR than three R". The WDO, for members who may not be aware, is Toronto's new Waste Diversion Organization, which was set up—I believe the minister then was perhaps Norm Sterling. There have been so many environment ministers that I can't remember whether it was him or Tony Clement. What it did, and we pointed it out at the time, was let the private sector waste producers off the hook when it came to paying for Ontario's blue box program. If we want to make this work, we have to have a partnership between the province and the municipalities.

I can't help but, as a representative from a Toronto riding, when I hear a lot of Toronto-bashing this morning in terms of the municipality not doing enough—I know that the city of Toronto, having been a city councillor at the time because, as I said, fighting garbage incineration brought me to ending up running for Toronto city council as an environmentalist, worked very hard prior to that to get the blue box recycling program up and running.

We've learned a lot from then about how we can do things differently and how in fact recycling should be the last option of the three Rs. We should be reusing as much as possible.

**1040**

Toronto has done an awful lot to divert waste, and has been virtually on its own. The government allowed the provincial funding that had been in place to die and took some time before they got back to it, and then what they did was create this Waste Diversion Organization. It lets them off the hook because they would rather see municipal ratepayers continue to carry the blue box burden than ask their industrial friends to pay for the recycling of the waste they produce. The municipal taxpayers—this was at January 13, 2000—were paying \$46 million annually to support the blue box program. The announcement that was made devoted only \$4 million a year from the LCBO and said nothing in the way of direct, private sector producer contributions to help municipalities.

I would say to the member that it's all very well to say that the city of Toronto isn't doing enough on its part. It's a huge city and there are a lot of people who come in from out of the city to work who generate garbage here as well. We've got to make sure that the province is there and that the industrial waste producers are paying their fair share. I recognize the member said packaging is a huge part of that, and I appreciate his comments on that and support them. A lot more needs to be done and industry itself needs to be doing it.

But this WDO did nothing to bring about private sector producer funding for the actual day-to-day cost of running Ontario's blue box program. It handed them control of the program, but did nothing to bring about any kind of funding. Blue boxing should be under public control. The government promised that environment and consumer groups would be represented on the board. They weren't there. The Recycling Council of Ontario was there, but it's all industrial reps, some of whom I have a great deal of respect for. We were promised those consumer and environmental representatives and, all but one, they're just not there.

The very industries that are the biggest producers of waste have a majority of the votes, giving them effective control of the WDO and the future of the blue box program. The provincial government then had an opportunity to come back in a good, strong partnership with the municipalities, including Toronto, to divert more waste. There is a goal to divert 50% by 2000 and the government has admitted that it's not going to be able to meet that goal.

The Tories cut blue box funding in the early days of their mandate, killed the project for the LCBO to implement the deposit-return system and opened the door to dramatic increases in the importation of US hazardous waste to Ontario landfills. That's some of the record of the government. Perhaps this resolution before us today can help convince the member's government that they need to come back and start funding and playing a real partnership role again in waste diversion in this province.

The hazardous waste issue is one I simply must get to for a moment in talking about waste because of the Safety-Kleen situation that was raised in the House yesterday, which is very troublesome. Hazardous waste from the US has increased. In 1995 there was already too much coming in, 50,000 tonnes a year. It's grown to 288,000 tonnes a year now. Ontario's now open for business for US hazardous waste. It's making Ontario into a waste dump. The toxic waste that goes to the Safety-Kleen landfill in Sarnia has just filed for chapter 11 bankruptcy protection in the United States. Safety-Kleen is going bankrupt and there will soon be nowhere to put the 288,000 tonnes of toxic waste that the Harris government has invited into Ontario.

The huge landfill, as pointed out, in Keele Valley will be closing in two years. We read in yesterday's newspapers that farmers in northern Ontario are so worried about the plan to ship Toronto garbage to the Adams mine site that they put up a roadblock to protest this crazy scheme. I understand why northerners don't want to take the garbage, although there are some who do because they've been bribed. They've been promised some jobs and people get desperate for jobs, but there's real concern about the water.

We've known for years that the Keele Valley landfill was going to close, and the government hasn't paid any attention to it and isn't ready for it. They tell you it's a municipal responsibility. Our government—I guess rather stupidly in hindsight—thought we were doing the responsible thing, because there are so many problems dealing municipality by municipality with garbage disposal, and we took it upon ourselves to take responsibility. Boy, did we get in trouble. It was the wrong thing to do because no matter who's dealing with garbage—wrong in the sense that it's really politically stupid. We nearly got killed over that one, but we did decide to take on that responsibility.

This government immediately—I understand the political reasons better than they do, believe me, the political downfall to this one—put it completely on to the municipalities to deal with, but their not taking any responsibility for it and their downloading and amalgamation have left Toronto ill-equipped to solve this problem. They know that at the end of the day citizens will look to Queen's Park for a solution. If you look historically at what's happened with garbage dumps, it's extremely controversial, extremely difficult. At the end of the day, once it becomes an issue—believe me, this government has been very lucky. I know the Liberal government before the NDP government was dealing with horrible issues around landfill and then we continued to try to deal with those. It hasn't been an issue for a while, but it's coming up again, and let me tell the Harris government, the members who are here today, that when it does, they're not going to be able to escape taking some responsibility for it at the end of the day.

I would say to the member that I think I support his resolution. I know he's going to have two minutes to sum up at the end and I would like reassurance that this

technology language in here just applies to the three Rs—composting, recycling and reusing and all of those things—and that we're not talking about incineration.

**Mr John Hastings (Etobicoke North):** I'm happy to join in today's consideration of the member for Lambton-Kent-Middlesex's resolution regarding how we deal with the environmental choices, which are always tough in terms of garbage disposal.

It's interesting to follow the member for Broadview-Greenwood in terms of her being a fighter for the environment and her great concern going back to the release of dioxins in the air over the Commissioner Street landfill and the whole area of burning waste. But in point of fact the old city of Toronto made some progressive moves in terms of diverting waste to steam in the Toronto District Heating Corp. I think it's a good example of what the city has been able to do on its own, and it didn't get a lot of money from anywhere else.

What I find ironic in this whole debate over the last few days about the culture of blame involving the environment is that it's easy when you're out of government—and I have been out of government. When you're on a city council, you get this opportunity—the member for Toronto Centre-Rosedale may get that opportunity some day—to engage a little more in the culture of blame, but one of the problems around the tough choices you make in selecting how you're going to deal with the garbage from society is the whole point of risk minimization.

It's quite ironic. The member for Broadview-Greenwood is very concerned about the member for Lambton-Kent-Middlesex's technology dimension, how he wants to move in this area. She is very concerned about the release of dioxins and that there are no technologies available that are 100% foolproof; if you have one component, one part per million of a dioxin from burning, then that invalidates the technology.

#### 1050

Yet it's interesting to note that when you look in the context of risk minimization in terms of choices in how you're going to deal with garbage, and the health problems related to it, there didn't seem to be too much of a problem when Dr Walter Pitman engaged in a two-year consultation, when Mrs Grier was the environment minister. They went around the province and then they produced this very fat, elaborate report—25 copies we got at Etobicoke city council, about three for each member—of where they could set up garbage sites on some of the prime farmland. The member for Dufferin would know very much more about that than we do. We never hear anything about that from her. I think they spent about \$50 million.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** They wouldn't tell us.

**Mr Hastings:** They weren't going to tell exactly.

Whitevale was another area, out in Durham, where there was a big fight over garbage.

**Mr Guzzo:** That was Ruth Grier, though. She's gone now. So is Bob Rae.

**Mr Hastings:** But it's a good idea to remember these things.

The one that I really want to put on the record today—you talk about risk minimization, where you want to make sure your urban population is protected, contained as much as possible, against the pollutants coming out, as the member for Broadview-Greenwood is with the burning of garbage, and I think it's a rightful concern. But there wasn't much concern back in the days of the NDP government when the Ministry of Health of that day—and it wasn't until Minister Wilson came in in early July 1995. Do you know what the ministry proposed in the government of that day? A level 4 lab right in the middle of about 250,000 people in the ridings of Etobicoke North, Etobicoke Centre and Etobicoke-Lakeshore. What does this level 4 lab involve? Well, at that time the ministries of health in Ottawa and in Ontario wanted to locate an area where they could do some very serious research on the worst types of viruses that mankind has ever seen. Two of them are the most ravaging, if you've ever read anything about it—ebola. If you get ebola into you, and if you've ever seen some of the pictures of the victims, the blood rushes out, the skin darkens and you die a very painful death. There sure wasn't much risk minimization when the NDP government of that day was proposing this level 4 virus lab in North Etobicoke. Marburg was another one.

What did we do? We cancelled the thing so that the federal government would take the appropriate responsibility, and they put it in Winnipeg, away from urban populations. Surely the member for St Thomas wouldn't want to defend that indefensible decision, to go ahead with this type of level 4 lab in the middle of a large urban population. And to boot, we had Pearson International Airport—flew right over it. Were we prepared? Did we have the security? Even the police—were they consulting about it?

The members opposite are great at always condemning us for never undertaking sufficient consultation. Guess how many hours of consultation we had on that proposal? Two hours, member for Broadview-Greenwood. This was a proposal—

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

**Ms Caroline Di Cocco (Sarnia-Lambton):** I would like to say that I'm pleased to speak on this resolution. This whole issue of environment and environmental responsibility, it's a culture of responsibility, it's not a culture of blame. The students who are sitting up in the galleries understand what it means when we talk about recycling and the culture of responsibility.

I want to say that Mr Beaubien's resolution acknowledges that only 30% of Ontario's waste diversion goal for the year 2000 has been reached, and I certainly have to agree with that.

Secondly, it resolves, "That the province of Ontario must commit to and embrace a diversion program which reduces the need for landfill space and garbage disposal." I say that the second part of this resolution, that Ontario "must commit to and embrace a diversion program," is

quite simplistic. I understand we must look at how we dispose of our garbage. On the other hand, it's a lot more complex than that. I believe there has to be leadership on the part of the provincial government, and it has to also deal with the source. There are no incentives at the source, where this garbage is being produced.

One of the reasons that the waste diversion goal hasn't been reached is because there has been no substantive commitment on the part of the provincial government. Basically what they have done is make wonderful motherhood statements on diversion, but they really have taken away some of the tools of the municipalities by taking away funding for blue boxes etc, so that the burden now rests on the municipalities.

The other problem I have, and I guess it's quite confusing sometimes, because when we talk about diversion I have a contradiction in my own riding when it comes to the expansion of a hazardous toxic landfill site that was done in 1997. They went from 100 acres to 300 acres. In 30 years we filled that 100-acre site up, and over the last two or three years we've also filled the other 200 acres. Why? Because under this government the process of expansion—they did it quietly. They had no public hearings for the expansion under the Environmental Protection Act and under the Environmental Assessment Act. They literally opened their doors to toxic hazardous waste from other parts of the world, not just the United States. That landfill has had importation of waste from as far away as Saudi Arabia and from the Caribbean, and it's coming to Sarnia-Lambton. Why? Because we have not kept up with regulations to keep the standard of how we landfill. First of all, impose stricter standards. No, we can't do that because there is no real will, because under this government we have to take hazardous waste and it's now a commodity. It's a commodity just like any other produce is.

Although I commend the wording of this resolution by the member, I must say it was under his watch that we actually expanded a provincial landfill site in my constituency that is causing a great number of problems and will continue to do so. It's a heck of a legacy to leave our young people for the future.

Number 3 of this resolution says that "the province must now employ cost-effective, modern technology." I would hope this does not mean we're going to go into incinerators. I hope this means we have to have a comprehensive and substantive discussion and substantive will to actually deal with all of the aspects of our waste, from where we produce it to our recycling and then our diversion or how we're going to landfill.

**The Acting Speaker:** In response, the member for Lambton-Kent-Middlesex.

**Mr Beaubien:** I would like to thank the members for Timiskaming-Cochrane, Haldimand-Norfolk-Brant, Elgin-Middlesex-London, Broadview-Greenwood, Etobicoke North and Sarnia-Lambton for their comments.

As I mentioned, I didn't want to pit this problem between rural and urban communities. However, it does raise a few flags when I hear comments on an article

which appeared in a Toronto newspaper not too long ago. One councillor was quoted: "Asked why he didn't simply go for yesterday's portion of the tour, he said he wasn't going to spend four hours on the road getting back from Detroit. 'Forget it ... that's stretching the envelope beyond reason.'" The second councillor said, "They take me to see a garbage dump ... and I say, OK, there's the hole." That's exactly the problem that I'm talking about.

I don't want to see a fight between rural and urban Ontario. I think basically I'm urging the city of Toronto to talk to small communities, to discuss the problems they have. As the member for Elgin-Middlesex-London pointed out, his former community is dealing with their problems. I have many communities in my riding that are dealing with their problems by using the three Rs, by using further technology. I've heard "incineration"—I don't even want to talk about incineration. I mentioned methane digesters, which is very acceptable, which has been proved quite safe in other jurisdictions, but there seems to be a reluctance to go on to new processes. Until we go on to new processes, we're going to be stuck in the same generation with the blue box. The blue box did a good job; there's no doubt about it. It educated the public. But we must go beyond the blue box system. We must expand on this. I would like also to inform the members that as a government, we have to deal with the packaging industry.

**The Acting Speaker:** This completes the time allocated for debating the item. The question will be put at 12 noon.

1100

## DRINKING AND DRIVING

**Mr Gerry Martiniuk (Cambridge):** This morning I am moving that this House:

Commend the government's initiative of stiffer penalties for drunk drivers and the use of ignition interlock for those convicted three times, and after, a 10-year minimum sentence is served, and that remedial measures programs completed;

Ask the Ministry of Transportation to re-examine the use of ignition interlock for individuals convicted of impaired driving prior to the third offence;

Resolve that the province ensure that the use of ignition interlock would be an additional administrative sanction and would be in addition to court sentences;

Encourage the Ministry of Transportation to examine ignition interlock initiatives in other jurisdictions;

Encourage the Ministry of Transportation to continue consultations with stakeholders working to eradicate drunk driving;

Resolve that the province of Ontario must continue to ensure the safety of motorists travelling our highways by continuing to strengthen and enforce drinking and driving laws.

**The Acting Speaker (Mr Michael A. Brown):** The member for Cambridge has up to 10 minutes.

**Mr Martiniuk:** My resolution from this side of the House will also be addressed by my colleague Garfield Dunlop, member for Simcoe North, who, I should add, has worked closely with victims' groups in regard to the drunk driving issue and feels very strongly in that regard. I will also be sharing my time with John Hastings, member for Etobicoke North, who has always been a strong advocate for victims.

A sudden death, an untimely death of a young adult, an innocent victim. We read the declining statistic of 232 deaths due to drunk driving in 1996, but it doesn't seem to register. We seem to accept these numbers as a statistic of traffic accidents, the cost of automobile travel, but it is a great deal more than that.

Friends of mine for over 30 years recently lost their young son in an alcohol-related accident. When I attended the funeral, I saw the anguish and the grief of the family and friends and it had a great impact on me. It was a tragedy. It was a tragedy, because it could have been prevented, and we as a society must do everything possible to stop this slaughter of innocents on our roads.

At the beginning of summer, Ontario families will travel in record numbers to cottages, to visit with friends and family across this great province. It is more important than ever, then, that we send a strong message to Ontarians that we will not tolerate drunk drivers on our roads.

It must sink in that drinking and driving is the leading cause of death on Ontario roadways. Families who travel in our province deserve to be protected against this ever-present threat of a drunk driver. The victim may be a child, a mother, a brother, family or friends. In every case, the victim of a drunk driver is not only the family but in fact our entire community.

In the most recent statistics, 232 people were killed by drunk drivers using Ontario roads. This number was approximately 25% of all road fatalities. Yet in recent reports we have 21,481 Criminal Code convictions in one year for alcohol-related offences. To put that into perspective, that number of people would fill the Air Canada Centre to capacity, and then some. And these are only those who are caught and convicted.

In 1997, at least 4,018 drunk drivers, 11 per day, were involved in accidents in Ontario where injuries or fatalities were caused. We can no longer tolerate this behaviour as legislators, and we must use every available weapon against this horrific crime.

At present, Ontario has some of the toughest drinking and driving sanctions in Canada. In the early 1990s, to the credit of the former government, graduated licensing was introduced for new drivers on our roads, and drinking and driving for new drivers was totally prohibited. In 1995, we doubled the dedicated funding for RIDE programs, sending a strong signal that the police would be out in force combating drunk driving.

In 1996, we introduced a 90-day administrative licence suspension, and that hopefully will have an effect on the statistics being released. We also introduced a strongly focused marketing program aimed at drunk drivers and the risk to Ontario families.

In 1997, we increased fines for drivers who drive while suspended, and increased resources for courts and police enforcement.

In 1998, we introduced mandatory remedial measures prior to relicensing, and increased licence suspension periods to three years and a lifetime for second and subsequent offenders respectively.

In 1999, the government continued its tough stance against drunk driving by introducing a vehicle impounding program for drivers caught driving while suspended for Criminal Code offences. That vehicle is impounded no matter who the owner is.

In 1999 the government also acknowledged the value of devices such as ignition interlock by offering a potential reduction in lifetime suspension for third-time offenders, after 10 years, who met certain criteria, such as 10 years with no illegal driving offences; successful completion of remedial courses; graduated licence eligibility; proof of insurance; and agreement, of course, to pay for the installation and monitoring of the interlock unit. While this program is a good first step, I believe we can investigate how this technology can be used to save lives in the near future.

My resolution asks the Ministry of Transportation to invest in and implement the expansion of the use of a device known as an ignition interlock. I believe this new technology will save lives. Consultations will have to take place with the stakeholders, including the Ontario Community Council on Impaired Driving, the umbrella group that includes PRIDE and MADD. It will also have to take place with the police, crown's and others. The Ontario automobile association has already approved this resolution.

Mr Speaker, could I take this time to ask for unanimous consent from this House to show the instrument we are dealing with when I talk about an interlock unit?

1110

**The Acting Speaker:** Do we have unanimous consent? Agreed.

**Mr Martiniuk:** Through the miracle of modern technology and miniaturization, this is the total unit involved. This would be the computer part of it. This would be the connection for either downloading or for connection to the automobile. This, of course, is the instrument one would blow into. It's rather compact. The cost of installation, as I understand it, runs at about \$150 and the cost of monitoring per month runs at about \$90. With the miracle of miniaturization, this technology is now available to save lives.

The information recorded on this machine also would be things like the number of attempts to start the vehicle while breathing over a prescribed limit of alcohol in your blood and things of that kind, which could be subsequently monitored, of course, by the Ministry of Transportation. With the advances in technology, it is virtually impossible to bypass the system, and concerns about false readings from perfumes, cough syrups or substitute samples by others have essentially been eliminated.

I should say that the instrument in question was provided to me by Guardian Interlock Systems, Mr Ian Marples.

This device is truly a life-saving tool that could be used to its fullest as a weapon against drunk drivers on our roads. I would ask all members of the House to support this resolution. I should take this opportunity to thank my friend and colleague Mike Gravelle for pointing out the—

**The Acting Speaker:** Thank you; the member's time has expired.

**Mr Michael Bryant (St Paul's):** I rise today to speak on this matter on behalf of the official opposition. We of course support the resolution. The resolution is in support of a crackdown on drinking and driving. The Ontario Liberals want safer streets and safer highways and want to stand behind Mothers Against Drunk Driving and all those groups both representing and supporting victims of drunk driving, so of course we will support the resolution.

That said, it is regrettable that this is simply a resolution. As ever when it comes to matters of justice, this government is all talk and no action. We should have a government bill dealing with mandatory interlock, not to be phased in over a 10-year time period, not to be phased in for third-time offenders or second-time offenders, but to be mandated for first-time offenders. We need a government bill on that immediately, and I call upon the government to do so.

It's interesting. This government is a little slow off the mark to deal with the important issue of ensuring that no conditional sentences are permitted for drunk driving causing injury or death. On April 13 of this year, both myself and Mothers Against Drunk Driving held a conference in which we called upon the government to ensure that no conditional sentences would be sought by the prosecutors, by the crowns, and if they were ever handed down by a judge that they would be appealed. In particular, we called for a zero-tolerance policy. That was on April 13. What I said at the time was: "Ontario Liberals join victims of drunk drivers who believe that the Harris government is too soft on offenders. We need to send a loud message to Ontarians that drunk driving is a serious crime that simply won't be tolerated."

Thanks to the efforts of MADD on that day, the Attorney General had to meet with MADD. The Hon Mr Flaherty had not responded to the Mothers Against Drunk Driving letter to the Hon Mr Flaherty after he had been appointed which would have led to this meeting. As a result of this embarrassment, frankly, in the media, a meeting was held, and lo and behold, on April 24 the Attorney General announced that in fact a zero-tolerance policy would be instituted with respect to drunk driving causing injury or death. We obviously support that because we called on the government to do so.

My other comment is with respect to the specifics of the interlock program. Back when the bill that has been referred to, Bill 183, was initially introduced, Mothers Against Drunk Driving appeared before the standing

committee on social development on June 17, 1997. John Bates made the presentation on behalf of MADD. He said that everybody was calling his office asking the question, "Why wait?" with respect to the interlock devices. He said at that time: "The interlock is a proven and reliable device. There is no reason to wait to start implementing its use, even on a first offence, when we find a high BAC driver. The recidivist is most likely to be found in this group. But as the bill is written, we may have to wait 20 years to see the first interlock installed."

That's the problem right now with the state of interlock devices in Ontario. I would call upon this government to take the advice of Mothers Against Drunk Driving, which was given a long time ago. We're talking about June 1997, and we're hearing a resolution patting themselves on the back here in the spring of the year 2000. So we would call upon them to take the advice of MADD and bring forth legislation that would ensure that the recidivist is addressed at the outset. As soon as somebody is convicted of such an offence, one of these interlock devices should be mandated and put in that person's car.

Lastly, I'm going to share my time with the members from Thunder Bay-Superior North and Essex. Again, we support the resolution, but the government is not doing enough in this area. They're talking the talk about doing something to stop the plague of drunk driving, but they're not doing anything.

**Mr Bill Murdoch (Bruce-Grey):** Oh, give us a break.

**Mr Bryant:** The parliamentary secretary to the Attorney General says, "Give me a break." Stop bringing forth resolutions and start bringing forth some legislation so we can actually do something. Take the advice of Mothers Against Drunk Driving, take the advice of all those victims of crime who say, "Put the interlock devices in right now."

**Mr Gilles Bisson (Timmins-James Bay):** I want to rise and support this particular motion. The member brings forward some valid points in his debate, talks about an issue that is important to all of us, and that is an issue of safety on our highways. We want to know, when we get behind the wheel of our car and are driving down the 401, 400, Highway 11 or wherever it might be, that we don't have somebody coming at us in their vehicle in an intoxicated state. Far too often, when those accidents happen—and I have no other way of finding the word—people get killed.

This is what this is all about, to make sure we as legislators find a way to minimize some of the danger on the highways from those people who habitually drive while under suspension, in some cases not allowing them to get that far, but more important, to deal with those people who are really habitual drinkers who have a problem trying to stay out from behind the wheel when they're drinking. So I want to say up front that we support this.

I also want to say that our former Minister of Transportation, Gilles Pouliot, had done a lot of work with various people within the ministry and within the private

sector on this issue, did a lot of work to study this, take a look at it, see what needs to be done. I'm glad to see that the member opposite is taking some of that work and bringing it forward and recognizing the work we did as a government to deal with this issue. I'm glad to be here today to support this initiative.

I wanted to say I took the liberty of going across the way, of picking up what I now have the permission to utilize in the Legislature. It's a very neat little device, the idea being that if a person is charged with drinking and driving and eventually gets their licence back, in certain cases what would end up happening is that that particular driver would have this piece of equipment installed by order of the court. The equipment is very easy to use. It's put into the car, plugged into the electronics, and it works simply by putting your key into the ignition, turning it, and it won't start. You've got to blow into the machine, and the machine will say if your blood alcohol level is below the acceptable point. If so, the car starts; if not, it doesn't start. This is a neat little device, when you think about it, made by Guardian Interlock; "WR2 model," it says—a little bit of advertising for the company. What it does that is more important, in my view, is that it also records those particular occasions when the driver has tried to take the car. So we can go back and look, from a law enforcement perspective and a Ministry of Transportation licensing perspective, at the occurrences of that driver trying to drive that car while intoxicated. I think that is a really good part of the system, because it gives us some of the data we don't presently have sufficiently within the system. It allows us to look at the measures we're going to need to take to deal with it.

**1120**

I want to thank Mr Marples for allowing us to utilize this equipment. If anybody's interested, they can telephone him at 905-670-2296. His e-mail is [irmarple@acs-corp.com](mailto:irmarple@acs-corp.com). I thought I'd give you a little plug in the Legislature free of charge on behalf of the NDP. We want to send some business your way, trying to make business grow in Ontario.

I say this categorically. I support what you're doing, no question, but we also have to realize that this doesn't solve the entire problem. What we're now doing by accepting this particular motion is to say we will deal with those people who have been charged with the first offence. It doesn't deal with those people who are out there driving who are going to get charged or, unfortunately, get into an accident and kill somebody. That's the other issue that this Legislature has to deal with.

In fairness to this government, it has been, as was the previous NDP government, very aggressive at finding ways to deal with drivers who are intoxicated. I can remember, in the last Parliament under the Conservative government, at least on one or two occasions passing legislation in this House where we tightened up the rules around drinking and driving. I commend the government for that. I don't often stand up and say the Conservatives have done good work, but on that particular issue I think

we can agree that the government has been very aggressive in dealing with the issues of drinking and driving.

I also want to acknowledge the work our government did. When we were in government, from 1990 to 1995, we also went a long way to deal with the issue of those first occurrences of somebody who's drinking and driving, raising the bar in terms of when people lose their licence and for how long, and being a lot tougher on people who are driving while intoxicated.

