



Legislature of Ontario Debates

Second Session of the Thirty-First Parliament

May 23-June 23, 1978



Legislature of Ontario Debates

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Second Session, 31st Parliament

Tuesday, May 23, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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ERRATA

The following errata for the Second Session of the 31st Parliament (February 21 - December 15, 1978) have already appeared in previous daily issues of Hansard. They are reprinted here in bulk so that subscribers can ensure that the corrections have been made.

No.	Page	Column	Line	Should read:
1	11	—	53-54	
Ruston, R. F.				Essex North L
Samis, G.				Cornwall NDP
8	267	1	8	Bill 19, An Act to amend the Mental Health
8	267	1	14	Bill 20, An Act to amend the Public Vehicles
8	267	1	20	Bill 21, An Act to amend the Public Com-
11	413	—	55	Stong, A. (York Centre L)
14	522	1	45	Mr. Bolan: I would suggest to the hon.
27	1143	1	56	Mr. Reed: Just as a point of clarification,
27	1143	2	10	Mr. Reed: That being the case, then the
27	1143	2	22	Mr. Reed: I understand that, and I under-
31	1300	2	19	of Bill 11, An Act to amend the Vital Sta-
39	1625	2	4	nature to question 45, order paper 35, which
41	1703	2	15	The House adjourned at 10:49 p.m.
48	1955	1	55	Treasury ministry entitled, "Canada's share
54	2218	1	25	Mr. Samis moved first reading of Bill Pr21
57	2356	2	5	Bill Pr7, An Act respecting the City of
60	2437	1	5	motion for second reading of Bill 71, An Act
60	2459	1	47	teric languages as Gujrati, Punjabi and Urdu,
				to men-
61	2482	1	13	moved first reading of Bill Pr13, An Act
				respecting the City of London.
63	2552	2	59	of at least 600 square feet and valued at no
69	2789	2	6	of Bill Pr18, An Act to revise the Hamilton
84	3357	1	23	Mr. M. Davidson: Supplementary: Given
				that
89	3577	1	30	Bill 124, An Act to amend the Residential
92	3730	1	30	97. Mr. D. Warner (Scarborough-Elles-
106	4387	2	37	Mr. S. Smith: In 1970 the then Minister
				of the Environment (Mr. Kerr) said, "if the
				industry doesn't do it the government will
				take over."
106	4393	1	55	there was really no effective way, if
113	4667	2	23	Mr. Wildman: Why don't you lower the
				park fees, then?
113	4676	1	5	Mr. Handleman: I want to express my
				hope now that
125	5121	2	11	Bill 166, An Act to establish the Ministry of
145	5899	1	25	is for the Ontario Energy Corporation, which
				in

LEGISLATURE OF ONTARIO

TUESDAY, MAY 23, 1978

The House met at 2 p.m.

Prayers.

STATEMENT BY THE MINISTRY

PRAXIS INVESTIGATION

Hon. Mr. McMurtry: Mr. Speaker, I want to inform members of the Legislature of the results of an investigation relating to the theft of documents from the office of Praxis Corporation.

Members will recall that on June 24, 1977, I received a letter from the Solicitor General of Canada conveying information he had just received regarding the theft in December 1970 from the Praxis office on Huron Street. The information included suggestions that there were police officers in Toronto who had knowledge of the theft.

Earlier in 1977 the Metropolitan Toronto Police had concluded an investigation into allegations that members of the Royal Canadian Mounted Police may have committed criminal offences in relation to Praxis Corporation. In a statement issued May 27 of last year the Metropolitan Toronto Police said: "The Metropolitan Toronto Police have investigated the allegations that the RCMP may have been involved in the fire and theft of documents at the Praxis Corporation, 373 Huron Street, December 18, 1970."

The report goes on: "As the result of the investigation, the Metropolitan Toronto Police are satisfied that no member of the RCMP or any agent of theirs was involved in the offence. With respect to the retention by the RCMP of the Praxis documents that were given to them, this aspect was investigated to see if it warranted the laying of possession charges or obstruction of justice.

"We are satisfied as a result of the investigation that there was sufficient justification on their part for not notifying our force. The documents were not retained by them for criminal purposes and there was no intention on their part to obstruct us in our investigations.

"Mr. Rickaby, York crown attorney, was consulted in this matter and kept posted and fully informed of our investigations. He has advised us that when all the circumstances were considered, it was his opinion that

charges are not warranted and we agree with his findings.

"The RCMP has co-operated fully with us in this investigation."

Mr. Speaker, upon receipt of the letter from the Solicitor General of Canada, I wrote the same day to the chairman of the Ontario Police Commission asking him to review the letter. Shortly thereafter, following consultation involving the chairman of the Ontario Police Commission and senior officials in my ministry, it was decided, in light of the information contained in the letter from the Solicitor General of Canada, that there should be a further investigation to determine if there was any evidence to warrant the laying of any charge against any police officer or officers or any other person.