I've got to say for the record, we know that the thing that really prevents people from getting behind the wheel and drinking and driving is the fear of getting caught. Unfortunately, no government—I'm not going to be partisan on this one—has really dealt sufficiently with that issue, I believe. This particular device is only going to deal with those people who did get caught and where there is a conviction. But we know most of the charges before provincial courts now are first offences. Unfortunately, this device is not going to work in that case, because how would we put it in the car if a person we don't yet know about has a habit of drinking and driving?

What we need to do as legislators is have the government move to find ways of deterring people from drinking and driving, and what's the biggest thing? It's the fear of getting caught. If I've had a couple of drinks and I know there's a real, good possibility I will get caught drinking and driving, I will not get behind the wheel of the car. That's how most people think. If people think, "Oh, I can get away with it. I saw my buddy at the bar. We were at the Balmoral Hotel or the Palmour Tavern or the Kap Inn and I saw my buddy get in the car and he drove home and he didn't get caught," it sends a message to people out there that maybe it's worth taking the risk, maybe there isn't a consequence to our actions, and people end up going out and doing that.

Listen, it's a dangerous, dangerous practice. Unfortunately, we have far too many people who've been killed in this province and others where people have gone out and taken that chance. If we're able to put deterrents out there by making sure our RIDE programs are really beefed up so that when you go out on Friday night, Saturday night or even during a weeknight—we see police officers out on Highway 11, we see them in our communities, we see them on Highway 400 stopping people and doing the RIDE program activity of looking at what's going on in the car and in some cases getting them to blow and charging them. If drivers know there's a really good chance of getting caught, they're not going to drive when they're drinking.

Unfortunately, we're at the point in this province where people haven't got the message, and far too many people still, even with the work we've done and the progress we've made up to now, are driving while they're drunk. I think the reason is that there are not sufficient deterrents to stop them. We can put in the strictest laws we want. We can decide as a Legislature to put laws in place that say, "We're going to ban you from driving for life." It might sound like a really good thing

politically, but at the end of the day if the person thinks they can get away with it, it doesn't mean a hill of beans.

So I call on the government to make sure we have the funding in place to fund our police officers across this province, both at the municipal level and at the provincial level, so they've got the tools they need to do the deterrent things that need to be done by stopping people on regular occasions in those areas where they suspect there might be drinking and driving. For example, there may be weddings going on, activities going on within our communities, certainly around some of our more frequented watering holes, as we call them in northern Ontario. It would be a good thing that the police do a better job of that.

The other part we also need to look at is continuing our battle when it comes to public education. We can't stress enough that if you repeat a message often enough, people finally begin to understand, hear it and repeat it. You only have to look at McDonald's. My God, you drive by McDonald's and everybody's mouth salivates, even though we don't like them half the time. Why? Because we've heard the ad so many times, we want to stop in for a quarter-pounder. My point is that if we spend the kind of money we need to in developing ad campaigns that appear on radio and television and in our papers that are aimed at getting people to stop drinking and driving and to break that habit, that also could be fairly effective.

I just say to MADD and other people who have lost children, husbands and loved ones in car accidents, what's the cost of saving a human life? Yes, it might mean we have to spend a fair amount of money—I wouldn't say it's billions but certainly in the millions of dollars—but when it comes to saving a human life, I don't think you can put a cost on that. Unfortunately, I think all of us have an experience in our life where we know somebody who died or we know of somebody who died as a result of somebody drinking and driving, and we know what the cost has been for the family. I think back to one particular accident where a father and two children died in a car accident on Highway 576 going out to Iroquois Falls. Unfortunately, they were hit by a driver who had been drinking and driving.

**Mr Murdoch:** On a point of privilege, Mr Speaker: It's my privilege to point out that students from a school in Grey county are here listening to Mr Bisson talk. I'd like to just point that out.

**The Acting Speaker:** Thank you. As you know, that's not a point of privilege, but we all welcome them.

**Mr Bisson:** We welcome those people from Grey county. We certainly know they're well represented by the member, but they can do a lot better with one of us. I had to get that shot in. I know the member well. We actually get along fairly well together.

I just want to say that advertising would be another effective way of being able to find proactive ways to get people to stop drinking and driving.

The other thing we need to look at as well, and this is a very tough one, is the responsibility of people who are holding events where alcohol is being served. I'm a little

leery of how you get into this one, because you don't want to be so obstructionist that you make the job of bar owners tougher than it already is. I think we all recognize that business is not what it used to be before and a lot of them are struggling out there in the hotel industry to make ends meet. We need to find some way of enforcing the ability of bar owners to pull the keys off somebody if they're drinking. I've seen it when I've been in bars before where a waitress or a bar owner tries to do the responsible thing and is given a hassle by a frequent patron: "No, you're not taking my keys. If you ever do that, I'm never coming back to this establishment again." We need to find ways to give the bar owner and the waiters a little of the support they need to try to halt a situation before it actually becomes a potentially lethal one.

I don't know how you'd do that. I'm not this morning suggesting how, but it would be interesting if we were, by way of a standing committee of this Legislature, to look at that issue and to talk to people in the hotel industry to see what we can do to help them, in a proactive way that's not going to kill their business, to deal with the issue of drinking and driving. I think that's one of the other areas we're able to do, so I think that would be interesting.

I want to say again that we support this initiative. We think it is a good idea. I think it's long overdue. I certainly hope and expect that the government's going to adopt this motion along with the NDP, and I would imagine the Liberals will do the same. Once we've passed it here at second reading—I want to say for the record that far too often private members' bills don't get anywhere after they've been passed at second reading or a motion. I want to say to Mr Marples that I will be one trying to make sure the government doesn't forget to get this thing to third reading so we actually adopt this policy to be able to make sure that over the summer months we're actually in a position to put these things in place.

**1130**

Far too often there are some good ideas that members raise in this Legislature and, unfortunately, the process where government decides the business of the day makes it very difficult for individual members, even if they're government members—probably even more frustrating for them than it is for us, because I've been on the other side—to move those bills forward, which brings me to my very last point.

This is not to do with drinking and driving, but I'm sure you're all going to be interested. It is the issue of the need to advance parliamentary reform in this Legislature. I think private members' hour is one of the really neat places where we see members, more times than not—not always—bringing forward very good ideas that are good public policy issues, where we're able to progressively deal with an issues we need to give some attention to when it comes to dealing with some of the societal problems we have.

Unfortunately, the parliamentary system that we have today is very constrained by the sense that a government

that's elected at 42% in the case of the Tories, or 38% in the case of the NDP, has an absolute majority in the House and can decide the business of the day and do what they want. Why should 42% of the population rule over the other 58%? I don't think it's fair. We need to take a look at the whole issue of proportional representation in this province, as across this country, so that we take away some of the partisanship in this place and we try to do more what we do here at private members' hour, which is to look at issues so that we can deal with societal problems.

You'll be interested to know that this upcoming weekend the NDP convention is going on in Hamilton. I know everybody wants to go and everybody wants to participate because one of the issues we will be dealing with is democratic reform. How do we move towards a system that's more the European system of parliamentary reform? How do we deal with issues like Internet voting? We want to increase the participation of people and how they vote. Should we look at the issue of how we utilize the Internet for that, or mail-in ballots or whatever it might be?

We also have to take a look at electoral reform so that big money doesn't play the role that it did in the last election. I believe the Tories got the majority that they got based on the amount of contributions they got to buy advertising. If we're going to really have fair elections that debate issues and not brand names, we have to have a system that limits campaign expenses in a way that we're actually talking about issues and not talking about, "I've got more money than you so I can outadvertise you," such as the difference between McDonald's and a private restaurant. Who's going to win out?

I invite people to participate by coming to my Web site, my advertising, my 40 seconds. People who want to be able to come and participate at conventions, we'll be telecasting our NDP convention out of Hamilton on the Internet, for the first time we believe in Ontario's history. You can come in, take a look at what's going on, take a look at the debates and participate by going to [www.gillesbisson.com](http://www.gillesbisson.com). That site will be up and running later on this afternoon. People will have the opportunity, as of tomorrow, to participate in the debates that I think need to happen.

With that, I thank you very much and am glad to support this resolution.

**Mr John Hastings (Etobicoke North):** I'd like to start off consideration of this proposal by congratulating the member for Cambridge for again presenting an issue which has considerable concern not only in his riding and across southern Ontario and across this province but also in Canada. I know that he has done a lot of research in this area, brought in the technology on the interlock and gotten the permission of the Speaker or the members here to demonstrate how it would apply, how useful it can be.

From that start point, I think the Ministry of Transportation of Ontario has already, in a sense, incorporated this technology for third-time offenders in terms of a negotiated strategy for people who get the three-time

suspensions. The issue here today is not only the introduction of the technology but how we as a government have proceeded over the last number of years.

I would commend the member for Timmins-James Bay. It's a fair acknowledgement to let him know that the previous government did bring in graduated driving. It was one of the first steps in this overall change of the culture of non-responsibility that we had from probably the 1970s and the 1980s. If you go back and look at the sentencing provisions, the actual sentences carried out by our judiciary, not only in Ontario but across Canada, I suspect you would see minor consequences: fines of maybe \$250, perhaps up to \$2,000 in some instances if you had a second- or third-time drunk driver, or somebody who was drinking and driving simultaneously, and we've seen that happen.

I think that was the start point to reversing the whole psychology of acceptance, that you could somehow drink and drive, because the consequences in those days weren't as detrimental, weren't as impacting as they are today. That has come about not only through changes socially and psychologically, but also in part—in great part, I would say—to the marvellous work of a whole set of concerned citizens and groups out there, from Mothers Against Drunk Driving to the Canadian Automobile Association, to the Ontario Trucking Association and other related groups. They kept pushing and pushing and pushing. What unfortunately pushed them was the impact that many of their members felt personally through associations with relatives or family members.

We have seen time and again stories of tragedy and sadness involving loss of life or severe fatality or injury. I think if you move from there into the graduated driving program, which we have made some adjustments to so that people can get the appropriate G1, G2 licensing today, to the comprehensive road safety bill that was introduced in June 1997—it's nearly three years ago now—on which we had committee hearings, that had been driven by a whole group of concerned people, players in this particular area, some of whom I've already mentioned, who worked in a group called Task Force on Road Safety '97 that brought in a whole range of recommendations dealing with how to focus on and channel and contain and put in place severe penalties for drinking and driving. I think we have to some extent arrested that development.

But as the member from James Bay has mentioned, no government is ever going to stop, unfortunately, the acceptance in certain circles of drinking and driving. I'm not quite sure yet what groups they may be, but while society is pushing for a zero tolerance context, I believe there are still people in certain age groups who think it may be cool on occasion to drink and drive. In fact, I recall seeing in the media just recently a Quebec police officer on charges for dangerous driving after, ironically, taking a safe-driving course. It resulted in the death of four other police officers. So I don't think there's any particular group that's immune from what can sometimes happen after you achieve a certain level of profes-

sionalism in whatever you do, and that was the case in that instance.

Getting back to what the Ministry of Transportation has done over the last number of years, particularly with the comprehensive road safety bill that we introduced, we put in place greater suspension timeframes: 90 days for people who drink and drive and refuse to have Breathalyzers taken. We have invested more money in and expanded the dedicated RIDE program, which I'm very proud of because RIDE was first initiated in Ontario. Reduce Impaired Driving Everywhere was Reduce Impaired Driving in Etobicoke in the late 1970s. John Bates was the primary influencer, the key hero, you could say, for establishing the start point of getting the culture of non-consequence changed into a culture of zero tolerance that we're moving towards much more vigorously today. We also got rid of the flying tire problem with that legislation, thanks to the Ontario Trucking Association.

We've established lifetime suspensions for those who have three convictions for drunk driving, with an option to be reinstated after 10 years, provided they meet certain conditions, including that the offender has no subsequent driving offences, shows proof of insurance—which in some cases is very difficult for these people to achieve—and agrees to pay for the ignition interlock program. That's a new component here as you move towards this whole area of making people pay for consequences.

I think this is an excellent initiative and resolution on the part of the member for Cambridge and we will continue to see that it gets implemented in its various stages.

1140

**Mr Michael Gravelle (Thunder Bay-Superior North):** I am very pleased to have an opportunity to speak on the member for Cambridge's resolution. I will be supporting it, and I think it's fair to say our caucus will be supporting it. It is an important resolution. I think it's one that all three parties would support. In terms of commending any one party, I think all three parties have moved along with society to understand that we need to do a great deal more to prevent drunk driving. The tragedies are still very much part of the reality of our existence. In 1996, one quarter of the road fatalities in Ontario involved a drinking driver and obviously that's an extraordinary amount.

I want to say, though, and my colleague from St Paul's made the comment, that this is only a resolution. We support it but I think it needs to be put into legislation. It's my understanding that the member for Simcoe North will be bringing forward a private member's bill in the fall that will put some teeth into this, and we would welcome that, but I also think it would be a good thing if the government brought forward a bill as well so that we can ensure we can get passage of these measures.

The truth is that ignition interlock obviously is a very effective device. To only be used for a third-time offender—I think we all probably would agree that we

need to look at, as your resolution states, putting it in use in earlier stages.

It's also very important that we have the remedial measures program put in as early as possible. One thing I'm not entirely clear on, and perhaps you can clarify it for me, is that a first-time offender at this stage has a mandatory education program. I'm not sure if that's exactly the same as remedial measures program training. It's important that go in place earlier.

I have worked closely with the MADD chapter in Thunder Bay. I believe Gary Duguid is the chapter president at this stage.

The member for Etobicoke North pointed out that our culture and society have changed a great deal in the last 25 or 30 years and I think that is incredibly true. We are now at a stage in our society when zero tolerance is what is expected. I think we need to move towards ignition interlock being put in for first-time offenders.

The member for Timmins-James Bay made reference to the fact that there are people out there who have not yet been convicted. I would think that if the law were changed to make ignition interlock a reality for a first-time offender, that would have a real impact on people who continue to drink and drive, who would recognize that the consequences would be far more severe. Perhaps that's the best justification we can think of for moving in that direction, because there absolutely is no excuse for this.

It is extraordinary when one looks back to what it was like 25 or 30 years ago. I will say here, and perhaps I shouldn't, that I'm not immune from that criticism, and I think probably many others in the House as well. One needs to understand that things have changed. The tragedies that are absolutely part of this reality in our province in terms of drinking and driving are horrendous, and in every part of our province. Reference was made to certain parts of the province. The fact is it is something that is a tragic part of our society in all parts of the province and in all parts of Canada.

I am very pleased to support this with the recommendation that the private member's bill should come forward from the member for Simcoe North. I would be pleased to support it, but I hope there will be government action on this as well in terms of a government bill, because we need to continue to move forward, to continue to support stronger and stronger sanctions against drunk driving. The ignition interlock does work. I believe strongly that it works. I think there are real statistics that have shown that the ignition interlock has a real impact in terms of recidivism, and that's obviously something we need to think very strongly about.

I want to use this opportunity as well to congratulate the MADD chapter, Mothers Against Drunk Driving, in my Thunder Bay community and all across my riding for the extraordinary work they do in educating the public. Every year the campaign has a very high profile and it gets support from the Thunder Bay Police Service and the Ontario Provincial Police who are out there working with them. They do an extraordinary job to educate the

public. It's something we all want to work together on as parties in this Legislature. I will be supporting this resolution and I suspect all my colleagues will as well.

**Mr Garfield Dunlop (Simcoe North):** It is an honour to speak today on this very important resolution. I'd like to begin by saying thank you to the member for Cambridge for bringing this issue to light during this private members' time. I'd also like to thank the members for Thunder Bay-Superior North and Timmins-James Bay, as well as Scarborough, for their comments.

As a government, we've instituted some of the toughest anti-drinking and driving legislation in North America, and that legislation of course includes the creation of the administrative driver's license suspension program. Since that program was first introduced in 1996, about 35,000 drinking drivers in Ontario have had their licenses revoked for periods of up to 90 days.

First-time offenders convicted of a drinking and driving offence must successfully complete an education program and that is managed by the Centre for Addiction and Mental Health. The education program runs for eight hours and the treatment program covers a 16-hour period. The offender, not the taxpayer, pays \$475 for that program. Offenders must complete their program. If they don't, they will not have their licenses returned.

Suspension periods for second-time offenders convicted of drinking and driving have been increased from two to three years.

Third-time offenders will lose their licence for life, instead of the three-year suspension that they used to receive. However, they will be eligible to have their licence reinstated if they maintain a clean record for 10 consecutive years and agree to meet certain conditions.

I'd like to turn for a second to the part of the resolution by Mr Martiniuk that says "ask the Ministry of Transportation to re-examine the use of ignition interlock for individuals convicted of impaired drunk driving prior to the third offence."

At this time I would like to welcome, in the gallery, Mr Doug Abernathy. Doug Abernathy is a constituent of mine. On May 15, 1981, Mr Abernathy and his brother Tim were travelling to their cottage near Huntsville. The family stopped for supplies near Gravenhurst. Tim and Doug got out of the car and were struck by a drunk driver who had crossed over the centre line of the highway. Both were seriously hurt before being flown to Sick Kid's Hospital. Mr. Abernathy survived the ordeal but his brother, unfortunately, did not.

A drunk driver ripped through this family and it strengthened Doug's resolve. Since that tragic accident, Doug has started the community-based Orillia Against Drunk Driving. Its mission is to reduce and eventually eliminate drunk driving through education. For the past five years, Mr Abernathy has been a champion at introducing ways of reducing the number of drunk drivers on our roads.

Just a little over a year ago, Mr Abernathy came to my office with an idea to convince me on the use of interlock ignition devices for those who have been convicted of a drinking and driving offence.

My staff have met with representatives of Mothers Against Drunk Driving and the Council on Drug Abuse to prepare a private member's bill that we hope to introduce this fall that would make mandatory interlock ignition devices in our province. The bill, I hope, will be named in memory of Mr Abernathy's brother, Tim.

I've had an opportunity to actually examine the interlock device, the one that Mr Bisson showed. We had an opportunity to view it in front of my office. I'm convinced it's a very important mechanical device that can and will be used.

The research I have done clearly shows that ignition interlock devices are an effective way to reduce the deadly practice of drinking and driving. Currently only Alberta and Quebec have ignition interlock practices in effect in our country, with Newfoundland recently adopting the practice on May 10 of this year.

#### 1150

In 1997, MTO issued a report to the standing committee on social development. The report looked at eight programs and 16 studies. The report found promising but inconclusive results. However, since that time, 11 major studies have been published looking at the use of this device. The results of those reports have found that interlocks definitely have benefits. As Mr Bryant said earlier, they are proven and they are reliable.

A non-partisan think tank called the Traffic Injury Research Foundation recommends that "All jurisdictions require installation of ignition interlock breath test devices on the vehicles of repeat offenders as well as first-time offenders arrested with high BACs." So far, the Ontario Association of Police Boards, the Ontario Association of Chiefs of Police, the Ontario Police Association and the city of Orillia have supported the use of these devices.

Over the course of the summer, I will be meeting with as many anti-drinking and driving groups as I can so that a private member's bill can be tabled in this House and I hope passed as soon as possible in the fall.

In closing, I would like to again thank the member for Cambridge for tabling this resolution. One of the things I would like to add, though, as Mr Gravelle said earlier, is the importance of education. I think we've seen a significant amount of education on drinking and driving right on our TV programs. You notice now that our beer producers, Molson and Labatt, have a lot of anti-drinking and driving ads on TV. I notice now there's some strong messaging coming across the TV screen from Mothers Against Drunk Driving and as well that the Ontario Provincial Police have continually made reference to their opposition to drinking and driving on the highways. Recently, the Solicitor General's office gave all the police services boards in the province a total of \$1.2 million in additional money for overtime for their RIDE programs.

In closing, I would like to again thank the member for Cambridge for coming forth with this resolution today and tabling this. In his role as the parliamentary assistant to the Attorney General, he's also the co-chairman of the

crime commission. As a member of our government, he supports and understands the importance of public safety, not only in our homes and on our streets but on the roads of our province. I hope later on, when this private member's bill is tabled in the fall, that I can get unanimous support in this House for it.

**Mr Bruce Crozier (Essex):** I'm pleased as well to stand today and make some comments with regard to the member for Cambridge's resolution and, along with my colleagues and my caucus, to support this resolution.

I also want to make note, as has been mentioned in the debate, of the role that MADD, Mothers Against Drunk Driving, plays in the education in this province about the evil of driving while impaired. I believe that holding a driver's licence in this province is a privilege. Driving while under the influence of alcohol or drugs is a crime, and whatever we can do, first, to educate against this problem, and second, to enforce it, is a good move. RIDE programs have been in existence for years, and that's a good deterrent, I believe, to it.

The unfortunate part about drunk driving, or driving while under the influence of drugs, for that matter, is that the decision to do it is made when we are at our weakest point to make such a decision. What can we do about that? Can we get inside people's heads and prevent this altogether? No. I think we all acknowledge that it's a problem that's been with us for a long time and that will probably be with us for a long time to come, but that doesn't mean we shouldn't make every effort we can to, first, educate people so they understand the tragic results there can be from drunk driving; second, to carry out the enforcement when someone has been driving drunk or driving under the influence and has been caught; and third, what can we do to those who find themselves in that position so that it will make them think twice before they ever do it again? What can we do, for example, that will make a person, while they're sober, plan so that if they drink too much, they have a way of avoiding getting behind the wheel?

The designated driver program is a good one. Many establishments in the province have drunk-driving programs within their bars or restaurants, that is, one of the drivers is designated and then they're served a non-alcoholic beverage so they can enjoy the evening but still have someone who can drive their friends home. I am inclined to think this is more prevalent among youth than we've ever seen before. I think the designated driver program is one that youth have taken to heart. They understand that by participating in the designated driver program they can save not only their own lives but they can save their friends from injury and perhaps even death.

The government has strengthened the law when it comes to the penalties for drunk driving. Some would argue that there's no end to what you should be able to do in that respect. Should a driver's licence be suspended for three years after your third time or for 10 years after your third time? Some would argue that there should be life suspensions, and maybe there are cases where there would be life suspensions from driving, but even then we

still can't prevent that driver from getting behind the wheel. The fact that someone does not have a driver's licence isn't always of any real concern to that person.

I think education is the big thing we can continue to do and, at the same time, use technology to prevent a driver from ever starting the automobile.

Again I say how much I support this resolution of the member from Cambridge. I hope he continues in his efforts to bring technology into this issue so that our highways and roads and byways can be made safer and the public can be more aware of the consequences of driving while under the influence of alcohol or drugs.

**The Acting Speaker:** The member for Cambridge has two minutes.

**Mr Martiniuk:** I would like to take this opportunity to thank my colleagues the members for Etobicoke North and Simcoe for their support of this resolution. I would further like to thank the member from the third party, the member for Timmins-James Bay, for his kind words of encouragement. I'd like to thank all members of the opposition—the member for Essex, the member for St Paul's and the member for Thunder Bay-Superior North—for their support.

I mentioned that this machine was kindly donated, temporarily, by Guardian Interlock. This high-tech machine is manufactured at their plant right here in Mississauga, so we didn't have to go outside of this province to obtain a representative sample of what high-tech can do for us.

I must echo the words of many of the members that there has been a shift in attitude from, "Wink, wink, have a couple of drinks," to "We will not take this any more." I must applaud the various groups, primarily victims' groups, who have worked tirelessly. I have met them in the many crime-control forums at which I have presided. They are always out there working, bringing their view that drunk driving is not to be tolerated. I'd like to congratulate all of those groups, most of whom belong to the Ontario Community Council on Impaired Driving, which includes PRIDE and MADD and all the others, for the good work they have done on behalf of the victims and the people of Ontario.

**The Acting Speaker:** That completes the time allocated for debate.

#### WASTE DISPOSAL

**The Acting Speaker (Mr Michael A. Brown):** We will first deal with ballot item number 31. Mr Beaubien has moved private member's notice of motion number 15.

Is it the pleasure of the House that the motion carry? The motion is carried.

#### DRINKING AND DRIVING

**The Acting Speaker (Mr Michael A. Brown):** Now we will deal with ballot item number 32. Mr Martiniuk has moved private member's notice of motion number 20.

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

All matters relating to private members' public business now being completed, this House stands recessed until 1:30 of the clock this afternoon.

*The House recessed from 1200 to 1330.*

## MEMBERS' STATEMENTS

### MEMBER'S COMMENTS

**Mr Dave Levac (Brant):** I rise today to take extreme exception to the comments made by the member for Northumberland during debate yesterday. His usual and typical lapdog ranting about Liberal ideas and self-promoting, pompous proclamations have stooped to an all-time low worthy of only earthworms, moles and low-flying seagulls.

To suggest that the members on this side of the House have not shown empathy and sympathy is at best ill advised and at worst without soul. Just because Dalton McGuinty visited Walkerton without press, in a solemn, private moment that does not suit the member for Northumberland's judgment, that doesn't make him less a leader; in fact, it makes him a caring, compassionate human being worthy of leadership.

No less than 10 times in Hansard has our leader, Dalton McGuinty, offered words of comfort and sympathy to the people of Walkerton, especially the bereaved.

I am sending across the floor my own words, spoken on May 30, in case the member for Northumberland actually believes his own drivel.

The member for Northumberland impugns this House and all its members by his comments, especially my colleagues Sean Conway, Jim Bradley and Dwight Duncan, to name just a few who have spoken on this issue.

Each and every member of this House has expressed in their own way heartfelt sorrow for the residents of Walkerton. We will, however, continue to hold this government accountable for its responsibilities in providing safe, clean drinking water for the people of Ontario.

### BOLTON ROTARY CLUB

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I would like to take this opportunity to congratulate the Bolton Rotary Club on the celebration of their 50th anniversary.

The Rotary Club of Bolton was chartered in 1950, with a membership of 25 community-minded individuals. One of these members, Harold Egan, is still active today. Currently, Mr Egan is the honorary president in commemoration of the club's 50th anniversary.

Over the past 50 years, this organization has raised over \$1 million for the community. Through fundraising

efforts like the annual Cider Tyme event, the Dream Auction and the annual golf tournament, the Bolton Rotary Club helped create Riverside Park in Bolton, a project which was recognized by Rotary International.

The club members also contributed to Polio Plus, an international program to eradicate polio; Jamaican hurricane relief; and helped to fund sight-saving operations in India.

Closer to home, the Bolton Rotary Club provides local high school students with a variety of scholarships; supports the Boy Scouts, local sports teams and many other community organizations, including Transition Place, a home for abused women and children. The club also coordinates the Easter Seals activity in the area and contributes to Camp Enterprise, a three-day event for grade 12 students to discuss entrepreneurship and business ethics.

As you can see, our community and others throughout the world have benefited from the commitment and dedication of the members of the Bolton Rotary Club. I would like to extend my sincere congratulations to the Bolton Rotary Club as they celebrate their 50th anniversary.

### GASOLINE PRICES

**Mr Mike Colle (Eglinton-Lawrence):** Today, sadly, gas prices in Ontario have reached new record highs; they've almost reached 80 cents per litre—scandalous.

For nearly a year now, since last July when gas was 50 cents a litre, I have been asking the Premier to do something on behalf of Ontarians. I've been asking for a temporary freeze much like his predecessor, Bill Davis, did in 1975.

Back in July, the Premier dismissed my call for a gas freeze, saying, "Why would we freeze prices at an all-time high of 59 cents?" Now, as you know, it's about 79 cents.

When it comes to gas prices, Mike Harris is all talk and no action. He blames and finger-points and bellyaches and moans but continues to do absolutely nothing to protect Ontario motorists and consumers.

At the same time, Mike Harris is in cahoots with the big oil companies, collecting nearly \$3 billion a year in gas taxes from Ontario motorists.

And what ever happened to the "pass the buck" task force they set up? Could it be that the "pass the buck" committee has been indefinitely delayed because it can't decide who to blame?

Who is Mike Harris going to blame today? Is he going to blame the oil companies? Is he going to blame the federal government?

Ontario consumers are fed up at being hosed day in and day out at the gas pumps while their Premier bellyaches and blames others. I say to Mike Harris, stop the finger-pointing, stop the blame, and do what Bill Davis did: Get control of those gas prices today.

NDP CONVENTION  
CONGRÈS DU NPD

**Mr Gilles Bisson (Timmins-James Bay):** As all members of the assembly would know, this weekend is the NDP convention in Hamilton.

I invite all of you here in the assembly to come and visit our convention either in person or, more important still, to come on-line to be able to visit that convention.

For the first time, I believe, in Ontario's history, a political party is putting their convention on-line, where the public will have an opportunity to both participate at the convention, letting their thoughts be known, and participate as far as other people's comments, and also to look at what's happening by real-stream video feeds from that convention. I'm inviting people to do that by just visiting my Web site at [www.gillesbisson.com](http://www.gillesbisson.com), where you're going to have an opportunity to do that.

J'aimerais inviter tous ceux qui ont l'opportunité de regarder la convention annuelle du NPD, qui aura lieu à Hamilton cette fin de semaine. On a pour la première fois, on croit, l'opportunité d'aller sur Internet pour visiter la convention d'un parti politique dans la province de l'Ontario. On invite le monde à venir donner leurs commentaires, à regarder ce qui se passe, à participer aux débats et à aider à bâtir notre parti au point qu'on pense que c'est important pour être capables de bâtir un avenir pour la province. On invite le monde à venir à [www.gillesbisson.com](http://www.gillesbisson.com). Venez participer à notre convention annuelle.

SOCIAL ASSISTANCE

**Mr Doug Galt (Northumberland):** I rise in the House today to congratulate the Minister of Community and Social Services on the government's achievement of getting more than 500,000 people off welfare and into a job. Our workfare programs work, and they work for all Ontarians. A large number of people across Ontario support this initiative. I wish now to quote one of those people. One man said, and I quote from Hansard, "The Ontario government should be, and indeed needs to be, commended for streamlining the current social assistance systems into two new programs: Ontario Works and Ontario disability support program."

Do you know who said that? Ted McMeekin, the mayor of Flamborough, Dalton McGuinty's Liberal candidate for the by-election in the Wentworth-Burlington riding, said that. I'm pleased to note the change in the Liberal platform and welcome their support on this important issue, but I believe this to be just another flip-flop on an issue which is so important to the people of Ontario. They don't know where they stand on workfare, they don't know where they stand on the Hamilton amalgamation and they don't know where they stand on health transfers from their federal cousins.

We on this side of the House have been providing the leadership that Ontarians expect. We will continue to

create innovative programs to ensure that taxpayers' money is spent wisely and effectively in Ontario.

HOMELESSNESS

**Mr George Smitherman (Toronto Centre-Rosedale):** Today, angry and frustrated poverty and homelessness activists will march on the Legislature to demand that the Harris government take action on the homelessness crisis in this province. The government will no doubt focus on the tactics that are used because they are a rudderless, do-nothing government when it comes to dealing with the problems that affect too many people in this province.

As the cynical \$200 bribes demonstrate, there are two distinct classes of people in Mike Harris's Ontario: those taxpayers who will get \$200 cheques and those in desperate need who serve as punching bags for Mike Harris's war on the poor. They do nothing to deal with the problems of health care for homeless people. Patients are released sicker and quicker and homeless people are routinely released to the street and to shelters. Mike Harris demonstrates his ignorance when he talks about shelters as housing. Anyone who has ever visited a shelter or attempted to sleep there, as I have, will know that they are not an adequate replacement for a home.

Mike Harris is closing the Wellesley Central Hospital on October 1, 2000, without any move to open the ambulatory care centre as directed by the HSRC.

The Minister of Health is failing the test of responsibility. While she fiddles, an epidemic of preventable deaths surges all around us.

We used to have a government for all the people. The sad reality in Mike Harris's Ontario is that we have a government for taxpayers and a policy of woeful and negligent ignorance towards those who are less fortunate. The message of the Harris government is simple: Ignore the poor.

CATHETERIZATION LABORATORY

**Mr R. Gary Stewart (Peterborough):** Through the hard work and dedication of my constituents in Peterborough, along with the support of the Ministry of Health and our government, tomorrow will be a very special day. The new heart catheterization lab will officially open in the Peterborough Regional Health Centre. This lab will be the most advanced in Canada. It has a swing lab which will see the catheterizing machines on a huge hinge that will swing from one room to another, the first in the province. The swing lab allows for increased capacity. It also ensures that there won't be a waiting list for any patient needing emergency cath lab care.

1340

As the provincial representative for Peterborough, I am very proud of the efforts of my constituents, who worked so hard on this initiative to raise over \$2 million. I'd like to mention in particular the work of the co-chairs for the Community Health Services Foundation, Linda

Whetung and Dave Smith; Dr Bill Hughes for his perseverance over the last 12 years to achieve the lab; Rob Devitt, CEO of the hospital, for his co-operation with the ministry; and the many individuals, young and old, in the entire Peterborough region who collectively made this happen.

Congratulations, Peterborough, on enhancing our health care in this community. Your commitment is appreciated.

#### FIREARMS CONTROL

**Mr Michael Bryant (St Paul's):** Today the government of Ontario was handed a colossal defeat by the Supreme Court of Ontario in a unanimous decision, rendered in record speed, upholding the federal gun control legislation, which the people of Ontario support. The Harris government, Ralph Klein and the gun lobby may have lost, but the people of Ontario today certainly have won.

The Supreme Court has upheld legislation which honours victims of gun violence, who support this legislation. The court has upheld legislation which honours the police, who protect us and who have to face gun violence every day, and they support this legislation.

This decision honours the victims of the Montreal massacre. It was the Montreal massacre that inspired this legislation in the first place. The brother of Annie St-Arneault, one of those victims, said today in response to the decision, "This law is a living monument to the victims of gun violence and we will continue to do everything within our power to defend it and to ensure the lessons of the past are not forgotten."

This government needs to learn a lesson as well as a result of this decision. Today I call upon the government, first, to show some leadership and denounce all this talk about disobedience with respect to this law and refusal to obey this law, which has been upheld by the Supreme Court of Canada. I call upon the government to come clean and tell the people of Ontario how much they've wasted on this act of neo-conservative judicial activism. Lastly, it's time today for the government to end its unholy alliance with the gun lobby.

Today is a good day for the people of Ontario and a colossal defeat for the government of Ontario.

#### NIAGARA GRADUATES

**Mr Bart Maves (Niagara Falls):** I am pleased to stand in the Legislature today to acknowledge and applaud the graduating classes from both Niagara College and Brock University. Ceremonies are taking place at both of these schools all this month, and I'm very excited for the students and for their families who have so much to be proud of and so much to look forward to.

Last week, Brock University held two special ceremonies, one for a group of graduating students and, second, a groundbreaking ceremony for two new

academic buildings. In May, Brock University received \$15.5 million from the Ontario SuperBuild Corp to help build the buildings.

Brock University isn't the only one to benefit from provincial government funding. Again in May, Niagara College received \$4.2 million for the expansion of their Maid of the Mist campus. Niagara College also received a \$1.6-million grant from the Ministry of Economic Development and Trade's strategic skills fund to help with the college's technology-based programs.

As you can see, this is a very exciting time for Brock and Niagara College students. They are graduating from these schools and they have the necessary means now to provide them with the skills they need for the outside workforce.

I'm very proud of our government's record to reinvest in schools and education. The Niagara region has greatly benefited from funding from this government. Again, I thank the minister, the Premier, Minister Eves and Minister Hudak for working very hard to get this done in my community.

#### REPORT OF CHIEF ELECTION OFFICER

**The Speaker (Hon Gary Carr):** I beg to inform the House that today I have laid upon the table a report from the Chief Election Officer, made pursuant to section 2(5) of the Election Finances Act.

#### ANNUAL REPORT, OFFICE OF THE OMBUDSMAN

**The Speaker (Hon Gary Carr):** I also beg to inform the House that today I have laid upon the table the annual report of the Ombudsman for the period April 1, 1999, to March 31, 2000.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Steve Gilchrist (Scarborough East):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill, as amended:

Bill 68, An Act, in memory of Brian Smith, to amend the Mental Health Act and the Health Care Consent Act, 1996 / Projet de loi 68, Loi à la mémoire de Brian Smith modifiant la Loi sur la santé mentale et la Loi de 1996 sur le consentement aux soins de santé.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### RACING COMMISSION ACT, 2000 LOI DE 2000 SUR LA COMMISSION DES COURSES DE CHEVAUX

Mr Runciman moved first reading of the following bill:

Bill 94, An Act to revise the Racing Commission Act /  
Projet de loi 94, Loi révisant la Loi sur la Commission  
des courses de chevaux.

**The Speaker (Hon Gary Carr):** Is it the pleasure of  
the House that the motion carry? Carried.

The minister for a short statement.

**Hon Robert W. Runciman (Minister of Consumer  
and Commercial Relations):** I'm pleased to introduce  
An Act to revise the Racing Commission Act. The  
Racing Commission Act, 2000, would convert the  
Ontario Racing Commission to a self-financing agency  
and modernize it so that it can continue to provide  
efficient and effective services. I urge all members to  
support the revisions to the Racing Commission Act.

### PROTECTION OF MINORS FROM SEXUALLY EXPLICIT GOODS AND SERVICES ACT, 2000 LOI DE 2000 SUR LA PROTECTION DES MINEURS CONTRE LES BIENS ET SERVICES SEXUELLEMENT EXPLICITES

Mr Wood moved first reading of the following bill:

Bill 95, An Act to protect minors from exposure to  
sexually explicit goods and services / Projet de loi 95,  
Loi visant à protéger les mineurs contre les biens et  
services sexuellement explicites.

**The Speaker (Hon Gary Carr):** Is it the pleasure of  
the House that the motion carry? Carried.

The member for a short statement.

**Mr Bob Wood (London West):** The purpose of this  
bill is to prevent those under 18 from being exposed to  
sexually explicit goods and services. It mandates the  
good practices already followed by most businesses in  
Ontario. If enacted, it would give a reasonable assurance  
to Ontario parents that their children will not be exposed  
to inappropriate influences of this nature.

### SAFE DRINKING WATER ACT, 2000

#### LOI DE 2000 SUR L'EAU POTABLE SAINTE

Ms Churley moved first reading of the following bill:

Bill 96, An Act to restore public confidence in the  
quality of drinking water in Ontario / Projet de loi 96, Loi  
visant à rétablir la confiance publique dans la qualité de  
l'eau potable en Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of  
the House that the motion carry? Carried.

The member for a short statement.

**Ms Marilyn Churley (Broadview-Greenwood):** The  
bill I've tabled today is intended to restore public  
confidence in the quality of drinking water throughout  
Ontario. It recognizes that people have the right to clean  
and safe drinking water, that clean and safe drinking  
water is a basic human entitlement and essential for the  
protection of public health.

The bill recognizes that communities do not always  
have the financial and technical capacity to provide safe  
drinking water and that the province has an important  
role to play in providing that assistance and allows for  
the establishment of a safe drinking water fund. It con-  
tains mandatory reporting and notification requirements  
to water users, local medical health officers and the  
Ministry of the Environment. It establishes the clean  
water electronic registry, where Ontarians can readily  
obtain up-to-date information about the quality of water  
in their community.

The bill restores the fair partnership between the  
province and municipalities in providing Ontarians with  
clean and safe drinking water. The bill is the first step in  
ensuring that all Ontarians have access to safe and clean  
drinking water.

1350

### CITY OF TORONTO ACT (TRAFFIC CALMING), 2000

Ms Mushinski moved first reading of the following  
bill:

Bill Pr2, An Act respecting the City of Toronto.

**The Speaker (Hon Gary Carr):** Is it the pleasure of  
the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred  
to the standing committee on regulations and private  
bills.

### CITY OF TORONTO ACT (TAX DEFERRAL), 2000

Ms Mushinski moved first reading of the following  
bill:

Bill Pr9, An Act respecting the City of Toronto.

**The Speaker (Hon Gary Carr):** Is it the pleasure of  
the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred  
to the standing committee on regulations and private  
bills.

### CITY OF TORONTO ACT (GRADUATED TAX RATES), 2000

Ms Mushinski moved first reading of the following  
bill:

Bill Pr11, An Act respecting the City of Toronto.

**The Speaker (Hon Gary Carr):** Is it the pleasure of  
the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

CITY OF TORONTO ACT  
(TENANT PROTECTION), 2000

Ms Mushinski moved first reading of the following bill:

Bill Pr12, An Act respecting the City of Toronto.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 84, this bill stands referred to the standing committee on regulations and private bills.

**Ms Marilyn Churley (Broadview-Greenwood):** On a point of order, Mr Speaker: Because of the fundamental importance of the safe drinking water bill that I just introduced, I would ask for unanimous consent that it move to second reading so we can get it out to committee quickly over the summer and get third reading passed quickly in the fall.

**The Speaker:** Is there agreement of the House, unanimous consent? I'm afraid I heard some noes.

QUEEN MOTHER

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** On a point of order, Mr Speaker: I'd like to seek unanimous consent. On August 4, 2000, the Queen Mother will celebrate her 100th birthday. This extraordinary woman has earned the respect and admiration of people around the world. As a leader, she has guided her people through adverse conditions while at the same time maintaining her characteristic charm and grace.

In light of her lifelong successes and accomplishments, I would like to ask for unanimous consent for the Legislative Assembly of Ontario to send our most sincere birthday wishes to this exceptional lady.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? Agreed. I thank the member.

MOTIONS

COMMITTEE MEMBERSHIP

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that the following amendment be made to the membership of a certain committee: Mr Peters replaces Mr Conway on the standing committee on estimates.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

ORAL QUESTIONS

WALKERTON TRAGEDY

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of the Environment. The people living in the community of Walkerton would have had a hell of a shock this morning when they awakened to read a headline which read, "Harris Ignored Walkerton's Pleas in 1998." We knew, as did the people of Walkerton, that the Provincial Auditor had warned you about impending problems. We knew the Environmental Commissioner had warned you. We learned more recently your own officials had warned you, but this morning we learned that the leaders in the town of Walkerton had sent a letter to your government putting you on notice about pending problems. They launched a cry for help and you ignored them, Minister. Why did you ignore them?

**Hon Dan Newman (Minister of the Environment):** I want to take this opportunity to set the record straight here today. Media reports of the letter sent to the Premier have been inaccurate, and I'd like to clarify the facts right now for all members here.

The clerk of the town of Walkerton sent Premier Harris a resolution passed by the council of that town and in it they called upon the provincial government to maintain the Ministry of the Environment as the guardian of water quality. That is what we do at the Ministry of the Environment. The Ministry of the Environment sets and enforces safe water standards. In fact, the Premier did respond to the clerk of Walkerton and asked him to keep him apprised of any further developments.

With respect to Walkerton, we all want answers to what happened in Walkerton. There is the public inquiry. There are three other investigations underway and now proceeding that will provide us with the answers we all want and need. I want to assure this House that the government is committed to doing everything we can to ensure that our drinking water is safe.

**Mr McGuinty:** You know that the Premier's response was nothing more than a standard form letter. This was a very important letter. In fact, the letter itself says: "This is a very important issue that we draw to your attention for action. We look forward to your reply on this environmental issue." In it, they say that "poor testing has been found in at least 23 municipalities in southwestern Ontario, creating a potential for serious illness."

This was brought to your attention in June 1998. The people in that community, through their leadership, were sending a letter to your government, to its leadership, talking about "a potential for serious illness." All they got back from the Premier of Ontario was a form letter. Why is it that you ignored this cry for help from the people of Walkerton?

**Hon Mr Newman:** In the first question, the Leader of the Opposition indicates that the Premier didn't respond, when in fact the Premier did respond to the clerk of

Walkerton. The Premier asked the clerk of Walkerton to keep him informed of any further developments in Walkerton with respect to the resolution that had been passed by that council. The Premier did respond to the correspondence that was provided to him by the town of Walkerton.

**1400**

**Mr McGuinty:** If we're talking about setting the record straight here, here's a copy of the letter. It has two sentences: "Thank you for writing to inform me of council's resolutions regarding the realignment of provincial-municipal services. I have noted council's views and appreciate being kept informed of its activities." This is in response to a letter sent by the leadership of the town of Walkerton where they talk about poor testing, they talk about bad water results in 23 municipalities and they talk about creating a potential for serious illness.

Minister, can you now seriously justify this, a two-sentence form letter, as an adequate response to the leadership of Walkerton who are talking about the potential for serious illness?

**Hon Mr Newman:** The first question that the Leader of the Opposition brought forward today indicated that the Premier didn't respond. I have answered clearly that the Premier did respond to that correspondence.

On the second question, the member now produces a letter that the Premier sent. You have to ask yourself what the Leader of the Opposition is up to today. The Premier did indeed respond to that request from the town of Walkerton.

**The Speaker (Hon Gary Carr):** New question.

**Mr McGuinty:** A question to the same minister.

You can engage in these cute games and tell us that the Premier did respond. What I ask you to consider in your heart of hearts, Minister, is whether you think this was an adequate response. This was a community that was crying out for help. They talked about the potential for serious illness. They pleaded with you. It says here, "We urge the government of Ontario to maintain the Ministry of Energy and the Environment as the guardian of our water quality." They sent this off to you. Are you purporting to tell me today that that cry for help from a community which subsequently experienced seven dead—are you telling us that your Premier's form letter, a two-sentence response, was an adequate and fulsome response to that cry for help?

**Hon Mr Newman:** No one is engaging in games or pointing fingers or assessing blame to anyone. We all want to get to the bottom of what's happened in Walkerton. The resolution called upon the provincial government to maintain the Ministry of the Environment as the guardian of water quality in the province. That's what we do in the Ministry of the Environment. We do set and enforce water standards for our province so that we can have the safest drinking water possible for the people of Ontario.

**Mr McGuinty:** One of the frightening aspects of this, which we learned of this morning, was when the Premier's office responded by saying that they receive

these kinds of letters all the time. Apparently, they are getting letters all the time which talk about the potential for serious illness in drinking water. Apparently they're getting letters all the time that talk about water quality problems in various municipalities across the province.

This was a very, very special letter. The cover letter that came with this resolution talked about this being a very important issue. It was brought to your attention for action. Are you telling me that this letter in response from your Premier constituted real action, which was being sought by a community which has subsequently found seven of its own dead because their water was contaminated?

**Hon Mr Newman:** No one should be playing games with this issue. It's far too important an issue. People died. Seven people died in our province.

I just simply say that a letter was sent to the Premier of this province. The Premier responded. There are many letters that are sent to the government, resolutions from councils on many different issues. The Leader of the Opposition knows that. He's simply twisting the facts yet once again.

**Mr McGuinty:** Let's review this one more time. You were warned by the Provincial Auditor on at least two separate occasions. You were warned by the Environmental Commissioner. You were warned by your own ministry officials. And now, to add insult to injury and death, we discover today that you were in fact put on notice by the leadership of the people of Walkerton. They specifically asked for action. They described it as being a "very important issue"—those are their words. They talked about creating "a potential for serious illness"—those are their words. They talked about water quality problems in 23 municipalities—those are their words.

How can you possibly stand there today, Minister, and tell us that this form letter response was adequate and perfectly in keeping with the level and degree of the severity of the issues raised by the leadership of Walkerton? Tell me again: Why is that an adequate response?

**Hon Mr Newman:** Again, media reports about the letter sent to the Premier have been inaccurate. I am going to yet again clarify the facts for the Leader of the Opposition. I think it's probably the fourth time I've had to say this. Clearly, the clerk of the town of Walkerton sent Premier Harris a resolution passed by the council of that town, and in it they call upon the provincial government to maintain the Ministry of the Environment as the guardian of water quality. That is what the Ministry of the Environment does today, as it always has. What my ministry does is set and enforce water standards for the people of our province.

I'm going to say it yet again: The Premier did respond to the clerk of Walkerton and asked him to be kept apprised of any developments.

**The Speaker:** New question.

**Ms Marilyn Churley (Broadview-Greenwood):** To the Minister of the Environment: OPP reports today to the chief coroner point to three more deaths as likely due

to E coli in Walkerton's water. The list is now at 14, Minister, and you stand up here today and try to defend your Premier by saying he sent a letter, which was obviously a form letter, a kiss-off letter, a letter that didn't say, "Keep me informed," but, "Thank you for apprising me of the situation."

I have the letter here. It's from the former mayor and council of Walkerton. It's about your decision to close the ministry's lab for testing drinking water, and it directly challenges your government's decision to no longer be involved in municipal water problems. They ask you directly to maintain the Ministry of the Environment as the guardian of water quality, ensuring basic healthy water.

Minister, Walkerton put their concerns about their serious problems squarely at the Premier's doorstep in 1998, yet he did nothing about it. I'm asking you now, did you see the letter? Were you made aware of the serious problems with the drinking water in Walkerton as far back as 1998?

**Hon Mr Newman:** Again, the clerk of the town of Walkerton sent Premier Harris a resolution. It was a resolution that was passed by the council of the town of Walkerton. The resolution clearly called upon the provincial government to maintain the Ministry of the Environment as the guardian of water quality. That's what the Ministry of the Environment does. It does indeed set and enforce water standards. The Premier responded to the clerk of the town of Walkerton, asking him to be kept apprised of any further developments.

With respect to Walkerton, everyone wants answers. That's why there are three investigations as well as the public inquiry working to get to the bottom of what happened in Walkerton.

**Ms Churley:** The letter didn't say that. I have a copy of the letter here. It didn't say that.

Let me tell you, Minister, every day that you respond in this House and out there to the media, your response is getting more and more outrageous. Don't you fully understand the significance of this letter? Doesn't it occur to you that had the Premier taken this letter seriously when he was being informed that there were serious problems, E coli in the water that could lead to serious illnesses—don't you get it? Don't you understand that if the Premier had responded and something had been done, we might not have had those 14 deaths that we're so tragically talking about in this House today? Don't you get it?

**Hon Mr Newman:** It's also a fact that on May 6, 1998, a month before the clerk sent his letter to the Premier, the government had written to the Walkerton Public Utilities Commission regarding specific areas of improvement that were needed with their water system. The ministry required specific plans to deal with the identified issues. On July 14, the Walkerton Public Utilities Commission responded to the ministry by letter explaining that each and every problem identified by the government had been addressed.

I want to assure all members of this Legislature and the public that the government is committed to doing

everything we can to ensure that our drinking water is safe in this province. We all want answers to what happened in Walkerton, and the public inquiry and the three other investigations will do that in time. In the meantime, we should all strive to deal only with the facts and to guard against finger-pointing or blame.

1410

**Ms Churley:** This is an absolutely unbelievable response about the serious matter put to you today. This is what Jim Bolden had to say: "The government obviously wasn't at all concerned about it. They sure didn't do anything." Later he said, "It's ironic that the town that complained of cutbacks and the closing of the labs was the one where this tragedy happened."

Minister, Walkerton said you were wrong to close the labs. They asked you two years ago to reconsider. Surely today the citizens of Walkerton demand and should get a real answer to their letter. Will you do so by reconsidering, as they asked you two years ago, the decision to close the lab? Will you announce today that you will reopen the four government labs that you closed and get back into the business of testing water to keep it safe for the citizens of Ontario so that we do not have another Walkerton ever again in this province?

**Hon Mr Newman:** Again, the resolution from the town of Walkerton called upon the provincial government to maintain the Ministry of the Environment as the guardian of water quality in this province. That's what it does.

I'm going to repeat this because I don't think the member opposite was listening the first time around. It's also a fact, on May 6, 1998, clearly a month before the clerk's letter was sent to the Premier, the government had written to the Walkerton Public Utilities Commission regarding specific areas of improvement that were needed with their water system. The ministry required specific plans to deal with the identified issues. On July 14 of that year, the Walkerton Public Utilities Commission responded to the ministry by letter explaining that each and every problem identified by the government had indeed been addressed.

## WATER QUALITY

**Ms Marilyn Churley (Broadview-Greenwood):** To the Minister of the Environment: In light of the events at Walkerton, the Canadian Environmental Law Association said today that it is unacceptable that Ontario continues to have no law specifically designed to protect drinking water quality.