An investigator from the police commission and two senior criminal investigators from the Ontario Provincial Police were appointed to conduct that investigation. I received an interim report of that investigation in October and advised the Legislature on October 31 that it revealed no evidence of any involvement by any police officer in the break-in or arson. I informed the Legislature that I was awaiting the results of further investigation and a final report with respect to other aspects of the matter.

In December I received a further report from the OPP. After the receipt of each of these reports senior officials in my ministry met and reviewed the matter with the investigators in some considerable detail. A final report was received April 18, 1978.

Its conclusion is that there is no evidence that any police officer or person acting as an agent of any police officer or police force had anything to do with the break-in, arson or theft of documents belonging to Praxis Corporation at 373 Huron Street on December 18, 1970. The report also concluded that there are no grounds to lay charges against any person, arising out of the subsequent receipt and possession of Praxis documents by the RCMP.

The senior law officers of my ministry who have been consulted by the investigators during the course of this investigation agree with these conclusions. I am satisfied that there has been a full and proper investigation into

the matters which were referred to me by the Solicitor General of Canada.

Mr. Speaker, I have been advised that the OPP has turned over its file relating to this investigation to the investigative staff of the McDonald commission for whatever assistance it may be to them in carrying out their duties.

ORAL QUESTIONS

ARTS COUNCIL GRANTS

Mr. S. Smith: I have a question of the Minister of Culture and Recreation. Can the minister now answer the question which I put to him on May 11, as to whether or not a \$25,000 grant for the Centre for Experimental Art and Communication, approved in April by the Ontario Arts Council, has in fact been sent to the Centre for Experimental Art and Communication? What is the minister's intention in this regard? He has been away, as we know, since then and I thought he might have a statement today about that.

Hon. Mr. Welch: Mr. Speaker, the grant to which reference is made has not been paid to the applicant. It is my understanding that the arts council has made it clear to the applicant that the entire council wants the opportunity to review that particular matter at its June meeting.

Mr. S. Smith: I am glad to hear that. A rather different tune today, isn't it?

Mr. Deans: Had time for reflection?

Mr. S. Smith: May I ask the minister, by way of supplementary, if he is prepared to make his own opinion known to the arts council or whether he prefers to wait for the arts council to decide this matter, or does he not feel that in a matter of this importance the opinion of the government should be very clear?

Hon. Mr. Welch: Mr. Speaker, there is no question that I have every intention to share my views with the officials of the arts council.

Mr. Cassidy: Supplementary, Mr. Speaker: The minister has been asked several times about this matter; both in relation to Strike and also in relation to the centre, but has not made his views or the government's views clear. Is the government prepared to assure the House that it will not see funds given to organizations which are advocating terrorist ends or supporting them?

Hon. Mr. Welch: There is no question in my mind. I have made that point quite clear. However, I do respect the fact that we have an independent agency which itself is now seized with this particular matter. I would

be very surprised if they didn't share the same views, but I will at least give them the opportunity to meet in June to review that matter with the applicant.

Actually, they have been having some preliminary meetings with the applicant, and I certainly would not want to leave any confusion in anyone's mind as to where the minister or the government stands with respect to any group that advocates this type of behaviour. It is absolutely unacceptable to the minister or to the government.

Mr. S. Smith: What a difference a week makes.

Hon. Mr. Welch: I said that the last time I had my very friendly exchange with the Leader of the Opposition.

Mr. Peterson: What about that speech on censorship you made a week ago?

Mr. S. Smith: For my final supplementary, may I ask the minister whether he has now changed his mind since May 11 when he lectured me saying: "There is absolutely no connection between the application and that grant that is being discussed by the Leader of the Opposition"—which was the grant we were just talking about—"and the tabloid"? He said there was absolutely no connection at all. I take it the minister now has second thoughts on this matter.

Hon. Mr. Welch: I think the Leader of the Opposition, in fairness, would recall that in the exchange I indicated the Ontario Arts Council had treated the application separately. There was one for the tabloid Strike, which had been submitted about a year ago. Then there was the annual review of what one might call the maintenance grant for the organization itself, that is, the Kensington Art Association.

Certainly on the information I had from the arts council, the arts council had made it quite clear to me they were treating those two applications quite separately. The Leader of the Opposition, in fairness, did point out, as has been pointed out since, that there was some similarity in some of the names of those who were seen as the members of boards of directors of the organizations, and certainly that hasn't gone unnoticed.

Mr. S. Smith: I can read it again.

HEALTH RECORDS

Mr. S. Smith: I'll ask a question of the Attorney General. What happened to him? He was here a second ago. Oh, there he is. He is not the sort of guy you lose track of.

Mr. Peterson: Are you getting legal advice from the member for Stormont-Dundas-Glen-garry (Mr. Villeneuve)?

Mr. Roy: He is telling you he likes the Judicature Act.

Hon. Mr. McMurtry: I was consulting with one of my very distinguished colleagues.

Mr. S. Smith: He's helping you with your backhand.

Interjection.

Mr. S. Smith: A question of the Attorney General: Going back now to the item of confidentiality of health records, the action of Centurion Investigations and the matters that have come to light in the Krever commission, the Attorney General will recall that during the Krever commission inquiry a certain person in St. Catharines had drawn to the attention of his office the practice, on at least one occasion, of trying to obtain information under false pretenses. I take it that what happened then was that a certain private investigation firm lost its licence as a consequence of the inquiry having been made to his office. Could the Attorney General explain to us why the firm to whose number the call was actually traced did not lose its licence but some other firm did? Could he explain the circumstances of this matter?

Hon. Mr. McMurtry: I'll attempt to explain the circumstances as best as I recall them at this moment. It came to my attention again when I read in one of the local newspapers that this information had apparently been communicated from St. Catharines to the Ministry of the Attorney General. Certainly some inference at least could be drawn from that story that the matter died there and nothing happened. On getting the report, I recalled at the time that we had turned it over to the OPP. That brought it back to my memory because, quite frankly, I had forgotten about it.

As a result of their investigation, charges were actually laid and a conviction was obtained against the principal of this particular investigating firm. I could give the member this information in greater detail later. I don't even recall the name now of the investigator or his firm, but I do know that he was successfully prosecuted and convicted. As a result of that prosecution, he lost his licence. As to the relationship between that firm and Centurion, there was a working relationship with them, but my recollection of the facts is that the information that we had and that the OPP were able to uncover didn't justify any action in addition to what did take place.

[2:15]

Mr. S. Smith: By way of supplementary—accepting that in matters of this complexity the minister might wish to provide the details a little later, which I would look forward to—apart from the question of why Centurion itself appears not to have been prosecuted, but rather the company which allegedly hired it, what else did the minister's office do when this came to light?

We now know that there were some hundreds of examples of this kind. Did the minister do anything to inform the Minister of Health (Mr. Timbrell) that this practice was in place so that they might improve their own standards of confidentiality? Did the minister do anything to find out whether there were other examples, that this wasn't just an isolated case that just happened to occur in St. Catharines? Was there an inquiry made any more broadly than the one case?

Hon. Mr. McMurtry: As I recall—the details are not totally clear in my mind now—it appeared at that time to be an isolated case and there was nothing from that investigation that would indicate that this was in fact a widespread practice. I just remind the members of the Legislature that it was the Minister of Health and myself who acceded to Mr. Justice Krever's request to broaden the terms of the inquiry so as to allow them to investigate as broadly as they have, which has obviously been done in the public interest.

My recollection of that particular set of circumstances is that there was nothing from the OPP investigation; and, of course, we are dealing with experienced police officers who would, on their own, be in a position to make a judgement as to whether or not further investigation was warranted. My recollection of the report that we have is that there was no such evidence to warrant a broader investigation at that time.

Mr. Cassidy: Since it will be some time before the commission's report is in fact delivered up to the Legislature and to the government, what steps is the Attorney General taking with the Ministry of Health and other ministries in order to ensure that some of the practices being revealed before that commission can be curbed and confidentiality can be improved over the period of time until the commission report is delivered?

Hon. Mr. McMurtry: I think the Minister of Health has made it very clear as to efforts that he has taken to ensure that the confidentiality of these medical records will be secured—will be maintained; and certainly

as these revelations occur, through the course of the Krever inquiry, it will alert the Minister of Health or, indeed, any other ministries that may be involved as to the care that must be taken.

But certainly I think the Ministry of Health, to my knowledge, has done everything that is humanly possible, as far as the minister is concerned, to secure the confidentiality of this information pending the outcome of the Krever commission.

CHAIN STORE DISCOUNTS

Mr. Cassidy: Mr. Speaker, I have a question for the Attorney General. In view of the fact that the standing resources development committee begins its hearing tomorrow on the two per cent kickback in the food industry, will the minister today table the information which my colleague from Riverdale (Mr. Renwick) requested last week and on which the minister based his judgement that there was no illegality in connection with those kickbacks?

Hon. Mr. McMurtry: I don't have the information to table today, Mr. Speaker.

Mr. Cassidy: Supplementary, Mr. Speaker: Will the minister tell us if he has any information, and if he will table the information or not, and when?