As you know, I introduced the Safe Drinking Water Act in this House today. This bill will help make sure that something like Walkerton never happens again. It puts down in law that the people of the province have a right to safe and clean drinking water and that ultimately it is the responsibility of the government of Ontario to ensure that.

The Canadian Environmental Law Association says, "We call upon all parties in the Legislature to co-operate

to pass this long-overdue law as soon as possible." Minister, can we count on your co-operation to move this bill along very quickly?

**Hon Dan Newman (Minister of the Environment):**

The government has taken a number of steps to ensure that we have a safe supply of clean drinking water available to all people in this province.

With respect to the member opposite's bill, as this House knows, I announced that my staff would begin work on a new regulation. The member opposite's bill calls for the creation of a water council whose mandate is to conduct research on water issues. I believe that a council of this type would only create red tape and delay research on that issue.

We have a significant number of staff within the Ministry of the Environment who conduct water research in a variety of different ways on a large number of issues. Recently we have announced a three-year, \$6-million monitoring initiative that will see approximately 350 electronic monitoring sites around Ontario. Our drinking water surveillance program monitors 174 municipal water supplies serving 88% of Ontario's population that is served by municipal water. Our provincial water quality monitoring network collects almost 80,000 pieces of water quality information at over 230 locations covering 54 major watersheds across our province.

**Ms Churley:** That answer is absolutely outrageous. It shows once again that your attitude as the Minister of the Environment, who is supposed to be protecting the environment and the health of Ontarians, is reduced in your mind to mere red tape. This bill is not about red tape. What this bill does is bring into law the policies and the guidelines that are out there now. Walkerton clearly shows we need to do that. We have to bring that into law. We have to create a situation where people are kept apprised and aware of what's going on with the water in their own communities, and they have to have legal surety that the government is held responsible.

Minister, I am confident that everybody on this side of the House will support this bill and agree to let it come forward. We're able to bring this out for committee hearings now, under the new rules, after first reading. Will you commit today that you will work with the House leader and make sure this bill is called over the summer for committee hearings so we can have laws in Ontario that will prevent what happened in Walkerton from ever happening again?

Let me tell you, Minister, do not again call environmental laws that are put into place to protect the health of the citizens of Ontario red tape; it is totally unacceptable after those deaths in Walkerton.

**Hon Mr Newman:** I said no such thing. I indicated that the creation of a council whose mandate is to conduct research on water issues was the issue I was referring to. We take the protection of the environment very seriously on this side of the House. As Minister of the Environment, I take the protection of our drinking water as a very serious matter, as I do air quality issues and issues relating to land. That's why on May 29 I

brought forward the proposal that my staff will work on a regulation that will actually bring into the force of law for the first time many of the objectives we want to achieve as a government with respect to drinking water in our province.

**The Speaker (Hon Gary Carr):** New question?

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Minister of Health. We know that the Minister of the Environment has ignored warnings about drinking water, we know that the Premier himself has ignored warnings about drinking water, and I am today wondering about what role you might have played when it comes to ignoring warnings about problems with our drinking water. I have a specific question for you.

Minister, did you or your officials ever receive a letter from Dr Richard Schabas, when he was Ontario's chief medical officer of health, or for that matter from any other medical officer of health in Ontario warning about the effect of government policies on drinking water safety?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** If the Leader of the Opposition has knowledge of such a letter, I'd certainly be pleased to receive it.

**Mr McGuinty:** What I'm doing here today and now, Minister, is asking you if you have knowledge of such a letter. Undoubtedly, if there is such a letter, you will be required to produce it at the public inquiry. We've already seen a mountain of evidence of warnings being ignored by various members of your government. What I ask you to do today, then, is to carefully search your records for such a letter, and I ask you that if you find such a letter, you undertake to table it here immediately.

**Hon Mrs Witmer:** If the Leader of the Opposition has knowledge of such a letter, there are obviously different inquiries taking place and I would hope he would make that information available to the appropriate authorities.

1420

#### UNIVERSITY AND COLLEGE FACILITIES

**Mr Bert Johnson (Perth-Middlesex):** My question is for the Minister of Training, Colleges and Universities. A lot of Canadian universities are in need of repair, and that's because their buildings were built in the 1960s. A report on the condition of the facilities at Ontario universities indicates that our university facilities are among the best in the country, but clearly there is more that needs to be done.

Even the member for Hamilton West will want to hear this question. Previous Liberal or NDP governments have done little to fix this problem. Minister, what is the government doing to address the maintenance problem?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** I understand that when we became the government of the day we were left some serious problems with regard to our infrastructure. For that we have a plan and we are working with the colleges

and universities for renewal and for maintenance of our college and university system. We spent \$157.5 million over the last two years and have set this aside specifically targeted to the renewal of our infrastructure: \$62.5 million, facilities renewal program 1999; \$55 million, modernization budget 2000; \$40 million, facilities renewal program 2000-01. In fact, together, right across this system, the largest announcement in 30 years has been put forward with our SuperBuild announcement of \$1.8 billion for new facilities and renewed facilities in our college and university sector.

To protect this substantive investment, the universities will have to make individual efforts to maintain their own institutions as well. The government is working with the colleges and universities to use some new software to support the development of a facility condition management program and to develop a standardized building audit, both of which will make it easier for all of us to track our progress.

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up. Supplementary.

**Mr Johnson:** As we're all aware, universities and colleges have to maintain their calibre of excellence in order to stay competitive. Each institution has to prepare for the double cohort—although in the case of colleges where most of their entrants come from grade 12, they will not have the double cohort—and must modernize their existing infrastructure to meet the demand. We know that the facilities renewal program is available to assist institutions in building new facilities and renovating existing ones. However, every institution has a distinct and unique request. What is our government doing to help these institutions prepare for the future?

**Hon Mrs Cunningham:** I think the news over the last few months has been that the universities and the colleges have thought very carefully about how they want to respond to the needs of the students they're expecting over the next three years, beginning in the year 2003, referred to as the double cohort. There will be an increase because of our own policy decision and, of course, the natural growth in the number of 18- to 24-year-olds across North America.

We have responded. Before Christmas, as we made that decision, we invested some \$742 million in our universities and colleges, some 35 new capital projects. More recently, because of the May budget, we spent another \$231 million in grants to our colleges and universities for new classrooms, laboratories and other facilities that were needed. All in all, as I said, some 77,000 students will gain admission over the next few years. It's \$1.8 billion with the government and private sector working together.

**The Speaker:** The minister's time is up.

#### WATER QUALITY

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** My question is for the Minister of the Environment. A senior in my riding gets

her only source of water from a well. She sent a water sample to the local health unit for testing on June 5. This sample was forwarded to the regional public health lab in Kingston and was tested June 6. Seven days later, on June 12, this lady received a postcard in the mail informing her that her water was unsafe. What was in her water? Both coliform and E coli levels that were over 80. That means they were so high that the lab stopped counting. Your process directs that these results could only be picked up in person or sent by mail. My constituent, who is a senior, lives an hour and a half away from this lab. Why, when her health is at risk, would this woman have to wait seven days for the results of this water test?

**Hon Dan Newman (Minister of the Environment):** We take the protection of water in this province, whether it be surface water or groundwater, very seriously. I know the member opposite has a large riding. She didn't specifically say where her constituent resided in her riding, but perhaps in her supplementary, if she indicates the location within her constituency where that person resides, I may be able to provide some sort of answer for her.

**Mrs Dombrowsky:** This woman is a senior who lives in Marmora. I really don't understand what impact that would have, but in any case, she is certainly among those who are at risk by exposure to E coli. We certainly know that the elderly and the very young are more at risk. Did you, your government agency, tell anyone about this or notify any agency? No. You tossed a postcard in the mail.

My constituent took a second test on Monday. She called the office and she's been told once again that even though her well is considered highly dangerous, she still has to wait to get the second result in the mail. Right now, the few public labs that remain in this province find themselves pressed to the limit because of the cuts to the Ministry of the Environment. Now they are dealing with unprecedented volumes of water tests because of the events at Walkerton that have made Ontarians doubt the quality of our water. Many of my constituents are very concerned about whether or not they should be drinking their water, and tests are going into these labs in unprecedented numbers.

Minister, your process put this woman's health at risk. When are you going to listen to the people of Ontario and invest in more staff to ensure that Ontarians are not put at risk? When are you going to make their health a priority against tax cuts?

**Hon Mr Newman:** Anyone who has a private well in the province of Ontario ought to have their water tested on a regular basis. That would only be the prudent thing to do, to have that water tested to see if there is contamination or not.

But I can tell you that there is testing done of municipal water systems. Those communities with fewer than 100,000 people have eight tests per month, plus an additional test per month for every 1,000 population. Those communities with populations of greater than

100,000 have 100 tests, plus an additional test for every 10,000 population.

1430

### WALKERTON TRAGEDY

**Mrs Julia Munro (York North):** My question is for the Minister of the Environment and it is about the media reports this morning that the former mayor of Walkerton wrote to the Premier back in 1998 warning of an E coli outbreak. The report indicates that the letter was never responded to and was ignored. Can you please tell us whether this is accurate?

**Hon Dan Newman (Minister of the Environment):** I want to thank the hard-working member for York North for her question. The media reports are not accurate, and I'd like to take this opportunity to correct the record. Here are the facts:

The clerk of the town of Walkerton sent Premier Harris a copy of a resolution passed by the council calling upon the provincial government to maintain the Ministry of the Environment as the guardian of water quality, ensuring basic healthy water standards for all Ontarians. That, of course, is what the Ministry of the Environment does. We do set and enforce safe water standards. We are the stewards of the Ontario Water Resources Act and we are the guardian. Knowing this, the Premier responded in writing on July 3 and thanked the clerk for informing him of the council's resolution.

I also want to assure all members of this Legislature and the public that the government is committed to doing everything we can to ensure that our drinking water is safe. We all want answers to what happened in Walkerton, and the public inquiry and the three other investigations will do that in time. In the meantime, I want to stress to all members that we should deal only with the facts and guard against finger-pointing or assessing blame.

**Mrs Munro:** The media report also indicates that the government ignored the suggested possibility that contamination in local water could become a problem in Walkerton. Is this accurate?

**Hon Mr Newman:** No, indeed, it is not. In fact, on May 6, 1998, clearly a month before the clerk's letter was sent to the Premier, the government had written to the Walkerton Public Utilities Commission regarding specific areas of improvement that were needed with their water system, and the ministry required specific plans to deal with the identified issues. On July 14, the Walkerton Public Utilities Commission responded to the ministry by letter, explaining that each and every problem identified by the government had indeed been addressed.

I want to assure all the members of this Legislature and the public that our government is committed to doing everything to ensure that our drinking water is safe. We all want answers to what happened in Walkerton and, again, the inquiry and the three other investigations will do that in time.

### HOMELESSNESS

**Mr Rosario Marchese (Trinity-Spadina):** I have a question of the deputy leader. I know someone is calling him.

**The Speaker (Hon Gary Carr):** Yes. We'll stop the clock for a quick moment. I believe he was here and might have just stepped out for a moment.

Member for Trinity-Spadina.

**Mr Marchese:** Deputy, you might have noticed there's a protest outside; more than a protest, there's pandemonium out there. These are poverty groups. When people are desperate, that kind of pandemonium happens. Those people and the people of Ontario are calling upon your government to account for a Common Sense Revolution that has completely shut out the poor and the homeless. Before your government was elected, a homeless person dying on the streets was news, it was shocking, but now it's commonplace. The death toll began to mount in 1995, the same year that your government cut welfare, axed social housing projects and made it easier for landlords to jack up rents and throw out renters who couldn't afford to pay the bills.

About 1,600 renters in Toronto now face eviction each month. A staggering number of them wind up on the streets, and the number of homeless deaths is mounting. Much needs to be done and can be done, but there are two things you can do: You can build affordable housing and you can raise the minimum wage to help low-income workers. Why won't you do those two simple things for the poor in our province?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** First of all, with respect to what may or may not be going on outside, people in Ontario obviously have the right to protest and to express themselves. They have the right to disagree, obviously. That's part of our society. They don't have the right to damage property or break the law.

With respect to poverty in Ontario, nobody likes to see any individual, any person, living in unfortunate circumstances. Your government had your way of going about dealing with certain problems in Ontario society. I guess we can debate whether or not that was a more effective way of dealing with some of these circumstances that exist. The reality is that the province of Ontario does spend over \$2 billion a year on social housing. We spend close to \$4 billion a year on social assistance in Ontario. We are spending the \$50 million to refinance CMHC mortgages on social housing every year now, in addition to those amounts. We have given municipalities in the province an additional \$66 million a year to deal with shelter problems during the winter months. When you add all those numbers up, I guess we can have a debate in this Legislature—perhaps that's appropriate—as to whether that's sufficient or not. But the reality is that there are considerable monies being spent to help the less fortunate in our society. I can also

go on to many other programs that we announced, for example, in this year's budget.

Some things are also different today than they were five years ago; you're quite right. There are 707,000 more people working today, who have the dignity of a job and can actually contribute to society in Ontario, which is all they ever wanted the opportunity to do in the first place. There are over half a million Ontarians, including 222,000 children, who are no longer on social assistance or welfare.

**Mr Marchese:** Monsieur Eves, in your way and under your way, poverty is increasing; homelessness, in your way and under your way, is increasing; and the income gap, in your way, is increasing between those who have and those who have not, and this is happening in a good economy, Monsieur Eves, in your way. Perhaps you aren't moved by the scorched remnants of 20-year-old Jennifer Caldwell's life. She died in March when fire swept through her makeshift shelter in a downtown Toronto ravine. Maybe you haven't noticed that Jennifer Caldwell was the 22nd homeless death in Toronto since November. Maybe you haven't noticed growing public opinion that your tax cuts to the well-off are becoming grossly excessive and negligent in the face of growing poverty and homelessness. By God, think of the housing you could build if you devoted 80% of that \$1 billion you allotted in a \$200 tax rebate to instead alleviating the affordable housing crunch.

You know yours is a failed agenda when even the board of trade is putting public pressure on your government to attend to the homelessness problem in Ontario. The money's jingling in your pocket in particular, Monsieur Eves. When will you spend it on affordable housing?

**Hon Mr Eves:** Talking about the income gap widening, first of all, in every budget we have introduced—all five—we have introduced an Ontario tax reduction program to help the more modest income earners in Ontario society. As a matter of fact, if you earned less than \$15,695 in the province of Ontario, your tax reduction was 82.2%, on average. If you earned between that amount and \$20,525 annually in the province of Ontario, your average income tax reduction was 59.8%. Contrary to everything that the opposition parties said when we started our tax reduction program, not only did we not lose \$5 billion a year in revenue, we gained in excess of \$7.5 billion. It hasn't cost the taxpayers or anybody in this province one red cent. There is \$7.5 billion more in revenue coming into the province than there was before our tax reduction started. I know it's hard to admit that you were wrong, but you were wrong, wrong, wrong.

#### WATER QUALITY

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of the Environment. Yesterday afternoon I made you aware of a situation in this Legislature: Results of water testing that had been

undertaken at the St Thomas Psychiatric Hospital came back with levels of E coli and coliform. I understand also that as of today reports are coming out of Wellandport of further situations. The daycare centre at this facility has been closed and a "boil water" order has been issued. The OPP, children's aid and Elgin municipal buildings have also had that order issued. The water at the psychiatric hospital has been shut off.

The medical officer of health has publicly stated that typing of the E coli strain is not tested until there are symptoms present. In other words, we are left guessing as to the strain of the E coli until someone has fallen ill. Why is this the case?

I've just received information this afternoon that there are reports that two children have been taken to hospital—two children who attended that daycare.

I understand officials from your ministry were in St Thomas last evening and took water samples back to Toronto. Did your officials test for the strain typing on E coli? What are the latest test results for this facility? Minister, what is being done to identify and clean up the source and to ensure the safety of the patients and the staff at this psychiatric hospital?

**Hon Dan Newman (Minister of the Environment):** I appreciate the question. In fact the sample taken from the daycare was from a single source. Ministry of the Environment staff and staff from the local health unit are conducting tests and we expect those tests back shortly. To determine the strain of E coli—I understand there's approximately 150,000 different strains—takes from 48 to 72 hours for that bacteria to be cultured and tests to be done. But I can tell you that we are expecting those results back shortly.

The medical officer of health issued an alert to the operators of the daycare facility of the hospital to close the daycare centre until the water system had been disinfected and until two consecutive safe sample results had been obtained.

You might also want to note that the medical officer of health has issued an alert to the rest of the facility to provide alternative drinking water to the patients and to the staff until the system has been disinfected and, again, two consecutive safe sample results have been obtained.

1440

**Mr Peters:** I've been assured by the mayor of St Thomas that the drinking water supply for the city of St Thomas and central Elgin is safe and that the psychiatric hospital is located in an isolated part of the water system.

Minister, I've had an opportunity to read a copy of a due diligence report for the Elgin area water system which was undertaken prior to downloading. This report outlined the grave concerns that the city of London had about the inferior level of service and maintenance at the water system plant. The 1998 audit was very clear that the capital works for the Elgin area water system had been underfunded by a factor of two or three over the past three years, based on information provided by OCWA. Fortunately, though, thanks to the initiative of the city of London and the Elgin county water users,

these repairs have been made, solely at municipal expense, ensuring that the users have a safe and secure supply of drinking water.

Your predecessor as minister was warned about the state of this water system. Members of the Legislature were warned about neglect by your ministry. The letter had been copied to Mrs Cunningham, Mr Wood and Mr Smith. Four Tories had this brought to their personal attention.

Minister, could you stand here today and explain why your government insisted on downloading systems that were noted to be in serious disrepair? But perhaps more important, how many due diligence audits exist across this province that have not been acted upon?

**Hon Mr Newman:** The member touched on many different topics in his question. He mentioned the fact that there is no bacterial contamination in the city's distribution network. That is indeed true. We have confirmed that through the Ontario Clean Water Agency, which is the operator of the facility. As well, the city of St Thomas has also confirmed that.

I can tell you that the London district office of the Ministry of the Environment has instructed the city of St Thomas works department to collect additional samples in the distribution system near the facility. The city will also disinfect the system.

With the regulation I have brought forward, which will require a new certificate of approval and a review of all the certificates of approval in this province, we're going to see each of the 630 water facilities in our province inspected by the end of this year. Our intention is to ensure that each and every facility in the province, if not in compliance, is brought into compliance.

I also want to remind the member opposite that municipalities are, and have always been, responsible for the delivery of water and sewage services to their community—

**The Speaker (Hon Gary Carr):** I'm afraid the minister's time is up.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr R. Gary Stewart (Peterborough):** My question is to the Minister of Labour. Minister, your government has explicitly expressed a commitment to safety in both the workplace and the community. I know your ministry, along with the WSIB, has put forth a strong mandate for the safety of workers through education and prevention. Both you and I know that the government cannot do everything. Can you tell us what kind of involvement the business sector has in promoting safety in both the workplace and the community?

**Hon Chris Stockwell (Minister of Labour):** I'd like to thank the member for Peterborough for the question. There was obviously some thought put into it, and I know he's very interested in this issue.

**Mr Tony Ruprecht (Davenport):** You knew nothing of the question, I know.

**Hon Mr Stockwell:** Thanks.

Absolutely, Ontario's business sector is very supportive and active in promoting safety in the workplace and in the community. A prime example, the Safe Communities Foundation, was launched on April 23, 1996. The Safe Communities Foundation is a private sector, not-for-profit organization dedicated to reducing injuries. The goal is to eliminate injuries while promoting a culture of safety across the country.

The Safe Communities Foundation is the world's only national safety and injury prevention organization entirely funded by the private sector. Funding is provided by the five Canadian chartered banks, along with DuPont and Noranda.

Each year the foundation reaches over three quarters of a million people in Ontario and Alberta. Currently there are 18 safe communities, and it is expanding.

**Mr Stewart:** Originally being from the business community in my former life, I am encouraged to hear that the business community is taking an active role in the well-being of their workers and indeed the communities themselves. I hope the positive actions of these businesses are a stepping stone for the involvement of more communities.

Does government play a role in Ontario's Safe Communities Foundation?

**Hon Mr Stockwell:** Sure, government obviously plays a role in safe communities. WSIB has developed an experience rating incentive program to benefit small businesses enrolled in the safe communities project. It offers rebates to participating small businesses that demonstrate a reduction in injuries.

The WSIB provides funding to support special projects; for example, the Safe Communities Coalition passport to safety program in Peterborough, I might add, is a good example of Gary Stewart's strong advocacy and the supporting role that he takes in this.

**Mr Ruprecht:** Unplug that robot.

**Hon Mr Stockwell:** That was a good one for you, Ruprecht. It's a community-driven program and goal to educate young workers in workplace health and safety. In addition, MOL is represented on the Safe Communities Foundation board of directors by the Deputy Minister of Labour.

I want to thank you for the question. If you need any more information, please don't hesitate to call the Ministry of Labour.

#### INVESTMENT IN ONTARIO

**Mr Monte Kwinter (York Centre):** I have a question for the Minister of Economic Development and Trade. The economy is very buoyant in Ontario. We've heard of significant add-on, new investments. They're all with established companies in Ontario. But we've lost some potential greenfield investments, and these are new companies that aren't in Ontario. These have been lost in spite of prolonged negotiations with your ministry.

We have to compete with other jurisdictions both in Canada and the United States. For example, Mark IV

Industries of the United States decided to forgo Ontario and make an \$80-million investment in Quebec. Mosel Vitelic of Taiwan had planned to build a \$3.6-billion semiconductor plant in Burlington, decided against it and also moved to Quebec.

I know that you were personally involved in these negotiations. Could you tell us why, in your opinion, these companies and some others have decided to reject locating in Ontario?

**Hon Al Palladini (Minister of Economic Development and Trade):** I want to thank the member for the question. I know his interest in economic development in our province is a dedicated one. He has done a great job in promoting our great province.

As the honourable member knows, there is really no specific reason why some investments are lost. However, we're very proud of the investments we have won, not the ones we have lost. Obviously, we would have liked to win those as well.

When you look at the last five years, over 700,000 new jobs have been created by the private sector in our province; investors who had vacated our province under previous governments came back to reinvest more dollars in our province. Take a look at the existing investors we presently have and the further dollars they're investing in our economy because they believe in this government, they believe in the province of Ontario, that it is a very viable place for them to thrive and succeed.

**Mr Kwinter:** With all due respect, a lot of those investments are there to protect the investments they already had here.

But I want to ask you a question. You put out a publication and it says, "Here's where you should be doing business." One of the first things you say is, "Ontario means beautiful, sparkling, shining water in the language of the First Nations."

As a result of the Walkerton crisis, Ontario has been portrayed on CNN, on several of the US networks and on all of the Canadian media as a jurisdiction where there is a risk in drinking the water. With CNN, this has gone out worldwide. Ontario has also been labelled as the second-worst air polluter in North America, with a potential loss of 1,800 people per year, as a result of the air pollution. I'm sure that competitors, other jurisdictions, when they're making a pitch to attract investment into Ontario, will be asking those investors, "Why would you possibly invest in Ontario, where you can't drink their water and where you can't breathe their air?"

Mr Minister, what plans do you have to counter the negative image that Ontario surely must be getting in the economic centres of this country and other places in the world?

1450

**Hon Mr Palladini:** I'm kind of surprised at the honourable member's question because of the tragedy that the people of Walkerton are facing today, that the people of Ontario are facing today.

One of the things that I'm very proud of, when I go abroad selling our great province, is the quality of life

and the quality of the people we have in the province of Ontario.

Now I have something else I can sell. I can sell that fact that the people of Ontario, the people of Walkerton, have shown the courage to stand together and bond to see how we can get through this tragedy.

I want to tell the honourable member that we will do everything we must do to ensure that this tragedy will never, ever happen again. Ontario will continue to thrive and bring in new investments because the world knows that the province of Ontario is worthy of investing in.

#### CHILD SAFETY

**Mrs Brenda Elliott (Guelph-Wellington):** My question today is for the minister responsible for children. Our children are precious to all of us and we must be ever-diligent in keeping them safe and secure. From time to time in my riding, parents and organizations have discussed with me their concerns and their views about safety for their children at home, at school and in their community. Could you please outline for members of the House what our government is doing to help these children in their varied environments?

**Hon Margaret Marland (Minister without Portfolio [Children]):** First of all I'm glad to have the opportunity to take this question from Brenda Elliott, the member for Guelph-Wellington. Since she was elected in 1995, she has personally demonstrated a tremendous commitment to the children of this province and in her riding.

Our government, as you know, is determined to enhance child protection, and our new child safety initiatives include \$5 million for a new prevention and intervention program to help teachers identify children at risk of neglect or harm, especially in their primary years. We also have now \$10 million annually to help women and children recover from the devastating effects of domestic violence. We have \$2 million annually for four years to address child prostitution. Indeed, we are ensuring that the safety and protection of our children is a top priority of our government.

**Mrs Elliott:** I know that you, both as a mother and a grandmother, and as a minister, take these responsibilities very seriously. Could you please tell us specifically what is being done in the area of improving child safety, particularly in child welfare reform?

**Hon Mrs Marland:** Our government spends more on child welfare than any other government in the history of this province. Last year, we passed tough new protection legislation. This was the first major change to the Child and Family Services Act in 10 years and we made those changes because the children's aid society's front-line workers were asking for those changes for a very—

*Interjections.*

**The Speaker (Hon Gary Carr):** Start the clock. Sorry, Minister.

**Hon Mrs Marland:** I thought the member for Windsor-Sandwich was actually interested in the welfare of children.

We made changes that the front-line workers of the children's aid society asked for. In fact, they also asked—

*Interjections.*

**The Speaker:** Thirty-eight left. Last warning to the member for Windsor West. We can't continue. I've warned you and we're getting down to the time now.

Sorry, Minister.

**Hon Mrs Marland:** The children's aid societies of this province asked for something else. They asked for \$170 million over three years to hire 760 new front-line workers. We gave them that money. We also increased the minimum rate for foster parents by 85%.

**The Speaker:** I'm afraid the Minister's time is up.

#### ALLO STOP

**Mr Gilles Bisson (Timmins-James Bay):** I have a two-part question. The first part is very simple. Minister of Transportation, why are you putting Allo Stop out of business?

**Hon David Turnbull (Minister of Transportation):** I'm sorry, I don't understand the question that was asked.

**Mr Bisson:** The question again, quite simple: Why is the Minister of Transportation putting Allo Stop out of business?

**Hon Mr Turnbull:** When I find out what the member is talking about, I will endeavour to get an answer and commit to come back and answer what he's talking about.

**Mr Bisson:** If the minister doesn't know what's going on in his own ministry, I say resign, step aside, let somebody else run it.

Now, Minister, you should know. You're the Minister of Transportation. Allo Stop is a business that exists in Ontario in order to arrange rides for people who are trying to transport themselves from university back to home in a cheap way. A broker organizes rides with people, which is carpooling. Now we have the Ontario transportation safety board being lobbied by the big business people and the bus companies to put them out of business, and you've done nothing. My question to you is: What are you going to do to protect those small businessmen and get off the side of big business people?

**Hon Mr Turnbull:** Now that I can understand what the member is saying, let me say that what he is—

*Interjections.*

**Mr Bisson:** On a point of order, Mr Speaker: I want to know what he doesn't understand about Allo Stop.

**The Speaker (Hon Gary Carr):** Sorry to interrupt. Minister of Transportation.

**Hon Mr Turnbull:** Perhaps it was his pronunciation.

What the member is referring to, I believe, is a decision by a quasi-judicial board. It would be inappropriate for me to comment on their jurisdiction.

## PETITIONS

### EDUCATION LEGISLATION

**Mr James J. Bradley (St Catharines):** I have a petition which reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers—”

**The Acting Speaker (Mr Tony Martin):** Member for St Catharines, just wait for a second and we'll let you start over.

**Ms Marilyn Mushinski (Scarborough Centre):** On a point of order, Mr Speaker: I did attempt to rise on a point of order prior to the beginning of petitions. I would draw to the Speaker's attention that we do have in the gallery two very important and regal visitors this afternoon, who happen to be the brothers of the illustrious minister responsible for children, Harry and John King.

**The Acting Speaker:** That's not a point of order. I will allow the member from St Catharines to start over, if he wishes.

**Mr Bradley:** “To the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

I affix my signature. I'm in complete agreement with the petition.

1500

**Mr Rosario Marchese (Trinity-Spadina):** I have many petitions here from hundreds of people addressed to the Legislative Assembly of Ontario:

“Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

“Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

“Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

“Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers; and

“Whereas Bill 74 turns over all control over education in this province to one person, the Minister of Education;

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

“We call on the government to hold public hearings on Bill 74 immediately.”

I support this petition.

**Mr Doug Galt (Northumberland):** I’m pleased to present this petition on behalf of the member for Oxford. It’s addressed to the Legislative Assembly of Ontario. It has about five “whereases” concerned about Bill 74 and then it goes on to say:

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

“We call on the government to hold public hearings on Bill 74 immediately.”

#### SCHOOL CLOSURES

**Mr Tony Ruprecht (Davenport):** I have a petition in regard to government cuts and how these cuts have affected school closures in Toronto. The petition reads as follows:

“Whereas the Ontario government’s decision to slash education funding could lead to the closure of many neighbourhood schools, including one of the most community-oriented schools like F. H. Miller Junior School; and

“Whereas the present funding formula does not take into account the historic and cultural links schools have with their communities nor the special education programs that have developed as a direct need of our communities; and

“Whereas the prospect of closing neighbourhood community schools will displace many children and put others on longer bus routes; and

“Whereas Mike Harris promised in 1995 not to cut classroom spending, but has already cut at least \$1 billion from school budgets; and

“Whereas F. H. Miller Junior School is a community school with many links to the immediate neighbourhood, such as a family centre, after-school programs, special programs from Parks and Recreation, and a heritage language program;

“Therefore, we, the undersigned citizens, demand that the Harris government changes the funding formula and

take into account the historic, cultural and community links that F. H. Miller Junior Public School has established.”

Since I’m in agreement, I’m putting my signature to this document.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** A petition to the Legislative Assembly of Ontario that reads as follows:

“Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances, known as carcinogens;

“Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens;

“Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in work;

“Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

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

“That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation.”

I continue to support these petitioners by adding my name.

#### KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

“Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

“Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

“Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

“Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

“Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

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

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I am pleased to affix my signature to this petition.

## EDUCATION LEGISLATION

### PROJET DE LOI SUR L'ÉDUCATION

**Mrs Claudette Boyer (Ottawa-Vanier):** This is a petition pertaining to Bill 74 on education.

"Whereas Bill 74 diminishes quality education for students in this province by ensuring teachers will be responsible for more students each day and will therefore have less time for each student;

"Whereas Bill 74 attacks the very heart of local democracy and accountability by creating a system of informers and absolute powers for the Minister of Education;

"Whereas Bill 74 cuts not only the heart out of education but also the spirit by making teachers perform voluntary activities on threat of termination;

"Whereas Bill 74 is an unprecedented attack on the collective bargaining rights of Ontario teachers;

« Entendu que le projet de loi 74 donne le contrôle de l'éducation de cette province à une seule personne, la ministre de l'Éducation,

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

« Nous demandons à ce gouvernement de donner plus d'audiences publiques sur le projet de loi 74 immédiatement. »

I am glad to attach my name to this petition.

## PROTECTION FOR HEALTH CARE WORKERS

**Mr Doug Galt (Northumberland):** I have another petition. It's addressed to the Legislative Assembly of Ontario. I present it on behalf of the member for Oxford. It has about six "whereases." It has to do with the nurses in Ontario and some of the difficulties they are experiencing.

In summary, rather than reading everything, my interpretation is that it's because of the lack of transfer payments from the federal government to support the provinces, such as Ontario, and the many other provinces and territories that are not receiving adequate health dollars. Then it winds up to say,

"We, the undersigned, urge the government of Ontario—"

**The Acting Speaker (Mr Tony Martin):** Order. I ask the member to read the petition, as opposed to making a speech.

**Mr Galt:** Thank you very much, Mr Speaker.

"We, the undersigned, urge the government of Ontario to enact legislation explicitly recognizing the freedom of conscience for health care workers, prohibiting coercion and unjust discrimination against health care workers because of their refusal to participate in matters contrary to the dictates of their consciences, and establishing penalties for such coercion and unjust discrimination."

Obviously, Mr Speaker, it remarks on the problems of transfer payments. Thank you very much for the chance of presenting that.

## EMERGENCY SERVICES

**Mr Tony Ruprecht (Davenport):** I have a petition on how the Harris cuts are shutting down Toronto hospitals. The petition reads as follows:

"Whereas the residents in the west end of Toronto no longer have emergency room service at the Humber River Regional Hospital, formerly known as North-western Hospital, Keele Street site; and

"Whereas the west end of Toronto is the hardest hit area for emergency restrictions in all of Toronto; and

"Whereas Premier Mike Harris and Minister Elizabeth Witmer had promised changes to deliver a solution to the mess they initially created by closing hospitals; and

"Whereas it is not acceptable to Toronto residents that every one of the eight emergency room departments in the city's west end were closed on Monday, January 22 ...;

"Therefore we, the undersigned, call on Premier Mike Harris and his government to immediately address the health care problems in the west end of Toronto by reopening the emergency room at the Northwestern hospital, now known as the Humber River Regional Hospital's Keele Street site, and increase the number of in-patient hospital beds and keep its promise for interim long-term-care beds."

Since I'm in total agreement with this petition, I'm delighted to sign my name to it.

1510

## LORD'S PRAYER

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas the Lord's Prayer, also called Our Father, has been used to open the proceedings of municipal chambers and the Ontario Legislative Assembly since the beginning of Upper Canada in the 18th century; and

"Whereas such use of the Lord's Prayer is part of Ontario's long-standing heritage and a tradition that continues to play a significant role in contemporary Ontario life; and

"Whereas the Lord's Prayer is a most meaningful expression of the religious convictions of many Ontario citizens;

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

"That the Parliament of Ontario maintain the use of the Lord's Prayer in its proceedings, in accordance with its long-standing established custom, and do all in its power to maintain use of this prayer in municipal chambers in Ontario."

I'm pleased to affix my signature to this petition.

## ORDERS OF THE DAY

### TECHNICAL STANDARDS AND SAFETY ACT, 1999

#### LOI DE 1999 SUR LES NORMES TECHNIQUES ET LA SÉCURITÉ

Resuming the debate adjourned on June 13, 2000, on the motion for third reading of Bill 42, An Act to enhance public safety and to improve competitiveness by ensuring compliance with modernized technical standards in various industries / Projet de loi 42, Loi visant à accroître la sécurité publique et à améliorer la compétitivité en assurant l'observation de normes techniques modernisées dans plusieurs industries.

**Mr Bart Maves (Niagara Falls):** I'm pleased today to discuss the proposed Technical Standards and Safety Act and introduce it for third reading before the assembly. This bill will allow the government to maintain the highest possible safety standards and facilitate technical industries operating in Ontario, to quickly take advantage of new innovations in safety equipment and technology.

Simply stated, the bill unites the province's seven technical safety laws into one consolidated piece of legislation. Included in the regulations would be the details and technical standards affecting the following: the operations of the boilers and pressure vessels that heat and cool Ontario's office buildings, schools, hospitals and factories; the safe use of more than 39,000 elevators, escalators and construction hoists; the work of ensuring that stuffed articles from mattresses to your winter coat meet Ontario's safety standards; the safe use and storage of hydrocarbon fuels; and the safety of amusement devices.

This legislation will pave the way for businesses and technical industries in this province to continue with the very high standard they have achieved so far in the province of Ontario. The Ministry of Consumer and Commercial Relations has worked together on this project very co-operatively with the Technical Standards and Safety Authority, the province's technical safety watchdog and the not-for-profit organization responsible for administering the statutes, in order to develop this bill.

I might add that the bill has been a long time in coming; it's been in the works for quite a bit of time. The consultation around it has lasted for many years, not just months. During this consultation, they reviewed the existing legislation thoroughly and they found that a new consolidated legislative framework was necessary in order to keep Ontario at the forefront of technical safety.

The act of amalgamating the seven provincial technical standards acts into one uniform piece of legislation would allow all technical industries to make improvements in safety equipment quickly, as new technology becomes available. As many people would know, in the areas of fuel safety, elevators, pressure vessels and amusement devices, technological advances that could improve safety are being made very day. As we move into a new era, a new age, the computer age, the high-technology age—

**Hon Tim Hudak (Minister of Northern Development and Mines):** Age of Aquarius?

**Mr Maves:** No, not quite the age of Aquarius, as my colleague says.

We need to make sure that we're applying more of these advancements and these new technologies to these many sectors, to make sure that all of these different items in our society are safe. It is our continued goal to ensure that these new advancements are available to help the people of this province.

One I can speak directly to is amusement devices, having had an accident over a year ago now in my own riding of Niagara Falls where a young fellow working on an amusement device was very seriously injured. I recall a couple of years ago we had an injury to some kids on a ride at the Ex. My father-in-law, Mike Collins, has been in the carnie business for about 33 years now, ever since Expo in 1967. He, along with his brother, Tom Collins, who now owns Collins Canadian Concessions in Niagara Falls, were the youngest entrepreneurs at Expo 67, and they have been in that business ever since. I know first hand from speaking with my father-in-law on many occasions about some of the concerns they've had over the years. They've talked to me about the many improvements they've also seen over the years in some of the equipment that's actually at these amusement parks. That's good news, but as you can see, historically, as recently as last year, we've had some accidents.

It is important that we remain at the forefront of technical standards and at the forefront of using these advances in technology to make these facilities safer. I know I want my kids to go on a ride that I am confident is safe, and I think today's legislation is very important in addressing this very aspect.

Ontario is seen as a leader in technical safety across North America and this government is committed to building on that reputation; not to lie back and just appreciate that we are considered to be the leader in technical standards, but we need to continue to build on that reputation by ensuring that Ontario can meet the technical and safety challenges of the new century.

In addition to enhancing public safety and the ability to respond more quickly to emerging safety hazards to protect the public more effectively, Bill 42 will provide Ontario consumers and technical industries with a number of other advantages. The Technical Standards and Safety Act will help to ensure a level playing field for industry through uniform administration and promotion of trade and commerce in these regulated industries across Canada as Ontario increases its ability to harmonize national and international safety codes and standards.

It's an important aspect of red tape. With all of the jurisdictions within Canada, the provincial jurisdictions and of course the federal jurisdiction, and jurisdictions throughout North America, all the different states, it's very important that we harmonize national and international safety codes so that we make sure we remain at the top of the world in technical and safety codes, that we get the experience from these other jurisdictions and we are able to adopt it in our own province. This bill will allow us to do that.

During the committee session on Bill 42, some recommendations for amendments were made that we decided not to act upon at this time, and I want to take this opportunity to clarify the reason for this decision.

As I've said, this legislation is technical in nature. It provides a framework for setting the standards for the regulation and day-to-day administration of technical industries. For example, consolidating the legislation will make it easier for a uniform system of regulations to be put in place so that the company that runs both elevators and amusement rides has consistent rules around how they apply for a registration or appeal a decision.

The legislation has nothing to do with delegation of the administration of public safety statutes to the TSSA, nor does it deal with the rules of governance, responsibility or accountability regarding the TSSA.

#### 1520

The amendments proposed in committee dealt with matters that would rightly be handled under another piece of legislation that became law in 1996, that being the Safety and Consumer Statutes Administration Act, which I know my colleague Mr Johnson worked hard on and is very aware of.

Under this piece of legislation, the Technical Standards and Safety Authority was created and was charged with the day-to-day administration of Ontario's safety laws. TSSA has done an admirable job. The organization performs more inspections than it was able to as a part of the government. That's something it's important to note, and that was actually brought to my attention by the parliamentary assistant, Mr O'Toole, who worked very diligently on this bill.

TSSA is self-funding through the money it charges for performing design reviews, licensing and inspections. TSSA spends more money on public information and education and on training for staff than would be possible as a government office.

When the Safety and Consumer Statutes Administration Act was written, it was the intention of this government to review the activities of administrative authorities from time to time. This was planned, obviously, to ensure that not only are the administrative authorities accomplishing their tasks, but that they are responsive to the needs of Ontario consumers and businesses and warrant the continued support of the government.

As I said before, in the case of TSSA, there's no question that their standard of work has increased steadily. Our current Minister of Consumer and Commercial Relations, Mr Runciman, has stayed on top of that, and the very diligent work of the parliamentary assistant, Mr O'Toole, assures us of that. I think there are a variety of other objective measures that also assure us of the TSSA's work.

But one would now ask, what about the structure of the organization? Does it continue to meet the public need? These questions need to be carefully considered, and they will be in the organizational review that will come this summer. I'm not sure if Mr O'Toole will be directly involved with that, but I'm sure he will be interested in that and will follow it closely.

What are these issues that were brought forward in committee that some members considered so vital that the TSSA legislation shouldn't go forward without them? That was something that came forward at committee, and again is something Mr O'Toole has spoken to me about.

One example of an issue that would be inappropriate to address through Bill 42 has to do with the Environmental Bill of Rights. It has been stated that TSSA isn't answerable on environmental issues and that they should be addressed in Bill 42. First, this information is not accurate. TSSA is responsible for protecting public safety, as is set out in its letters patent. Only one of the public safety statutes administered by the TSSA, the Gasoline Handling Act, is required to be posted on the Environmental Bill of Rights registry. There is no plan afoot to change that. Some would fuel the fires—no pun intended—by saying that is the case, but no, there is no plan afoot to change that. So the question becomes, why would we want to amend Bill 42 to address it?

Another complaint is that TSSA isn't covered under the freedom of information and protection of privacy legislation. This is true. TSSA isn't part of the government and so isn't subject to the Freedom of Information and Protection of Privacy Act. Instead, TSSA maintains a comprehensive FOI policy which it is obliged to uphold under its administrative agreement with the Ministry of Consumer and Commercial Relations, and again our diligent minister and parliamentary assistant stay on top of this at all times.

There was another complaint, that TSSA isn't subject to review by the Provincial Auditor. The TSSA is not a government organization and therefore does not fall under the Provincial Auditor. But TSSA is subject to an external financial audit. I might add that there are a lot of other organizations that aren't provincial organizations that aren't covered by the Provincial Auditor.

In the past, some members of this Legislature, myself included, have expressed some concern about that and we have had discussions with the Minister of Finance, for instance, about looking at the possibility of expanding the different areas the Provincial Auditor can look at. However, if we came to believe that these or any other matters concerning TSSA weren't exactly as we thought they should be, then we'd make any necessary changes when the review was complete. We would make the changes in the context of the appropriate legislation which sets out the rules for all administrative authorities; that is, the Safety and Consumer Statutes Administration Act, which as I said before, Mr Johnson is very well aware of, not here in the middle of the legislation that sets out public safety standards.

The TSSA is doing, by all accounts, a fine job. The authority has strengthened partnerships with government organizations and associations across Canada and the US to promote greater understanding of Ontario safety requirements. They're achieving improved compliance from companies that come from other jurisdictions, but operate in Ontario. This of course is vital to Ontario citizens, that someone who comes from another jurisdiction is aware of the safety standards in Ontario when they operate in Ontario.

The authority has invested its revenues in public safety programs and services to the benefit of all Ontarians. It has worked with the ministry to conduct consultation with more than 200 stakeholders on the legislation we're here today to bring through third reading. I have no doubt the legislation will pave the way for businesses and technical industries in this province to continue with their current high standards, providing a safer environment for all Ontarians.

That's why I'm very happy to stand today in support of this bill. Again, I need to compliment the committee for its work. I need to compliment Mr O'Toole for his fine work, a gentleman who, everyone in this place knows, is as close to a workaholic as you get. He's constantly in the building. He speaks on every piece of legislation that comes forward. He speaks with a great deal of, shall I say, insight, knowledge, foresight, compassion and experience. I know the background he came from—General Motors. He worked for the corporation for many years and was a leader in that corporation. He's very well schooled in all these issues, so I want to congratulate him and the committee.

I want to congratulate, of course, Minister Runciman for his fine work. I have a few more minutes and I urge him to continue to be wary and to be aware of the wine industry in Niagara, which I know Mr Bradley supports, where we're looking at continuing to expand wineries and grape-growing efforts in the Niagara region.

Mr Runciman has recently been to Europe with some of the wineries to try to open up markets there that have been blocked to us for many years. We've passed VQA legislation. The Europeans said we didn't have legislation governing standards of our wineries and that was something they held up as a block to having our wines

enter the European Union. We have now passed VQA legislation in this assembly, in a previous session of the government from 1995 to 1999, as well as having a variety of other things for the grape growers and the wine industry.

Mr Runciman continues to be a fighter on behalf of that industry. He understands the concerns we have for our domestic market where Canadians, being the fair and free traders that we are, allow foreign wines into our country. Many would argue they have subsidies attached to them where ours don't. We sell them on the shelves of our LCBO and, in turn, we don't get access to their markets. We're growing very tired of that delay.

**1530**

I know the member from St Catharines supports our direction on this, to try to open up those markets, as does Mr Hudak, the minister from Erie-Lincoln riding. We're going to continue to work with Minister Runciman. I'm sorry I left the details of the bill to get that in, but I wanted to mention, while we talked about consumer and commercial relations and Minister Runciman's support, how much I appreciate that, and I know the members of the wine industry and grape growers of Niagara support that.

In conclusion, getting back to the bill, I am glad for the opportunity to support the Technical Standards and Safety Act. I look forward to hearing my colleagues' comments on it from all sides of the assembly today. I hope that we'll be able to pass this today.

Again, I want to thank some of the people who have talked to me, my father-in-law being just one, who have been in business for many years and have seen up close and experienced the amusement industry, have seen a lot of the machinery and come through some of the times many years ago, 30 years ago, when the standards weren't anywhere near what they are today and the equipment wasn't anywhere near what it is today. I think TSSA is going to improve that and continue to improve that over the years. Thank goodness, for our kids who participate in that.

**The Acting Speaker (Mr Tony Martin):** Questions or comments?

**Mr Joseph Cordiano (York South-Weston):** I was listening to the member's comments and there are a number of items that concern us on this side of the House with respect to this legislation coming into force. First of all, let me say that the TSSA will have significant input into what will likely be additional measures by way of regulation to ensure that standards will be met, and the setting of those standards in the regulations is required.

Unfortunately, we sit on this side of the House and say: "Wait a minute. We haven't seen those regulations." They will not be presented to this House for us to peruse and to have some input. That's always the problem when you introduce legislation and then set regulations to follow the legislation.

We are concerned for a number of reasons. As has been pointed out even by the member, there is less accountability with regard to the authority, the TSSA,

that oversees these standards. As a result of the way in which this comes into force and sets these authorities under the previous act, the government will be not be subjected to any liability in terms of negligence and the finding of negligence.

These are all concerns with this approach. So many times the government has taken the approach of distancing itself from citizens in what is truly a question of accountability. When you set up these authorities, you have created another barrier. Citizens have no access. They won't have the kind of access and input, and there definitely will not be the kind of accountability that's required.

**The Acting Speaker:** Further comments and questions?

**Mr Rosario Marchese (Trinity-Spadina):** The minister and some of the other MPPs responsible for this act would like us to believe that Bill 42 will help "to protect millions of consumers, every time they ride an elevator or escalator, take their children on a ski lift or Ferris wheel, or use the propane stove at their cottage." The minister says, "Under this legislation, we will become leaders in public safety by giving our technical industries the ability to quickly take advantage of new innovations in safety equipment and technology as they become available."

I think the people of Ontario will find these words very hollow in the wake of Walkerton. Can we trust this government to do anything that will ensure the safety of anything when we have witnessed what has happened in Walkerton and, indeed, many other parts of Ontario? I don't trust them, a whole lot of other people don't trust them, and we are passing this authority to TSSA. I have to tell you, Minister, I am worried because there are no references to the protection of the environment within the mix of regulatory and promotional roles outlined for TSSA and the government has transferred all of its policy and technical expertise in public safety regulations to this organization. So our safety is now in the hands of a private organization over which this government has very little authority.

Speaker, can you believe that? Who are you going to trust? This government that takes no responsibility and has given its authority away to somebody else who does not fall under the authority of this government so that we can be protected? Who do you trust?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** I am very happy to take part in this debate, this question-and-answer sort of thing.

The member for Niagara Falls spoke very eloquently about this bill and about the region that he comes from, some of the concerns he had about the wine region and everything else.

The member for York South-Weston and member for Spadina, a lot of times, members speak, especially members from opposite, as if the sky's falling, as if there are no standards. The member for Niagara Falls mentioned that when these technical standards are being revised, being looked at, there are stakeholders who have

direct input. As many as 200 stakeholders had direct input in the updating of these standards.

I, too, just like the member for Niagara Falls, am very concerned about some of these safety standards. My children recently bought their annual pass to Canada's Wonderland, and, of course, they're going to be enjoying their summer as many other kids will be enjoying it. We want to make sure that when these children go to some of these amusement parks the rides are up to standard; that we as parents can believe that our children, when they've left home, are going to be coming back safe and sound.

I very much want to encourage everyone to take a keen interest in making sure that the Ontario standards are up to par and are meeting not only the so-called local, but national and international standards. I want to assure you that our government will make sure that Ontario is up to par or better than anywhere in the world.

**Mr James J. Bradley (St Catharines):** I was intrigued with the speech by the member for Niagara Falls, because he managed to work into it reference to one of the important industries in our area and that is the industry known as the wine industry. Of course, we have grape growers and those who produce the wine from those grapes. I certainly know that he and I both support greater access for Canadian wines, particularly in the European market which has been tough to break into in some countries.

And I know he would support, as I do, the LCBO providing much greater space and much greater featuring of Ontario wines than happens at the present time. At least three quarters—perhaps more—of the time during the year, we are promoting foreign wines in the actual promotions at the LCBO rather than Canadian and, if we can be parochial, Ontario wines. I know my friend from Niagara Falls would agree with me that we want to see Ontario and Canadian wines featured far more in the LCBO stores.

We would also want to see a Wine Content Act which is going to be fair to our grape growers. In his riding and mine, there are people who grow grapes, and they are hopeful that their grapes will be purchased for the making of wine in Ontario and that we won't see mass importation and then have a relabelling that says, "Canadian wine" or "Ontario wine." Our grape growers are concerned about the Wine Content Act, and I know the member will have some direct input on that.

As well, we are concerned that there are certain wines that are made and pervade in some restaurants which don't necessarily meet the qualifications of the province of Ontario. The wine industry is concerned about that. The member for Niagara Falls and I want to ensure that only the very best reputation lies with Ontario wine.

**The Acting Speaker:** Response?

1540

**Mr Maves:** I want to thank the member for York South-Weston. Quickly, to some of his comments and his concerns about too many areas in the bill where the ministry can set regulations in the act, it's actually quite common in most bills in Ontario and in government

throughout Canada. There are many areas that are left to regulation because they are too technical. They are moving targets at all times, so a lot of things in most acts in the province of Ontario and in Canada and other jurisdictions are left to regulation and this is really nothing new. But I do appreciate him responding and at least putting out that concern.

The member for Trinity-Spadina trusts no one, but I welcome his comments.

The member for Bramalea-Gore-Malton-Springdale always has a very compassionate viewpoint to put forward and I appreciate that he did today also.

The member for St Catharines: It's nice that this bill, the Technical Standards and Safety Act, gives an opportunity to show how members from all sides of the House can actually work together on many things and can agree on a lot of issues. Sometimes in the newspapers and in the media, on television, you don't see a lot of the coming together by members on all three sides of the House on a lot of issues. As I said, the member for St Catharines and the member for Erie-Lincoln and I work together on quite a few issues and one of those is the wine and grape growers. We are moving forward with the Wine Content Act. One of the nice parts about that is we're actually bringing together the wineries, the government and the grape growers to try to work out a solution to the Wine Content Act issue on their own.

I thank all members. I just wanted to mention that in the 1999 Provincial Auditor's report, when talking about the fact that he couldn't get in to see the TSSA, he did note that, although not covered by the act, "the TSSA has developed a voluntary access code in an effort to provide the public with a level of accountability for its operations." I just wanted to mention that the Provincial Auditor has recognized the TSSA for that.

**The Acting Speaker:** Further debate?

**Mr Bradley:** When you look at some legislation that comes forward, often you're under the impression, and largely because the government characterizes this, that you're dealing with a relatively easy bill, a housekeeping kind of bill.

I must say, in terms of a personal philosophy, my view is that to regulate any specific area requires someone who is at arm's length, who does not have a vested interest. I'm not saying there is never an opportunity where you cannot have an organization involved in regulation—I think you have to look at each case specifically—but generally speaking I prefer that you have a strong Ministry of Consumer and Commercial Relations regulating in specific areas. If it is a cost to the general taxpayer, this government certainly has never been reluctant to implement what we call user fees, if indeed user fees happen to be appropriate in a specific circumstance.

I always put it this way: I never like seeing the fox in charge of the henhouse, because somehow I think the hens are in trouble if the fox is lurking outside and in charge of the henhouse. So when I see the government abdicating what has been normally a government function, I become concerned. Certainly there are a number of

functions under the auspices of the Ministry of Consumer and Commercial Relations, just as there are under the Ministry of the Environment, and we have seen, again, a devolution, a movement away from direct control by government and something that's moving to a private, outside-of-government area.

I do not agree with that. Some people do. I always respect points of view of other people, but we've had a debate going on, obviously, within the cabinet, indeed a debate going on in the hallway of the Legislature between various ministers over the issue of privatization. This government, and they have said this—my friend the Minister of Municipal Affairs has made no secret of the fact that as a general philosophy he is not averse to and in fact he likes to see privatization of certain government services under certain circumstances. I think that's fair to say without having him stand up to object. I think that's a general enough way of putting it.

I happen to believe that sometimes red tape is good. In fact, I often thought of a good green tape commission as opposed to a red tape commission because it seems to me that—somebody just sent me in a Canadian Alliance membership form, Tom Long candidate. I don't know why that came in. I must have been mentioning the Minister of Municipal Affairs and in came this note about a membership form. Anyway, I won't need that.

So I have a concern about government abdicating its normal responsibilities to police certain areas. I don't think it's unfair to say that the government itself is getting out of the business of ensuring public safety. In other words, it has turned over a lot of these responsibilities to bodies that it believes—to be fair, it believes—can ensure public safety without direct government involvement. I happen to believe that we should have a strong Ministry of the Environment, a strong Ministry of Consumer and Commercial Relations. All of the ministries should have teeth with which to enforce laws which this Legislature, representing the people of Ontario, passes because it believes that they are in the interests of the people of this province.

We have seen, I think, some movement towards privatization in the field of the environment and I'm concerned when I see that happen. The government has been under considerable fire, as you would know, Mr Speaker, over the past three weeks over the events that have transpired surrounding the issue of Walkerton and the fact that perhaps as many as 14 people may have had death caused by drinking the water in Walkerton, water that proved to be contaminated. I'm concerned when I don't see a strong watchdog of such things as our drinking water. I suspect that what will happen is that the government will, in an effort to be seen to be doing something, not only acquiesce to the opposition's demand for a public inquiry with wide parameters and a good judge—and I want to say here that while I reserve judgment in terms of the final report from Walkerton, I think it would be difficult to say that Judge O'Connor would not be a person who could carry out that responsibility in a very competent manner. So I certainly say, in

terms of credentials, although I may not agree with some of his past representations, as a judge, I think he has a team—himself and a team—who can carry out a good inquiry and I suspect there will be a lot flowing from that.

But what I think is going to happen now is the government will want to be seen doing something. So they'll announce a big reorganization of the Ministry of the Environment. Maybe they'll announce it tomorrow because tomorrow is Friday and the Legislature isn't sitting. They'll say, "We're going to completely reorganize the ministry." Just as with the Ministry of Consumer and Commercial Relations, I don't believe there's a need for a major reorganization within the Ministry of the Environment. What's needed instead is for both of those ministries to have sufficient staff and sufficient funding to carry out their responsibilities. You see, you can't on one hand tell a ministry it's got the following mandate and then not provide the funds for that.

I had in my hand a little earlier, although it has escaped my hand now—I know if my staff is watching they will send it to me—a report from the Ombudsman. I quoted from it last night. This was a 1998-99 report of the Ombudsman. She talked about a crisis within the civil service in Ontario, a climate of fear out there because people didn't want to reveal the consequences of cuts taking place. She also made reference to the fact that the government gave a mandate to ministries and then did not provide the financial resources to carry out that mandate.

I think the Minister of Consumer and Commercial Relations, because we have seen some significant cuts in a number of ministries, may well feel the same, that if he were confronted with the same circumstances as the Minister of the Environment, that is, not having the staff and resources to carry out his responsibilities, he would feel the same way about that.

**1550**

Also, we have had a situation where it appears there was not appropriate oversight—I think we see that across the province—and again it comes from a philosophy of wanting to have government withdraw from various areas. I realize there are two opinions, perhaps more than two opinions, on this. Some of my friends on the other side strongly believe that the government should be withdrawn from many areas of endeavour, many areas of responsibility. Some would like to dismantle many of the ministries of government and some of the roles they play and allow the private sector to play those roles. Some would like to see massive tax cuts for the corporate sector so that, as they would say, they could be competitive with other jurisdictions. Indeed, this government has been very generous to the corporate sector: I think—someone over there will correct me if I'm wrong—some \$4 billion in tax cuts for the corporations in this province. These are further cuts, by the way, to what they've already given to the corporate sector, and will take away the necessary revenues that government needs to carry

out its responsibilities of protecting the health and safety of people in this province.

I happen to believe in a strong private sector. I happen to believe that free enterprise provides a lot of benefits for people in this province. I happen to believe that business people work hard at their jobs, that they contribute immensely to the success of our economy. But I think even people within the business world, particularly progressive-minded individuals—and there are many now in the business world—believe that the quality of life in the province is equally important, and having an oversight in such areas as public safety, where the government plays a significant role, such as it could before Bill 42, the Technical Standards and Safety Act. If it were to maintain that, then they would feel good about it, just as they do with health care.

The provision of public health care in this province saves for corporations in this province, I think my friend from Scarborough-Agincourt, Gerry Phillips, said the other day, something like \$2,500 per employee per year, if you look at the amount of money that's saved by governments. So that's a benefit that corporations would look to.

They would also look to a clean Ontario. I remember just before the last election—you live in a border community, Mr Speaker, so you'd remember this—the government was running its endless government ads saying what a great place Ontario was. Now you and I, being opposition members and perhaps just a bit suspicious, probably thought that those ads weren't aimed at the people of Michigan or the people of New York state or Pennsylvania; they were aimed at the people of Ontario. It just happened to be a few months before the election. They just happened to talk about all the virtues of Ontario. In fact, they said it was a clean, safe place. One has to wonder what they believe today, as Mr Kwinter said when he was up with his question. CNN and other international reports are looking at Ontario and saying, "What the heck happened to the water system?" We hear it daily now. I heard that Wellandport, in my part of the province where I reside, the Niagara Peninsula, had a problem with E coli today. The member from St Thomas mentioned it. Ms Dombrowsky from eastern Ontario mentioned a problem in her riding. Various members have raised this.

I think the government has a significant role to play. Just as I don't think the Ministry of Consumer and Commercial Relations needs a public relations overhaul, I don't think the Ministry of the Environment needs a public relations overhaul. It simply needs the funds and the staff to do its job, and the clout. You can't say to your employees, "Well, you have to be business-friendly," and then expect that they're going to be as assiduous and aggressive in carrying out the responsibilities to prevent and deal with pollution problems as if you say: "Look, you have an open hand out there. You can do as you see fit. Just enforce the laws of this province as you see fit."

I hoped that with the Ministry of the Environment in charge, as I think in the case of laboratories, we could

avoid many of the tragic circumstances that could result and in fact did result in Walkerton. You see, I like public laboratories. It doesn't mean the only ones in the province are publicly run. I don't think that's the case. We have lots of others. I think the laboratories in this province are absolutely essential. The Ministry of Health and the Ministry of the Environment both had public laboratories in which they conducted tests, and I had confidence that our people within our government, responsible to this Legislature, responsible to the people of this province, would indeed be people who would report immediately any concerns about a virulent form of E coli such as we saw up here in the water of Walkerton.

I believe to this day that had a Ministry of Environment lab spotted that sample or those samples, they would have contacted the medical officer of health immediately and said, "This place should be shut down," and I think we could have avoided hundreds of people being sick and perhaps the deaths that were there.

I happen to believe as well that a strong reporting system with enough people at local offices would be able to deal with this matter in an appropriate fashion. So I know you'll forgive me, Mr Speaker, if I'm leery of turning over to a non-government agency again responsibility for public safety.

Let me read you a press release from the Ontario Public Service Employees Union about the cuts in government. One can say, "Well, of course they're there to protect the employees they represent, and that's part of their responsibility." Everyone recognizes that. But I think it goes beyond that. Let me read for you what it says:

"Health at Risk if Environment Enforcers Cut, OPSEU Says.

"Ontario Premier Mike Harris will jeopardize the health of all Ontarians if he lays off public employees who enforce environmental laws, the Ontario Public Service Employees Union says.

"The work of environmental officers and related workers is the main thing standing between toxic chemicals and the people of Ontario," OPSEU president Leah Casselman said. 'Laying them off poses a very real danger to public health.'

"Environmental officers and related workers monitor air, ground and water pollution at landfill sites, sewage treatment plants, factories and mills across Ontario. They issue approval certificates for industry and develop strategies, including legal action, to abate pollution.

"Exposure to industrial pollutants has been linked to cancer, respiratory illness, birth defects, diseases of the nervous system, allergic reactions and decreased resistance to disease, Casselman noted.

"The Conservative government announced a \$15-million cut in operating spending for the Ministry of the Environment and Energy July 21. But that cut could be small compared to the cuts yet to come, the union says. Mike Harris has vowed to cut 13,000 jobs—possibly as many as 20,000—from the Ontario public service.

"An increasingly toxic environment may be the single biggest reason Ontario spends a billion dollars a year on cancer treatment," Casselman added. 'The cost of all 500 environmental officers is barely 3% of that amount.

"We sincerely hope Mike Harris is not going to go soft on environmental crime by laying off environmental enforcers,' she said. 'It's just common sense to hold on to the people who are protecting all of us.'"

Let me tell you why I'm quoting that. You know what's the most important thing about this? It's not simply the content; it's the date. The date of that press release is September 19, 1995. The reason I say that is that it fits a pattern. We had the Provincial Auditor, a totally independent person, warn the Ministry of the Environment about potential problems with drinking water. We had the Environmental Commissioner, Eva Ligeti, fired after she gave a report which was not complimentary of the government, critical of the government. She warned of problems in the water system. We have internal memos that have come forward; this one in January of this year, Proposed Revisions to Ontario Drinking Water Objectives, related to "Small Systems—Alternative Sampling and Monitoring," and "Drinking Water Coordination Committee—Ad Hoc Group." It talks about all the potential adverse consequences, dire consequences of the ministry abdicating its responsibilities as it had in this area. We've had environmental groups who have on a continuous basis brought to our attention the potential for disaster if we followed the path of continuing to downsize our ministry, to fire people out the door and to underfund them.

That's why I have a concern about this bill before us today, the philosophy of it. If they had accepted some amendments provided by the opposition—there were some amendments provided by both parties. They could have accepted all of the amendments and it would have alleviated some of the concerns, but they did not.

#### 1600

Here's something: We had an Ombudsman's report this morning. Let me share with you what the Ombudsman said in her annual report in 1998-99 in exactly her words. I made reference to it earlier.

She says of civil servants: "Generally speaking, they are committed professionals dedicated to serving the public to the best of their abilities. The fact is a demonstrable lack of resources has led to an inability to provide acceptable levels of service, and senior government officials have failed to take adequate steps to address the problems.

"As Ombudsman I have witnessed the development of what I can only describe as an atmosphere of fear among public servants, where senior officials are afraid to question the wisdom of the government's approach for fear of reprisal or loss of reappointment. As a result, many of the values upon which the public service has historically relied, including the obligation to 'speak truth to power' even when the truth is unwelcome, have been seriously undermined. I have also observed a not unrelated trend as some senior officials become unwilling

to admit their inability to deliver adequate service. Instead they offer reassurances that despite evidence to the contrary, all is well, things are getting better, and improvement is just around the corner.

"It has been my experience in recent years that there is a fundamental contradiction between promising higher standards of service on one hand and on the other, systematically underfunding those agencies mandated to deliver the service.

"The result of this tension between expectations and reality is a public service in serious decline and increasing numbers of people in crisis."

What I would prefer to see is to enhance the authority of, and to provide the necessary staff and clout for, the Ministry of Consumer and Commercial Relations and agencies within it to carry out the responsibilities that are suggested shall be carried out by a new agency at some distance from the government. That is why, without the amendments being accepted from the opposition, I'm apprehensive about the implications of this bill.

**Hon Tony Clement (Minister of Municipal Affairs and Housing):** I'm pleased to participate in a modest way in the discussion concerning the remarks of the member for St Catharines. He has woven this bill into the wider issues of public policy, which one could say is his temperament, and it is very similar to discussions we've had in previous days.

In that same spirit, I can assure the honourable member, and perhaps those who are watching, that our government is still committed, and I believe it's our duty to be committed, to the delivery of the best services, the safest services, the services that are most accountable to the taxpayer, not only directly, but also through our transfer partners and through our municipal partners and so on. We're not talking about privatization or sale of assets; we're talking about the delivery of services. If we can't do that, then I seriously wonder what our role is in government. I wonder what we're spending our time doing.

It is our role to always look for better ways—similar to this bill as well—to deliver safety, but in a way that is more modern, in a way that is more accountable, in a way that will get us to the goals that perhaps I and the honourable member for St Catharines share. Does that mean that in some instances there has to be an overarching regulatory framework? Absolutely it means that. Absolutely the government should be there to set the standards, should be there to make sure that there is some form of accountability mechanism. If we can't do that, we should be in a different business, absolutely. But it doesn't mean always doing things in the same old way. Sometimes it means actually rejecting the status quo to get us to better services, safer services, services that are more accountable to the taxpayer. On this side of the House, that's what we're committed to.

**Mr Cordiano:** I wanted to say that of course my colleague from St Catharines, as is customary for him, made excellent remarks. He got to the crux and the very essence of what is wrong essentially with this govern-

ment's approach. They may be looking for more efficient ways to do things, but it's not necessarily the best option. It may be a cheaper option, but is it the best option for citizens? Are we going to get a more effective way to do things? At the end of the day, there is a cost associated with reducing staff and reducing inspections. There is a cost in terms of quality. Are we getting quality inspections? Are we getting quality when it comes to enforcing the regulations that are in place?

We happen to believe that when it comes to enforcing regulations, public services that are provided by way of inspection ought to remain in the public domain. They should not be sent out for privatization. We believe the delivery of those services with respect to health care, with respect to education should be in the public domain. When it comes to enforcing those and providing for inspections, the Ministry of Consumer and Commercial Relations ought to be doing and carrying out the work. We think it's wrong that they have privatized, that they have set up authorities or agencies to conduct the inspections, because we are seeing the tragic results of that. Unfortunately, try as you may to keep those standards high, it remains to be seen whether these authorities and outside agencies can carry out that work.

I want to congratulate my colleague the member for St Catharines for his remarks.

**The Acting Speaker:** Further comments and questions?

**Mr Marchese:** I want to support the member from St Catharines by adding a few comments. What worries us is the structure of the industry's self-regulation. That's what's problematic about this Technical Standards and Safety Act. It's the structure of a private organization left to find its own regulatory way through the public safety maze which worries me and worries us. To hear the minister, he says, "Of course we want more accountability." We don't have it here in the structure. It isn't here.

It worries us when we read about the coroner's inquest currently underway into the 1998 death of Jerome Charron, who died at the Central Canada Exhibition when he became detached from the Rocket Launcher reverse bungee ride. At that inquest, the director of the marketplace standards and services branch of the Ministry of Consumer and Commercial Relations said that two inspectors who examined the Rocket Launcher four days before Charron's fatal ride had little or no training inspecting reverse bungee rides. "Inspectors act as a second pair of eyes, checking the work of an engineer hired by a ride operator," the director said. "But that second pair of eyes doesn't necessarily have the accreditation to do the inspection in the first place," he admits. That's the problem. Where is the accountability structure?

"Bill 42 allows the Technical Standards and Safety Act to change regulations to reflect innovations in amusement rides." But what does it do to ensure that qualified inspectors are regularly looking out for the public safety, except to hear the minister say that it does?

But it doesn't. We are absolutely worried about that on this side of the House, because we've seen it happen before. We've seen what happened in Walkerton, and we have no trust in what the government is saying. I have no trust.

**Mr Maves:** I want to address this issue head on that the member for St Catharines, and some of the other members subsequent to him, raised. Yes, the TSSA is a private, not-for-profit safety authority, but what you must realize is that on the governing board of directors are not just industry officials but also government officials and consumer representatives. It's important to have the industry officials on there. It's the industry they're in. It's the industry they know and have a knowledge of. It's obviously important to have them there, but there are government and consumer representatives on the board of directors.

Also, TSSA's accountability to the minister is already established through legislation in the Safety and Consumer Statutes Administration Act. It's already there. They are already accountable to the minister. The TSSA is self-funded through licensing and inspection fees of approximately \$25 million a year. Again, the TSSA delivers the same regulatory functions—including licensing, design reviews and inspections—as were previously delivered by the government under this legislation. That has not changed. The authority is responsible for the day-to-day delivery of safety programs in Ontario, but the government continues to be fully responsible for the province's safety legislation, regulations and policy.

1610

As I said earlier in my comments, the TSSA has maintained an excellent track record to date in its administration of public safety programs. Since it was established inspections have increased, consumer education has increased and the resources invested in public safety programs have grown significantly. In fact, since the delegation in 1997, across all sectors for which TSSA is responsible, inspections have increased from approximately 138,000 a year to 178,000 a year. So there's been no decline whatsoever; in fact, a large increase in the inspections since 1997.

**The Acting Speaker:** Two-minute response, the member for St Catharines.

**Mr Bradley:** I'm thankful to all the members for their interventions this afternoon. It's been most helpful, the clarifications and so on.

The member for Trinity-Spadina mentioned accreditation. That's my worry when we come down to looking at the various sewage treatment and water treatment plants in the province. I'm worried about the accreditation of the individuals who will be doing that inspection. As you know, I've asked questions several times in the House and have not received an answer.

My good friend the Minister of Municipal Affairs, Tony Clement, should know that I've received from the Tom Long leadership campaign a challenge for him. He wants me to share this. I want to respond to his response. It says:

"Everyone in Tom's organization is being challenged to sell 12 memberships among family, friends, neighbours and colleagues. Those selling 12 or more memberships will be eligible for a draw for tons of fabulous prizes. Sell the most memberships and you win a free trip to Calgary, expenses paid, for the Canadian Alliance leadership vote."

It says, "Fax your memberships to the following telephone numbers," and the membership form is attached; I have it here for those who would like to see Mr Clement after the session ends today. "The contest begins at 12:01 am June 15 and closes 12 midnight June 15." So it isn't very long; daylight saving time, by the way. "All memberships must be received by this time to be eligible because we have to stop the tax-and-spend Liberal policies that are giving Canada's future away. So please encourage your family, friends, neighbours and colleagues to help Tom's campaign by joining the alliance and supporting Tom on June 24." The membership is \$10 per person.

I didn't think Mr Clement would have a chance to speak further in the House and I did want to issue that challenge to him this afternoon.

**The Acting Speaker:** Further debate? The member for Trinity-Spadina.

**Mr Marchese:** Speaker, I thought it was to the Tories now, but maybe they don't want their turn, and then the Liberals, then me. But you can change the order, I suppose. We might make it—Speaker?

**The Acting Speaker:** You're up.

**Mr Marchese:** OK. So from now on I won't wait my turn twice; I'll just jump right in and it'll be acceptable by the rules. Is that correct, Mr Speaker? I'll remember that because I'll cite this as a precedent.

*Interjections.*

**Mr Marchese:** All right. I'll wait for some clarification.

**The Acting Speaker:** Just for clarification, member for Trinity-Spadina, the actual rotation was to go to the government side and then back over here, you're right, but nobody stood up on the government side, so you're it.

**Mr Marchese:** They don't know what they're doing. Isn't that the problem? They don't know what they're doing. They don't know what they're doing in Walkerton; they don't even know what they're doing in this place. They ought to know they should be standing up but they're not; they're always sitting down.

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Mr Speaker: I'm happy to accommodate the member, to have someone from this side stand up, and so I've done so, if that makes him feel better. We were so anxious to hear what he had to say on this, we wanted to hear from him first so that we could respond.

**The Acting Speaker:** That really wasn't a point of order. Member for Trinity-Spadina.

**Mr Marchese:** I make him feel bad and then he says, "I'm happy to accommodate you." Ha, I was already accommodated. I was on my feet. You can't re-accommodate me once you sit down and I'm up, can you?

*Interjection.*

**Mr Marchese:** I'm going, I'm going, Monsieur Clement. I'm coming.

There's so much to say and so little time. We are concerned about this proposal, Bill 42, the Technical Standards and Safety Act, which refers a lot of authority to a whole lot of things to this Technical Standards and Safety Authority. I'm concerned; our party's concerned. I quoted earlier that it "helps to protect millions of consumers, every time they ride an elevator or escalator, take their children on a ski lift or Ferris wheel, or use the propane stove at their cottage.

"Under this legislation, we will become leaders in public safety by giving our technical industries the ability to quickly take advantage of new innovations in safety equipment and technology as they become available."

All they are talking about is taking advantage of new innovations. That's all this bill does. But it doesn't provide any of the accountability mechanisms we were looking for. It transfers the authority away, not to an agency that is accountable to this government, but to an authority that is accountable to itself. And that's the problem—transferring the authority to somebody else. Who do you trust? Do you trust a government agency that's accountable to government or do you trust a self-regulated body? You don't know what they're doing.

When it comes to a conflict of interest, which I will speak to in a second, when members come from the industry represented on that body, what is their interest when it comes to a matter of public safety? As representatives of their own respective corporations sitting on this authority, are they there to protect the public interest or to protect their own interest?

I have no doubt that the minister will say, "Good God, I'm sure they're there to protect the interest of public safety." Well, I don't know that. I'm worried about the double standard there. I'm worried about the double role they play. Everybody ought to be worried. Will they be torn between the public safety responsibilities they hold in this organization and the economic or policy issues that could affect their employees outside of the TSSA?

You can imagine their dilemma. I can imagine their dilemma. That's why I raised it as an issue. Do I push for tougher safety regulations or do I keep the status quo because tougher regulations cost money? I'm very interested in hearing what the minister has to say in this regard because I raised the fear and the concern that I have about the function of these people who are connected to an industry. It should be at arm's length and it should be accountable, as any other government agency, to the government. It isn't accountable; it's self-regulated as a body unto itself.

We made a number of changes and recommendations, amendments to this bill which have been rejected by this government, as you might expect. For instance, the TSSA is now responsible for public safety of things like underwater storage tanks for gasoline at the corner station. These are areas that have a tremendous impact on the environment, yet there are no references to the

protection of the environment within the mix of regulatory and promotional roles outlined for the Technical Standards and Safety Authority—none.

The whole idea of moving from regulation by public servants to industry self-regulation has been very troubling, and it ought to be for every citizen and taxpayer in Ontario. Among other things, this government has made the TSSA responsible for elevator inspections. Here's what we hear from the inside. You may or may not believe it, good citizen of Ontario, good taxpayers of Ontario, but this is what we hear from the inside: The inspectors who used to work for the Ministry of Consumer and Commercial Relations now work for the TSSA. The elevator inspectors found that when they wrote reports, the companies involved went to the TSSA management and complained. This was known internally as Operation Clean Sheet. Fortunately, the inspectors stood up to their management—the Lord exists—and then they were told only to write up "direct and glaring contraventions." Again, the inspectors stood up for public safety when TSSA management wanted to cave in to the companies they are inspecting.

**1620**

Troubling stuff, don't you think, for the citizens of Ontario who ride elevators? Sure it's troubling. I'm troubled by it. But that's the inside story.

Bill 42 allows the Technical Standards and Safety Authority to change regulations to reflect innovations in amusement rides, but what does it do to ensure qualified inspectors are regularly looking out for public safety? What does it do? That's the question I ask the minister, M. Clement, who's been here much of the time. But I guess he heard enough.

The coroner's inquest into Jerome Charron's death has heard that a blue nylon strap was improperly added to the bungee harness attachments. Risky, dangerous stuff. We need the extra eyes that come from qualified inspectors, that come from government inspectors we can rely on, the second pair of eyes that every young man, woman and adult who uses those rides would want to have.

The TSSA is not subject to the same levels of accountability that a conventional government agency would be subject to, and that's the problem. We are saying—Marilyn Churley has been saying, Tony Martin has been saying; the Président is a critic as well—that similar organizations under the formal accountability framework normally applicable to provincial government agencies, including the Audit Act, Ombudsman Act, Freedom of Information and Protection of Privacy Act and Lobbyists Registration Act—this organization doesn't have the same formal accountability structure as these other bodies do and we argue it should. Because it is outside of those accountability structures, it doesn't face the same accountability that we as citizens expect, ought to be expecting.

Doesn't that worry you, citizen of Ontario? It worries me. Or are you just going to rely on the minister to simply say: "Of course we worry about accountability. Of course we have accountability"? Well, spell it out.

Where is it? Why doesn't it fall under the same accountability structures as the bodies I mentioned? It should. It ought to, but it doesn't.

It's the shifting away of our responsibility as governments, abdicating a responsibility as governments to do the job of public protection of the safety of the public. It is our job to worry about that, not to pass on that important responsibility to another body, arm's length, self-regulated by people in the industry who have an interest to protect. Do you, good citizens, trust that kind of body, unaccountable to the government, unaccountable structures, self-regulated by people who have a money interest to protect, to protect your public interest? Worry about it.

I worry about it, because that's what this government is all about. Continuously, we see this government shedding its responsibility, abandoning its responsibility by saying, "The private sector can do it better." I don't trust the private sector. I trust a government that has the inspectors, policies in place and accountability structures in place that will give us the certainty that we as citizens are looking for. That's who I trust. I don't trust some other body, accountable to itself, members who come from an industry to protect their interests. I don't trust that and neither should you.

This government has a great deal of trust in their private sector friends to do the job. We saw what happened in Walkerton, and I keep on telling you that's just the tip of the iceberg. They're going to have to expend a great deal of resources and time to fix that problem, and they will do it, I guarantee it, because they know they're in such political trouble that they've got to spend money to solve that problem. In spite of the fact that it might take from some other area, they will find the money to fix the water problem because it connects to people's health and they can't play with that kind of issue. They will spend the money now.

They have allowed the situation to deteriorate to the extent that we've got trouble—

*Interjection.*

**Mr Marchese:** I'm talking to the citizens, John. My hand is pointing to the citizens, not to you.

They create the crisis and then they've got to defend themselves, scurrying like little rabbits to try to salvage something out of that tragedy. If they had put the money in place, we would never have had to worry about our water. If they had put money in place, we wouldn't be worried about the protest we had outside, where people in desperation, in anger at the situation they find themselves in—where there is more poverty, more homelessness and a greater income gap between the rich and the poor than we've ever seen before in a good economy. They're becoming desperate and angry.

We shouldn't have such protestations of the sort that we have seen today by the poverty groups. But because this government continues to extol the merits of the private sector, continues to give billions of dollars to the private sector and billions of dollars in income tax cuts to the well-to-do who don't need the money, they then find

themselves unable to respond to the needs of the citizens of Ontario because they don't have the money. They're giving it away. They have given \$5 billion to the corporate sector in last May's Treasurer's announcement. We're not talking five bucks, we're not talking \$5,000, we're not talking \$5 million; we're talking \$5 billion—add a whole lot of zeroes to the end of that—to the corporate sector because presumably the government says: "These poor companies have not been doing too well in the last five years. Oh yes, their corporate profits have gone up so much, but it's not enough. They could be making millions and billions more if only we as a government could take the public's money and give it to them."

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I can't believe it. I can't believe I'm sitting here—

**Mr Marchese:** Eh, David Tilson, if only we could squeeze the taxpayers a little more so that we could give five billion bucks to the corporate sector, then they would be richer. Wouldn't that be grand?

Then the \$1-billion boondoggle, bamboozled by these Tories; you know, the Tories who say: "We don't have any money. We can't waste any money. We don't waste money like the previous governments." Then they blow \$5 billion to the corporate sector, that hasn't been asking, that's been doing well without it. That's \$5 billion, Speaker—your government—gone. In a good economy you give the taxpayers' money away. You've got to be nuts, I've got to tell you.

It's virile madness, virile Tory madness we're talking about. One billion bucks gone to buy the votes of the public so they can get a cheque in the mail, 200 bucks.

"Ah," Mr Eves would say, "but it's your money and you can do what you want"—one billion bucks in the aggregate gone, wasting the taxpayers' money, thrown away, when they could have reduced the debt if they wanted to, as good Tories ought to do. They could have reduced the debt. Oh no, they're looking for 200 bucks because maybe they haven't been able to buy enough coffee with it, and then the biggest boondoggle of all: to give the money managers who handle the rich man's money, the money managers who want to sit on the little computer day in and day out, the real welfare corporate bum sitting at his computer, moving money from one computer to the next, making thousands and thousands and millions and millions of dollars—do you know what, good taxpayers of Ontario, this government has said to those people? "You work so hard, so if you make up to \$100,000, we're not going to tax it, because you work so hard there on your little computer, every second moving the rich man's money away, moving it from one point to the other. You're so badly off we want to give you a \$700-million break."

**1630**

Speaker, that's what your government is about, taking my money and the money of the taxpayers in your riding to give to the wealthy. How do you like that? That's what I call virulence, madness. Speaker, you are downsizing, decapitating ministries, left helpless without any support

or money. You are privatizing like we've never seen before. You want to give this agency more power, make it less accountable, and what have we got? We've got people like Clare Lewis, the new Ombudsman, who cites two examples of privatization initiatives that point to the need for accountability. They are Highway 407 and correctional services. Clare Lewis, a respected former judge, is telling you he's concerned, good citizen and good taxpayer, about your privatization initiatives, particularly as they relate to Highway 407 and correctional services as well. While superjails have not yet been implemented, Mr Lewis says the need for accountability mechanisms is there. There are a lot of complaints now, particularly about lack of access to health care, as but one example.

We need government back in, not out. These people say we've got to get governments off their backs. I don't want government off my back if the tragedy is Walkerton. I want government back in, not out. These people should be out and government should be back in. But that's the policy and the politics of this government: Get governments off your back.

No. You get off our backs and resign. Do something. Resign. We don't need you here.

**The Deputy Speaker (Mr Bert Johnson):** Comments and questions?

**Mr John Hastings (Etobicoke North):** It's interesting to hear from and see with my own eyes, standing before us, the member for Trinity-Spadina. Actually, the member for St Catharines too would be placed in the same category of proponents of big government, big government solutions, because only within that framework can you have accountability. But when you look beneath the glitz of their argument, the seduction, there really is a question of accountability when you look at their solution.

Examples abound. The member for Trinity-Spadina talks about problems in the public sector when you privatize or commercialize, but everything he cited, especially with the jails, occurred in a public sector framework. If you look at the NDP government of British Columbia, guess what? In their children and families ministry, back about three years ago, they had a tremendous problem of supervising high-risk children. What happened? Here was a public sector organization that was completely unaccountable and couldn't come to any solution on how you protect the safety of those children. The big-government solution, if it is the really great one that these two espouse, especially the member for St Catharines—I hope he's listening very carefully to the next comment—is that the Ministry of Health back in the Peterson government, succeeded by the NDP, had the grand idea of creating a level 4 lab in the riding of Etobicoke North, right over Toronto international airport, right in the middle of the 401, with at least 200,000 people. Guess what they were going to put in there? Marburg and Ebola diseases, the viruses that can destroy you in about a moment, the blood curdling through the veins; they kill you. That's accountability. That's the idea the member for Trinity-Spadina has of accountability?

**Mr Bradley:** It's a good thing there were some of us there, of course, to ensure that those things don't happen, although we recognize that from time to time—I'm sure, had that been a private sector lab, it would have been fine with the member for Etobicoke North. If it's public sector, it is evil.

I want to compliment the member for Trinity-Spadina on his speech because I think he put out there the concerns that many people have about this government handing the keys over once again to someone outside of government in a regulatory fashion. That would fit in with the new Red Tape Commission that's been re-established out there. Remember that Red Tape Commission that would spend its time weakening environmental regulations in this province, throwing some of them out? I can even remember one of the Red Tape Commissioners writing a letter to the Ministry of the Environment saying: "Don't proceed with this prosecution, because you know what's going to happen? We're going to weaken this regulation, we're going to get rid of that regulation, so you shouldn't bother prosecuting this particular company." That was the attitude this government has towards the environment, and then we wonder why there are problems in the Ministry of the Environment. In fact, to characterize it correctly, the problems are within the government, not the Ministry of the Environment. The problems are that the government has underfunded the Ministry of the Environment by taking away over 40% of the budget, by taking a third of the staff away from the jurisdiction of the ministry, by taking away any muscle the ministry happened to have, and by making the ministry compliant to business as opposed to being tough and strong in its enforcement of laws in this province.

So I can understand the concern that the member for Trinity-Spadina has when he sees this government moving in that direction once again.

**Ms Marilyn Churley (Broadview-Greenwood):** I congratulate my colleague Rosario Marchese, from Trinity-Spadina, for his comments. I must admit, I was in the Legislative Assembly committee for part of it, but you were on TV.

**Mr Bradley:** How interesting was that?

**Ms Churley:** Very interesting. One of the questions I asked the Ombudsman was a question about accountability for the privatization of government services. Of course he's got a particular role and can't deal directly with some of the questions I asked today, but certainly in his report there was a comment on Highway 407 and the absence of accountability to the customers there. What I asked him about—I said, "At this very moment this technical standards bill is being debated, and if passed the way it is, it's going to be operating within a complete accountability vacuum." All of our safety laws have been transferred over to the private sector, most of the staff, if not all, from the Ministry of Consumer and Commercial Relations, who have the expertise, are over there, will be writing the regulations. There are a lot of problems with this bill, particularly around possible conflict of interest.

The board is mostly made up of industry reps. I made some amendments. I don't support the premise of privatizing those services anyway, but I made some amendments that would build in accountability so the Ombudsman, whom we just heard from, the auditor, the Information and Privacy Commissioner, all of those bodies, would at least be able to oversee this and we could feel that there was some accountability.

*Interjection.*

**Ms Churley:** I am talking about that act right now. I made the amendment and you guys wouldn't even support the amendment to improve the bill.

**Mr Maves:** I want to comment on the member for Trinity-Spadina's speech. He asked about accountability. I said previously that accountability is that they're legally bound to uphold the Safety and Consumer Statutes Administration Act. They're accountable to the minister through that act. They are also through legislative controls, corporate governance controls and operational oversight controls. Some of the those operational oversight controls are that the ministry has daily contact with the TSSA through a dedicated five-person liaison unit whose function is government oversight.

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I notice the member opposite's not listening. He doesn't care about this.

He also talked about inspections. Inspections, as I previously said, and he wasn't here at the time I mentioned this, have increased under the current TSSA from 138,000 to 178,000.

Not only that, the member opposite complained about inspectors and their qualifications. He loves the public sector; he wants everything done by the public sector. The inspectors who were previously employed by the public sector were all hired by the TSSA, so to question their qualifications is to question the public servants he believes are the ones who should be doing the inspections. In effect, those people are all still doing those inspections. They were inspectors hired by the TSSA.

I don't know if he's heard any of this but I think it's all relevant. They directly answer his questions. The minister appoints 49% of the TSSA's board of directors. They have to approve any bylaws, and as I said, they have a five-person liaison unit that oversees and is responsible for government oversight.

The last thing I want to say to this member is that when he rants and raves about the wealthy in this province and wants to tear them down and drag them down and take their hard-earned income, I remember seeing him at the Shaw Festival at a luncheon before a play that he didn't pay to go to, sitting with a lot of these wealthy people. I waited for him to get up and yell and scream at them about making too much money and they shouldn't have tax breaks. He didn't.

**The Deputy Speaker:** The member's time has expired. The member for Trinity-Spadina has two minutes to respond.

**Mr Marchese:** I thank my friends and foes. I'm amazed that M. Maves would raise that kind of note. I

find it offensive. I was there as a cultural critic, obviously. I find the reaction and the laughter stupid to the utmost. I go to an invitation, a cultural event, and the guy says—I'm almost tempted to offend him—"I didn't see him scream against the wealthy." What a stupid, stupid comment. Anyway, back to the subject.

The Canadian Institute of Environmental Law and Policy makes these concerns, which I wanted to do publicly. They say that the Technical Standards and Safety Act is not accountable to the public, that the TSSA is not a democratically elected body, that the TSSA's directors are potentially in conflict of interest because many work in the very industries they are supposed to be overseeing for public safety, and that the government increasingly lacks the expertise or capacity to make sure the TSSA is adequately ensuring the public safety.

The government's most experienced and veteran staff now work for TSSA, which creates two dilemmas: (1) it gutted the ministry's level of expertise and knowledge of public safety regulation; (2) it begs the question what happens when this veteran public-spirited staff leave TSSA and are replaced by new, potentially inexperienced staff.

We need to bring government back. Get rid of this non-government government and bring government back so we can have the safety we deserve and the safety and accountability mechanisms we deserve as citizens of Ontario.

**The Deputy Speaker:** I just want to observe for those who are watching that this House almost looks like Friday afternoon in one of our kindergartens. I would ask the members that if you want to speak out, laugh or carry on conversations, you do it outside. Then I won't have any quarrel with you at all.

I also want to introduce to the members, in the west gallery, Doug Reycraft, who used to be the representative for Middlesex in the 33rd and 34th Parliaments of this province. Welcome to you.

Further debate?

**Mr Cordiano:** I'm delighted to speak on this act, Bill 42, because it clearly is yet another glaring example of the approach this government has taken. It follows on the theme that has been established clearly by this government.

I guess it was the member for Etobicoke North, who talked earlier about the fact that on this side of the House we were for something other than good government. He pointed to those of us who would criticize the government for its glaring inadequacies, when it comes to protecting the public safety, of being for big government.

There is a great difference between being for big government and being for good government because that's what we want and that's what the citizens of this great province want. They want good government. They want government that cares. They want government that is going to take responsibility for what happens to its citizens. That is a departure from what we see when it comes to this government. This is no longer a government that wants to take responsibility for what happens to

its citizens. It is a glaring departure from the past and the traditions of this great province.

Previous Conservative governments are turning over in their graves at the sight of the kind of backing away from responsibility and accountability that this government is undergoing, that it is foisting upon the citizens of this province. When it comes to environmental protection, we have seen the tragic results. This is all part of a greater picture. There's no escaping that.

The Technical Standards and Safety Act is part and parcel of an overall vision for this province that assumes it is far better to have a very minimalist kind of government that does very little for its citizens, that even fails to protect the safety of citizens when it comes to the environment, when it comes to drinking water, when it comes to ensuring that standards are being met under this act. Of course, this act builds on the Safety and Consumer Statutes Administration Act of 1996 and is required to update it. We still don't agree with the direction this government has taken with respect to this because the standards are not being met.

We used to have the greatest standards being met and the greatest level of public service in the world implemented in this province of ours. We have deteriorated. We have deconstructed the public service, much to the point where we are seeing the tragic results of that. The consequences are unfolding before our eyes. Absolutely there is a direct connection between what this government is doing with its policies and the very dire results we're seeing in community after community. It is no accident.

I want to talk about the results of the inquest in the Jerome Charron case, which point to and underline the lack of standards and safety protection that are required. The inspector who examined the Rocket Launcher at the Central Canada Exhibition in Ottawa where the tragic death of Jerome Charron took place had this to say in the inquest:

**1650**

Mark Selway, who was the TSSA inspector who examined the ride, testified that he didn't completely understand the engineering principles involved and wasn't trained on that type of ride. Mr Selway was an elevator inspector. He indicated that he relied heavily on the technical dossier to determine the ride's safety. The technical dossier was missing documents, including the original conditions placed on the ride in 1995. He tried to contact a senior member of the TSSA, Gord Kanani, and he told Selway that the ride had met all operating conditions and he certified the ride. During the inspection, Selway indicated, he relied on McLardy's field test. Selway did not inspect extension straps that were not on hand for inspection. Selway did not inspect equipment boxes for other harnesses and straps. Selway did not confirm that the equipment was erected in accordance with the conditions of its licence and therefore did not fulfill his obligations to ensure that the equipment was being operated in accordance with the law.

What we have here is a clear indication that TSSA inspectors in the field are inadequately trained, by their

own admission during this inquest, and are not carrying out the responsibilities they have. These are the TSSA's inspectors; clearly a case that led to tragic results, a fatality. Finally, the rides operator was charged and found guilty under the Amusement Devices Act. I just want to make this other point:

Selway confirmed during his testimony that he "had no experience inspecting reverse bungee rides. He had only received the ride's technical dossier the night before he was scheduled to inspect it on the Ex's opening day."

What we have here demonstrates the following: poor training standards for inspectors; no guidelines for inspectors; no standards requiring that all rides be inspected prior to an exhibition; and sloppy professional practices on behalf of engineers certifying the safety of rides. There is clearly a lack of procedural efficacy, and that is of great concern.

What we have in the creation and the formation of these authorities, these outside agencies that are being mandated to enact this legislation and these regulations, is a lack of clear accountability to anyone. The member for Niagara Falls stood up and said, "But the ministry is in touch with the authority on a constant basis."

I repeat, we have a great deal of concern because with respect to an outside authority, there is no ministerial accountability. The authority is not subject to government audits. The auditor of Ontario cannot go through an inspection audit of this agency. It's not bound by the Freedom of Information and Protection of Privacy Act, although comments have been made that they have complied with some of the requirements of that. Furthermore, members of this Legislature have no way of summoning those who sit on this board before a committee of the Legislature to answer direct questions. That all adds up to tragic results.

Again, it's the style of operation of this government. They have made a decision to reduce government. They have made a decision to eliminate, to get rid of the public service, by and large, in carrying out responsibilities for inspections and to uphold standards. By doing so, they have exposed the public to undue risk. I believe that is a great tragedy in our province. At the end of the day it will be a legacy that is left behind by this government—tragic consequences—and I believe it is a great departure from the traditions of this province.

We have always upheld and maintained that public service should be of the highest standard, that we trust the public service to carry out its work, to ensure the public good and the public safety. That has always been a hallmark of Ontario's public service. We turn to the public service for that. When it comes to inspections and carrying out those kinds of assurances for the greater public, that indeed they are safe, that's where we draw the line and that's where I personally believe that it should remain in the domain of the public sector.

Governments should have a direct accountability to the public for those safety inspections, for ensuring the protection of the public when it comes to water, when it comes to amusement rides, when it comes to elevating

devices, when it comes to safety—public safety first—and that should remain within the public domain. That's where this government has erred, and erred badly. They have shirked their responsibility on behalf of the people of this province, and I believe that that will truly be a negative legacy for this government.

**The Deputy Speaker:** Comments and questions?

**Hon Margaret Marland (Minister without Portfolio [Children]):** I think one of the things that concerns me most about the debate during the past three weeks and question period and the questions isn't the fact that the opposition is fulfilling their mandate, which is to ask the government questions and make the government accountable; it's the fact that they are exercising an enormous amount of fearmongering. They are identifying and laying blame before the investigations and the coroner's inquest, the public inquiry, the internal review and the OPP investigation. The coroner's inquest and the police investigation and the public inquiry conducted by a justice of our Ontario Supreme Court have to stand without any bias or criticism from any of us in this place.

I can tell you in a very heartfelt way, having now been to Walkerton, that the people of Walkerton are wanting to get on with their lives. They want to hear the result of the investigations and the inquiries, and they don't want to hear any more fearmongering, because every time the opposition does this it labels their community, and they don't want that from the opposition and they do not want it from the media. They want to get on with their lives. I say respectfully to my opposition colleagues that I really think the time has come for them to recognize and respect the people of Walkerton in their wishes.

**Mr Bradley:** I can understand the reluctance of the member for Mississauga South to have these issues discussed in this Legislature, but the people of this province, I assure her, demand that members of this Legislature deal with an extremely important problem confronting the province, and that is the problem of the safety of drinking water. As always, whenever things go badly for the government, they want to say that the opposition shouldn't talk about the issue. But people who stop me in the street, people I run into, people I know in Walkerton, ask that we in this Legislature deal with those issues.

The Minister of the Environment has a role to deal in the way he deems appropriate; the opposition has a role to ensure that the government is undertaking the kind of action that is necessary to ensure that we do not have a repeat of that particular circumstance. That is what is happening in this House, and to suggest that's fearmongering is of course a tactic that a government very much on the defensive is going to use. I'm not saying this for the member from Mississauga—she's been an environment critic—but no doubt the people who pass out the talking points to the government members will tell them that they're supposed to say that the opposition is fearmongering. Most people I talk to in this province, unless they are absolutely dedicated to this government and feel this government can't do any wrong, want us to

deal with this important issue, want to ensure that we never see the kind of tragedy that happened, unfortunately, to the people of Walkerton happen again.

The coroner announced today that he's now investigating the deaths of up to 14, related to E coli being found in the water of Walkerton. I can't think of a member of this House who does not want to see this matter dealt with expeditiously and in such a manner as we do not see a repeat performance.

**Ms Shelley Martel (Nickel Belt):** I want to follow up on an important point made by the member for York South-Weston which had to do with accountability. I think that's really at the heart of the discussions that have been taking place on this bill, the Technical Standards and Safety Act, but also it's been at the heart of the discussions and debates that have gone on in this Legislature for the last number of weeks with respect to the very tragic incident at Walkerton, which none of us can get away from.

**1700**

The issue really is that this government got elected and came with a mandate essentially to get government out of people's faces, to get government out of people's lives. In doing that, there are some consequences, which tragically we are starting to see. When you get government out of people's lives and out of their faces, then you get some of the important protections, rules and responsibilities out of their lives too. One of those very clearly has to do with public safety and who is accountable for that. When the public raises concerns, who is accountable for that, and when the public needs something to be done, who then responds?

We see with this bill that the government clearly wants to push even more of the responsibilities that I think government should have on to a non-profit organization, but one that is essentially made up of a number of industry operators, people who have a direct, and I would argue very vested interest in some of the rules and regulations they're supposed to oversee, a very vested interest, frankly, with respect to what might be the ongoing cost of some of those rules and regulations. Every day they're going to be asked to balance cost against public safety and I'm not sure the government should put people in that position. I don't think they should. I don't think the public wants to be in that position.

Who is accountable? It should be the government. The government should not be offloading its responsibilities to this authority.

**Mr Marchese:** I want to support the member from York South-Weston with a few additional comments because we're speaking the same language here. We're very concerned about this body.

Marilyn Churley, our colleague, the New Democratic member from Broadview-Greenwood, made a number of amendments and they are the following:

“(1) Despite subsection 3(2) of the Safety and Consumer Statutes Administration Act, 1996, the Lieutenant Governor in council may not designate an administrative

authority as a designated administrative authority if a majority of its board of directors are representatives of the economic sectors comprising things governed by this act.

“Revocation of designation

“(2) The Lieutenant Governor in council shall revoke the designation of a designated administrative authority in accordance with section 6 of the Safety and Consumer Statutes Administration Act, 1996, if, at any time, a majority of its board of directors are representatives of the economic sectors comprising things governed by this Act.

“Member appointed by minister

“(3) The term of appointment of a member whom the minister appoints to the board of directors of the designated administrative authority under subsection 8(1) of the Safety and Consumer Statutes Administration Act, 1996, shall be fixed.”

Another motion that the bill be amended as follows:

“Each designated administrative authority shall exercise its power and duties under this Act in such a manner as to protect the environment and the health and safety of the public.”

These motions and others which my colleague will read out later have been rejected by the government. We need to have an accountability mechanism. We don't need industry people there who in a majority of cases might want to protect their own interest, as opposed to the public interest.

We need the government to get back and govern. We don't need a non-government any more. We want our government back.

**The Deputy Speaker:** Response?

**Mr Cordiano:** I want to thank the members for their comments. I would like to say this again: When it comes to the protection and safety of the citizens of this province, it is absolutely tantamount that the government make it a priority. There's no other way to say it. I believe this government has not made it a priority and has shirked its responsibilities. No member of this Legislature ought to question any other member of this Legislature for standing up and wanting to have a wholesome debate about what we believe to be of primary concern to every citizen of this province.

There is no doubt that if we failed, and I say this personally, if I failed to question what this government was doing with the safety and protection of the citizens of this province, then I should not be in this Legislature; I have no business being here, under no circumstances.

That is what we're discussing and debating today. This Technical Standards and Safety Act directly relates to that question: Does the government of Ontario have a primary responsibility for the protection and safety of its citizens? Is it carrying out that responsibility to its fullest? We believe it's not. To hand off that responsibility to an agency, an authority that has no accountability to this Legislature, no accountability to the public at large in any direct sense, is a direct violation of the primary responsibility of this government to ensure that the people of this province are protected, to ensure that

the children of this province are protected, when it comes to water or amusement rides or elevating devices or any other device that is a danger. This government has primary responsibility, and it should do so.

**The Deputy Speaker:** Further debate?

**Mr Howard Hampton (Kenora-Rainy River):** I was hoping that one of the Conservative members would rise to participate in the debate, but I understand that is not going to be the case any longer, so I will take this opportunity.

Let me say to all those people who may be watching that what we're debating here tonight is a very important issue for people across Ontario. Many of you, until a few weeks ago, probably assumed that your provincial government was out there doing the work every day to ensure the safety and quality of your drinking water. You have since discovered that is not true, and some people have discovered that truth tragically. Other communities across this province are receiving boil-water advisories on an almost daily basis. In my constituency of Kenora-Rainy River, six communities in the last three days have received boil-water directives from the medical officer of health because he can no longer certify that their drinking water is safe from environmental contaminants.

We're not, strictly speaking, debating the safety and quality of our drinking water here tonight. We're actually debating some similar issues, though, that can affect people's lives and their public safety just as dramatically. When most of us get on an elevator in a high-rise building—an office tower or an apartment—I bet most of us believe or think or would like to think that that elevator has been duly inspected by someone who works for the government, whose job it is to certify the safety of that elevator and the proper operation of that elevator. Most of us would like to believe that. Most of us would hope that that is in fact happening.

*Interjections.*

**Mr Hampton:** If members of the Conservative Party don't want to rise to take part in the debate, I can't help them. If they'd rather speak from their chairs, I can't help them there either. Speaker, I have to rely on you for that.

I'm here to tell people that that elevator inspection you believe is happening, that elevator inspection where somebody who is trained and certified and has no interest other than to ensure the proper and safe operation of that elevator, is not necessarily happening now.

Similarly, most of us go to a fall fair or we go on carnival rides. They can be Ferris wheel rides or roller coasters, all kinds of rides and activities like that. Most of us would like to believe that these kinds of things are being inspected by trained inspectors who know what they're looking at, who know what they're dealing with, who have experience and who have no interest other than to ensure the proper and safe operation of that ride so that no one is hurt, either riding in it or in the operation of it.

Most of us would like to believe that that kind of inspection is being done by government inspectors. Most of us would be surprised to learn that that is not necessarily so any more. I could go on. Propane tanks—

and people who live in northern Ontario especially know this—there are literally tens of thousands of cottages, cabins and camps where people utilize propane tanks and propane appliances for cooking, for refrigeration and for a number of other uses.

1710

Most of us would like to believe that there are proper inspections of those sorts of things and the person doing the inspection is trained and experienced and has no interest other than ensuring proper and safe operation. We would be surprised to learn that, under this government, that's not necessarily so any more. All of this comes under something that is called Bill 42, the Technical Standards and Safety Act. I need to tell you that this government has been taking these very important public safety inspection procedures and they've been parcelling them out to basically private non-governmental organizations, organizations that are not responsible to this Legislature; organizations that, in many cases, we believe are in a conflict of interest because the people who are on the board of directors of these organizations represent the companies that may be selling the elevator or may be manufacturing the ride or may be manufacturing the propane appliance. In other words, they don't have just the interest of public safety at heart, they've got a profit motive, a profit motive to sell the ride, sell the elevator, do minimum maintenance on the elevator or to avoid a number of regulations perhaps in the operation and the workings of propane appliances.

You don't have to take my word for it on this. In fact, a very important organization, which is called the Canadian Institute for Environmental Law and Policy, actually went out there and did a study of what's going on in this field. So I, as a New Democrat, am not alone here in raising the alarm bell. This is a very respected organization, the Canadian Institute for Environmental Law and Policy. It has a number of academic experts, a number of engineering experts, a number of legal experts who work within or for the institute.

I want to tell you the issues they raised, and you can decide for yourself how important these issues are. The Canadian Institute for Environmental Law and Policy looked at the organizations and the organizational chart the government is setting up. They looked at those that are charged with the administration of public safety issues outlined in Bill 42. In 1996 this government, the Harris government, delegated responsibility of seven safety-related statutes to the Ontario Technical Standards and Safety Authority, which, as I said, is a private corporation. In the next two years this government would continue to devolve various public safety responsibilities on to the Technical Standards and Safety Authority. The Technical Standards and Safety Authority's responsibilities include inspection, approval and law enforcement of things like amusement rides, elevators, propane tanks etc.

What the Canadian Institute for Environmental Law and Policy found in its study of this organization is alarming. The study identifies a number of weaknesses

and problems in terms of public safety in what this government is doing through the Technical Standards and Safety Authority. The study shows that this government failed to provide the Technical Standards and Safety Authority with clear policy direction from the outset. Does this remind you of Walkerton, where the government sold off the public labs for the testing of water and then didn't create any sort of model or any sort of requirements for the private labs, who they were supposed to report to, what they were supposed to report, when they were supposed to report? I'll tell you, the similarities are incredible. If we look at what happened in Walkerton, people ought to be alarmed by what potentially could happen here. It's the same sort of regulatory framework with no framework to it—a free-for-all.

They found the government failed to provide the Technical Standards and Safety Authority with clear policy direction from the outset, and that in the absence of policy, this private corporation has been left to define its own course, just as those private labs that were supposed to be testing the water of Walkerton and reporting on it found their own course. What the Canadian Institute for Environmental Law and Policy found is that there are significant gaps in what the Technical Standards and Safety Authority is doing.

For instance—I'll call it now the TSSA—the TSSA is now responsible for public safety for things like underground storage tanks for gasoline at the corner service station. These are things that could have a tremendous impact on the environment, on your drinking water, for example, if there were a leak. Yet there are no references to the protection of the environment within the mix of regulatory and promotional roles outlined by this authority. Can you imagine that? Gasoline could explode, could leach out of the tank, get into your drinking water, and in the private body that this government set up, there is no mention whatsoever of protection of the environment. Does that sound a bit like Walkerton to you again?

In the study, the Canadian Institute for Environmental Law and Policy shows how the activities of the TSSA go beyond the administrative mandate initially described by this government. This government initially said: "Don't worry, they're just going to administer. That's all they're going to do. We're going to make the rules, we're going to set the policy in government. These folks, this private corporation, will only administer them." But the study by CIELAP shows, oh no, it goes far beyond that. It shows that even if the government wanted to give direction to the TSSA to ensure public safety, this government has given up much of the capacity to do so. In a nutshell, the Harris government has transferred almost all of its policy and technical expertise in handling public safety regulation to this private body. So our safety now is in the hands of a private corporation over which the government has no authority. That's where we're at. If this sounds more and more like what happened at Walkerton, I would say to you this is not an accident.

Then the study looks at the TSSA structure and comes up with another worrisome conclusion. The directors of

this private corporation are in a potential conflict of interest between their roles as representatives of particular sectors or particular companies and their obligations for public safety as TSSA directors. In some situations, directors might find themselves torn between the public safety responsibility they hold to the TSSA and the economic or profit responsibility they owe to their employer or the company they come from. You could just imagine the dilemma. Here's somebody who works on the TSSA and they're sitting there saying, "Do I enforce tougher safety regulations or do I just keep quiet because tougher regulations will cost my company money and would affect the profit level?" Can you imagine? They're going to be put in the position of deciding on your public safety or your child's public safety or deciding on their corporation's profit level. I don't think that's a very good mechanism for the protection of your public safety or my public safety, not in elevators, not in carnival or fall fair rides, not in propane tanks and not in gasoline tanks.

There are reasons why government should play a strong role in defining and administering public safety policies, and I've listed some of them. Governments should be acting as independent bodies looking out for the interests of the public, especially when it comes to important issues of public safety. When you hand off these responsibilities to private corporations, the line between public safety and private profit can get blurred very quickly.

Now, our friends in the government will be quick to assure us that the TSSA is accountable to the minister for its performance. That's sort of like the Ontario Realty Corp. The government says: "Don't worry. The Ontario Realty Corp is responsible to the minister for Management Board." Why do we see all the corruption, why do we see the taxpayers of Ontario being ripped off time and time again, if there's responsible control here by the minister?

**1720**

The government would tell you that the Minister of the Environment has some control over the private laboratories out there that were supposed to be testing the water of Walkerton. If he had some control, there are a lot of very sick people in Walkerton who are wondering why that control wasn't exercised and, unfortunately, there are a number of dead people in Walkerton. I suggest to you that, given the free-for-all that this government created, the minister didn't have much control at all. That's why he's now, on an urgent basis, trying to change the regulations to give some semblance of having control.

I have just a few minutes left, so I want to get on to some of the other points.

A study by the Canadian Institute for Environmental Law and Policy raises even more important issues. What the study points out is that this private corporation, which will be torn between ensuring the elevators in the building are safe, ensuring the bungee ride is safe, ensuring the propane tanks are safe, ensuring the gasoline tanks

buried underground are safe and are environmentally proper, this private corporation that's going to be torn between profit motive and protecting public safety—get this—under the hodgepodge, the free-for-all that this government has set up, wouldn't be subject to the Audit Act—in other words, the Provincial Auditor wouldn't be able to go in and look at them and hold them accountable; the Ombudsman Act—the Ombudsman wouldn't be able to go in and look at them and hold them accountable; the Freedom of Information and Protection of Privacy Act—in other words, the information commissioner wouldn't be able to require them to produce information so that we in the Legislature or you as members of the public would be able to be informed about their activities and whether or not they're doing their activities well or badly. They're exempt from that.

They're exempt from the Lobbyists Registration Act. Some high-priced lobbyist who works for a private company that is only concerned with profit, not public safety, could in fact be lobbying the members of this authority all the time without having to face the light of public scrutiny.

Then, finally, the Environmental Bill of Rights is your protection. It says that where somebody is going to do something which may dramatically affect the environment, they have to post a notice of it. At least there's a notice that people can be aware of.

I want to repeat those again. This government has given away this authority over public safety and they have exempted it from: the Audit Act, the Ombudsman Act, the Freedom of Information and Protection of Privacy Act, the Lobbyists Registration Act and the Environmental Bill of Rights.

Who's left to protect you? Who's left to hold these people accountable? I suppose the Harris government might hold them accountable. I don't think so. The Harris government will be out there talking to those private corporations, trying to raise political contributions at election time. That's what the Harris government will be doing.

Public safety, the safety of children who ride on carnival rides, the safety of people who go up and down in elevators, the safety of people who rely upon propane appliances and propane tanks and hope that they're inspected and that they're safety-assured, the safety of all of those people is literally being thrown at risk by this government. But don't worry, the government's going to give you a tax cut. They'll send you a \$200 cheque in the mail and they'll say, "Despite all of these public safety risks, despite all that's being put at risk, you should feel good."

Let me ask you, how far does the \$200 cheque that's in the mail go when it's your son or daughter who gets killed on a bungee ride because it wasn't properly inspected? How far does a \$200 cheque from Mike Harris and this government go when propane equipment blows up and disfigures someone or kills someone because it hasn't been properly inspected? How far does \$200 go when you find that underground gasoline tanks

haven't been properly inspected and they've leaked into the drinking water and hundreds of people are poisoned? Is the \$200 going to make us feel better? I don't think so. Most reasonable people in Ontario would say, "We don't think so."

I have only a few minutes left. This is what is at risk here. You don't have to take my word for it. This study, which was produced by the Canadian Institute for Environmental Law and Policy, is publicly available. You don't have to take the word of the leader of the NDP; you don't have to take the word of members of the New Democratic caucus; you don't have to take the word of anybody who's involved in public life. Get a copy of this yourself and read it. This is an organization that has no particular bone to pick. They're out there trying to ensure public safety, environmental safety, and they look at what this government is doing. They look at the risk to public safety that this government is throwing out there and they are alarmed. I invite you to get a copy of this and read it for yourself.

We are going to debate this legislation as long as we can because we want to make more people aware that the kind of tragedy that happened at Walkerton can easily happen in other spheres of our life these days under this government, because this government doesn't seem to give a care about public safety. They're prepared to hand all of these important public safety issues over to a private company that is already in a conflict of interest. People need to be aware.

**The Deputy Speaker:** The member's time has expired.

Comments and questions?

**Mr Maves:** It's a pleasure to rise to respond to the member opposite. I wasn't here for his entire input in the debate but I did watch some on the TV in the government office, and one of the things that I heard him talk about was that the TSSA is not covered by the freedom of information act, the Provincial Auditor and a few others.

Earlier in the day I did explain to this House that indeed there are protocols that have already been developed. The Provincial Auditor, in his 1999 report, acknowledged there are protocols that allow for a wide-open look at the TSSA's books. The Provincial Auditor seemed satisfied, in his 1999 report, with the protocols that have been established, and that's part of the accountability, the governing structures that have been arranged with the TSSA and the Ministry of Consumer and Commercial Relations. So that is taken care of. Similarly with the freedom of information act, the same types of protocols have been entered into in the agreement between the TSSA and the Ministry of Consumer and Commercial Relations.

I wanted to just relay those pieces of information to the member opposite. Hopefully he will rest assured that those protocols have been entered into. I believe, with some of the other organizations that would oversee most of the government organizations that he mentioned in his speech, there are similar protocols that have already been

entered into under the agreement with the Ministry of Consumer and Commercial Relations.

**Mr Bradley:** I think what we're hearing consistently this afternoon—at least on this side of the House, and this is the side of the House we're hearing from this afternoon—is that there's a great apprehension about turning over responsibility for protecting the health and safety of people in Ontario to more private-sector, arm's-length organizations. Whether you're riding an elevator, or you're riding perhaps a roller coaster at an amusement park, there's great concern that there's been a proper inspection, that the paperwork has been done appropriately, that the people who are operating these amusement devices are in fact competent, properly certified people, so that we reduce the risk to the population.

The analogy has been made consistently to what happened in the Ministry of the Environment when we turned over to the private sector full responsibility—all responsibility—for the laboratory testing; that is, people sent their samples in to a laboratory of the provincial government in years gone by, it was analyzed and sent back. The loss of that, the movement out of the field of the environment by the Ministry of the Environment, the downloading to municipalities of many of the responsibilities formerly carried out by environmental officers and the abandonment, this year and particularly next year, of municipalities in terms of funding, all raise a concern out there. So when we see a piece of legislation of this kind, for which the government wouldn't accept all of the amendments suggested by the opposition, then we justifiably move with caution and oppose a bill of this kind.

1730

**Mr Marchese:** I congratulate our leader, obviously, on his most emphatic opposition to this bill. I remind the citizens of Ontario that this is the non-government government. These are the Tories who came and said: "We're going to fix things. We're not a real government." They used to say, "We want to get government off your back." They still do. Aren't you worried, citizens, about what has happened to Walkerton when governments get off your back and when governments decide they are no longer the government, they are the non-government government? Aren't you concerned, taxpayers of Ontario? I would be. I am, because the tragedy is but one single instance that is observable, felt; and many indeed have suffered and died as a result of this non-government government's approach to things.

The whole idea of moving from regulation by public servants to industry self-regulation ought to be troublesome to you, because it is to me. You ought to be worried about that because it worries me as a citizen, not just as an opposition politician.

Our leader made reference, as I did, to the Canadian Institute for Environmental Law and Policy. In our view, this is an objective body that has the interests of the public and public safety at heart. We made reference to this report because, if you sometimes do not trust the politicians, we have to make reference to other organ-

izations that speak to government's proposals and government's bills so that, if you cannot trust us, hopefully you will trust them.

We want government back. We want a government that's accountable, that has built-in accountability mechanisms. That's what you should demand of these politicians. We don't have that now.

**Mr Gill:** It is indeed a pleasure to take part in this debate. I am sure people at home who are watching this debate today, especially when they are listening to the members of the third party, might be thinking: "The sky is falling. Everything is wrong." The members of the third party are make it sound as if throwing money and creating big government are going to solve all your problems. They tried that. When there was a recession, when there was \$11 billion of deficit, they were going to spend their way out of the recession. The people of Ontario understand that does not work. They tried that.

They are implying that the same people, the same inspectors, if they are working with a government body, are better, but if they are working in a private lab are not good enough. That is not the case. Many of the governing bodies, especially when you make them so-called privatized or self-governing—and I'll mention some of them: TICO, a travel industry association, and CPSO, College of Physicians and Surgeons of Ontario—are created to look after public safety. They want to ensure that their members give the quality service that Ontarians so richly deserve.

I was very happy the other day and I'm going to put it in a personal context. I went to get my propane tank filled up. The leader of the third party talked about propane tanks. They refused to fill it. I was quite astonished. Why would they not fill it? Because it was past the 10-year life of the tank. I was very happy that they are the body watching and making sure that all the standards are met.

**The Deputy Speaker:** The member for Kenora-Rainy River has two minutes to respond.

**Mr Hampton:** I want to respond to some of the members opposite. One of the members pointed out that this will all be done by protocols. Both the privacy commissioner and the Ombudsman have looked at the protocols, and this is what they say: The provisions don't provide the same legal protections as those provided through the legislation that would normally apply to a provincial agency. In other words, it's not up to the standards. It doesn't measure up. In this vital area of public safety, this government is willing to backslide, and oh how we've seen that they backslide.

So we've got a private organization with lots of power, in potential conflict of interest, no clear directives from the government, no strong support or guidance from government, no legal obligations to provide the same kind of privacy, complaints or services that a government body is supposed to provide. This government says, in the field of public safety, "That's good enough." That's exactly what they were saying in Walkerton: "This is good enough." It's not good enough.

I invite people to call for this report from the Canadian Institute of Environmental Law and Policy. There's an interesting story in it about how some of the elevator inspectors, when they reported faulty elevators, were told by the executives at the TSSA: "Oh, don't say anything; just keep it quiet. It doesn't matter that there are some faults with this elevator; just keep it quiet. Nothing will happen."

These are other tragic accidents waiting to happen and this government is prepared to endorse that.

**The Deputy Speaker:** Further debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to continue the debate on Bill 42. To remind the public, this is a bill that at its core provides this agency with the primary responsibility for enforcing some very important acts that used to be independent acts: the Amusement Devices Act, and all of us have been to an amusement park or a fair and most of us are aware of some accidents that have happened, so that's an important one; the Boilers and Pressure Vessels Act; the Elevating Devices Act, which clearly is crucial to us; the Energy Act; the Gasoline Handling Act; the Operating Engineers Act and another act.

It establishes this authority for, as the previous speaker indicated, the Technical Standards and Safety Authority, the TSSA. I'll use that acronym as we go along in the debate.

The concern in our caucus is the lesson that I think many of us have learned from what's happened with water in Ontario. It is an enormous caution for us of what can happen when governments choose to delegate to a private organization some of their very prime responsibilities. There are clearly many things the private sector can do and do well. Most of us here probably came from the private sector and we understand that. But there are also some things that are so fundamental to the public that we must, when we are considering delegating it to the private sector, give it very serious consideration.

I go back through the lessons that we are beginning to learn on Walkerton. I carry around with me a document called Here's Where You Should Be Doing Business. It's an Ontario government document that's used to explain to businesses why they should locate in Ontario. Interestingly enough, the third page in it says, "Ontario means beautiful, sparkling, shining water." It is ironic in the extreme—I'm slightly off topic, Mr Speaker—that the very definition of Ontario is the thing that right now we are seeing most at risk, and that is our beautiful, sparkling, shining water.

**1740**

But later in the document, the government says approvals on the Environmental Protection Act, the Water Resources Act and the Environmental Assessment Act have been "simplified." That obviously means made easier, that much of the regulations have been removed.

There's something we have around here called the Red Tape Commission. To me, that was an early signal where the government said to businesses, "Come on and locate in Ontario because we have made it easier to deal with us

in the areas of the Environmental Protection Act, Water Resources Act and Environmental Assessment Act.”

In my opinion, when the facts come out about Walkerton, I have a feeling—and I’ll await the final conclusion of Justice O’Connor—that this getting rid of many of our protections may very well have contributed to the problems at Walkerton. The reason I raise it is because, as we move now to pass this bill, as Bill 42 moves through the Legislature, it is moving from the public domain to the private domain many of the responsibilities for ensuring that these acts are carried out, not unlike what has been done in the environment, the water and the air, where we’ve transferred responsibility from the Ministry of the Environment to the private sector.

I would like to remind us that we’ve been warned here. We have two independent organizations—actually, we have more than two. We have three independent organizations, all three of which have very recently warned us about some of the problems with this. In 1996, one of the major recommendations of the Provincial Auditor—and this will, I think, become an integral part of Justice O’Connor’s investigation—was protecting water. He talks in this document about 31% of our wells exceeding the maximum acceptable level. This is ironic. He talks about what this causes: intestinal illness characterized by—and he goes on. He says that this is, according to the Ministry of Health, one of the most frequently diagnosed diseases in the province. The Provincial Auditor said to the government of Ontario of the day, the Harris government, “What are you going to do about this?”

You have transferred responsibility for monitoring, for testing water quality to the private labs. There is a serious problem here. Actually, one of my colleagues earlier today raised an issue where one of her constituents had her well water tested and there were serious problems with the water quality, but the lab, I gather, simply put it in the mail, sent a postcard to her rather than—in my opinion, I would have thought with any kind of quality of service, that lab should have been phoning her and saying: “Listen, we’ve done the testing. You’ve got a major problem here. You can’t be drinking that water.” It was seven days after the lab put that postcard in the mail that she got it and found she had a serious problem.

The auditor said, “We have a major problem,” and the government said: “We’re going to deal with it. We are working together, several ministries together, to develop a plan to deal with it.” The auditor accepted that at face value, but as a good auditor does, two years later the auditor revisited the issue to find out what the government was doing about the water problem that he had pointed out in 1996. Tragically, the auditor got exactly the same answer. As of June 1998, two years after this report, a water strategy plan had yet to be finalized.

I raise this in the context of Bill 42 because in some respects we are moving a major responsibility for monitoring public safety away from the public and into the private sector. What did our Environmental Commissioner—that’s the second body that looked at this very

issue—say? She, tragically but ironically, raised exactly the same issue as the Provincial Auditor, saying, “I’ve made recommendations and continue to make recommendations on this issue,” and in her 1998 report she’s saying to the ministries, particularly the Ministry of the Environment: “What are you doing about this? Where is this plan for dealing with these problems of water in the province of Ontario?” If it weren’t so serious, this would be amusing. But it’s so serious that it’s sad.

What our Environmental Commissioner got was four different answers from four different ministries because the government said, “We’re trying to pull together this plan.” From the Minister of Natural Resources there was one answer, from the Ministry of Agriculture another answer and from the Ministry of the Environment another answer. One said it’s too early to release it, another said that a draft document was soon going to be made public and another said the draft document is under review.

Warnings from our two major independent bodies about the quality of water, and the government’s response—and this is where I think the government will be found negligent and this is where the Premier, in my opinion, will be found negligent. It now appears that there was arguing and bickering, ministries arguing with each other about what should be done, and nobody seemed to have the clout or whatever was necessary to pull them together and say: “Listen. The auditor,” or the Environmental Commissioner “is telling us we’ve got a huge problem with water. We have to pull this thing together.”

The private labs that had done the testing apparently had no responsibility because they’re a private lab. Their only responsibility, I gather, was to report to the facility that sent them the water sample. They didn’t need to notify, I gather, the Ministry of the Environment, and I gather they didn’t need to notify the medical officer of health. Had this been under the old regime where the labs were publicly owned and run, that would have happened. The Ministry of the Environment, because they owned and ran the labs, would have known about it and the medical officer of health would have known about the problems at Walkerton.

But here we are today in a rather ironic situation. We’re moving to delegate to this private organization some of the key responsibilities for, as I say, some very sensitive areas: elevators, amusement parks, various energy devices.

There’s a trail that sounds familiar here: the government bragging that it has turned over to the private sector some of the responsibilities for the environment—it has cut out regulations that used to make it more difficult, perhaps, to operate but perhaps safer for the environment—and then we find the problems developing. It actually is a bit ironic. Again, my colleague spoke earlier today about what isn’t in here in terms of some of the freedom of information requirements and some of the opportunities for our Provincial Auditor to look at their books.

1750

The Ombudsman released his report today, and in a related issue this government—the day the provincial election was called a year ago, May 5, 1999, the 407 deal closed, and the buyer of the 407 in the biggest privatization deal in the history of North America brought a cheque over to Mike Harris for \$3.1 billion; \$1.6 billion went into the pre-election fund. The Ombudsman points out in the report released today, June 15, that it was unfortunate that neither the act nor the concession and ground lease agreement covered in its implementation contained accountability mechanisms for legislative compliance. It points out here that the Ombudsman recommended “lessons learned in this case be shared with other government agencies. This matter highlights the need in privatization initiatives for accountability mechanisms to ensure that the private sector partner acts fairly with the public.”

That’s today. I’m not sure those mechanisms are built into this bill. Certainly the need for freedom of information is not built into this bill. The public may say, “What does that matter?” Well, it is through what we call around here freedom of information that we are able to get, the public is able to get, the opposition is able to get, essential information about questions that we have that the government or the agency of the government is refusing to divulge. As I say, it’s ironic that this is raised as an issue today about this bill. It is also, I might say, something that the Ombudsman raised today and yet is not adequately, in my opinion, covered in the bill.

The government is moving to take away from public view many of the essential elements of public business. My colleague mentioned earlier the Ontario Realty Corp. There’s an example where, out of public view, the government is selling off, I gather, about \$5 billion worth of government land and buildings without, it appears, nearly appropriate public scrutiny. We have a major problem there. There’s a police investigation going on. There are almost daily reports of deals made by the Ontario Realty Corp that appear not to be in the public’s best interest. There’s an example where we have what’s called an independent board. The minister, ironically, goes to the board meetings but says he doesn’t know what’s happening there. He says the board makes these independent decisions and says that those decisions were made completely by this board. But it appears that this independent board has made—the best I can say is, questionable deals—bad deals for the public. But we are proceeding with this bill to once again further remove from public view some essential elements of public management.

I go back to the lessons that surely we now have learned as the result of Walkerton. There are some things

that are so fundamental to Ontarians that they deserve assurance that it’s going to be delivered. Clean, drinkable water is the ultimate.

It was very ironic last night. I happened to be honoured to be at a dinner at which Archbishop Desmond Tutu spoke. He was speaking about how in this world which now has governments in most of the industrial world with surpluses, surely we must have the resources to make certain that people don’t starve and that people are able to drink safe water. Of course he was initially referring to Third World countries, but it was ironic that Archbishop Tutu was here in Toronto talking about issues of safe drinking water that he’s trying to deal with in the Third World when that is a huge problem for us today.

My colleague Mr Kwinter raised the issue of how we are going to reassure the investment community that Ontario has its water supply under control. I think that is an issue, even if the government chose to get angry with the question. It’s a legitimate question with no answer that I heard today.

To summarize: Here we are dealing with a bill that is another removal from the public eye of some essential safety elements. It is part of a pattern. I understand the pattern. The Harris government is attempting, and moving very quickly, to move things out of public view and into the private sector. But with the backdrop of Walkerton, surely we must now learn some lessons. Ontarians deserve that their government, their Legislature, is going to maintain its control over some of the very essential elements in Ontario society, and one of them is public safety.

You can trace the Walkerton situation. First, the government bragged about how it used simplified environmental, water and whatnot regulations in Ontario to make it “easier” to do business in Ontario. Then the Provincial Auditor and the Environmental Commissioner, two independent organizations that looked at this, sent out some very strongly worded concerns to us. The ministry itself had a document indicating serious concerns. But the government went ahead anyway and essentially privatized the testing of drinking water.

Now, in my opinion, we have a serious problem and, unfortunately, I don’t think it’s limited to Walkerton. I think we have problems on a broader basis and yet I don’t think we’ve learned that lesson. Ironically, we’re about to pass in the next few days another bill that essentially moves the problem of Walkerton into some other areas.

**The Deputy Speaker:** It being 6 o’clock, this House stands adjourned until 1:30 of the clock on Monday next.

*The House adjourned at 1757.*

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		York West / -Ouest	Sergio, Mario (L)

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

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