Hon. Mr. McMurtry: We will be tabling the facts, upon which our opinion was based, before the end of the week.

Mr. Renwick: Mr. Speaker, by way of a supplementary question, surely the Attorney General could co-operate with the committee of the House and table the statement of facts promptly so that it will be available to the committee. Doesn't he think that is his obligation, or is he in fact saying that he didn't have any written statement of facts on the basis of which he prepared his opinion?

Hon. Mr. McMurtry: I have nothing to add to my answers, Mr. Speaker.

Mr. Cassidy: Mr. Speaker, will the Attorney General undertake to table all of the information which he received from the Ministry of Agriculture and Food in connection with his decision and will he also undertake to get it before the committee before it begins its hearings tomorrow so that it can do an effective job and have that information which governs a major area of this inquiry?

Hon. Mr. McMurtry: I have nothing further to add that would be anything other than pure repetition of what I have responded to earlier, Mr. Speaker.

PHYSICIANS OPTING OUT OF OHIP

Mr. Cassidy: Mr. Speaker, I have a question of the Minister of Health which arises from the announcement by the president of the Ontario Medical Association that he intends to withdraw from OHIP and raise his fees by the equivalent of \$4 for an office visit and goodness knows how much for more high-priced items. Can the Minister of Health tell the House how many doctors have opted out of OHIP since the announcement of the separate OHIP and OMA schedule of fees?

Hon. Mr. Timbrell: Mr. Speaker, first of all it was not, to the best of my knowledge, an announcement as such from Dr. Vaill. He was phoned and asked a question. He wasn't making a grandstand of it.

Ms. Gigantes: He didn't say that?

Mr. McClellan: Very cute.

Hon. Mr. Timbrell: Secondly, the figures on the numbers serving notice—they have to give three months' notice—are being compiled. I have initial reports that they're being compiled and in an answer to a question from the member's colleague, the member for Oshawa (Mr. Breaugh) of a week or two ago, I said once they are compiled I'll report them.

Mr. Swart: It's one of those things where the minister has to keep a running total.

Mr. Cassidy: A supplementary, Mr. Speaker: Can the minister assure the House that the ministry is monitoring those doctors leaving in order to ensure that no situations exist like the one that was described by my colleague, the member for Windsor-Riverside (Mr. Cooke), last week in which whole communities are being exposed to doctors who will only charge the OMA fees and will not be prepared to accept OHIP? If that monitoring is taking place, what action is the minister taking in those communities to ensure that patients have access to medical care at a price they can afford?

Hon. Mr. Timbrell: Mr. Speaker, yes, we are monitoring. If the member would look at my remarks of April 14 in answer to a question from my colleague, the member for York East (Mr. Elgie), I think, I indicated that we are in a position to monitor this mainly through OHIP, which is the body to which doctors must give notice of their intention either to opt into or opt out of the plan and to my own ministry's central office. I may say there is no evidence to date in these isolated incidents to indicate these moves are in any way deterring people unnecessarily from the health care system, that they are, in any way, suffering a lack of medical care because of it.

Mr. Cunningham: Supplementary: I'd like to ask the honourable minister if he's aware of a survey conducted by the Hamilton Academy of Medicine wherein it was revealed that 450 of their 834 members had made inquiries via letter or the telephone about leaving the province?

Hon. Mr. Timbrell: I seem to recall seeing a press report of that. It may, in fact, have been a statement made at the recent annual convention of the Ontario Medical Association. Inquiries are one thing; actually doing something about it is quite another.

Mr. Breugh: Supplementary: I'd like to ask the minister why it is taking so long to get the information before the House on the number of doctors who have served notice? What is the problem there? Secondly, he made reference in a couple of speeches as to what he might do if the majority, or a large number of doctors, opted out. Can he share his thoughts with us on that matter?

Hon. Mr. Timbrell: Mr. Speaker, I never pegged my comments to a number of doctors. What I talked about was the basic principle of the universality of the system and whether there was any indication that that was being threatened. To date, and in the nine years that we've had the present system, during which time all doctors have had the right to opt out—

Mr. Cassidy: It is under threat now.

Hon. Mr. Timbrell: I'd like to finish, please—and they haven't. That is not the threat. As far as the number is concerned, I got the rough figures at the end of last week. It's being compiled into an answer and I will get them to the member.

Ms. Gigantes: What are they, roughly?

Mr. B. Newman: Mr. Speaker, the minister has indicated he doesn't have the complete figures for the province of Ontario. Does he have them for Windsor and/or Essex county?

Hon. Mr. Timbrell: Mr. Speaker, I said I have the initial report, the rough figures for the province. I don't have them broken down by county, region or district. It's being worked into an answer through the ministry.

Mr. Martel: Give us a ball-park figure.

Mr. Warner: The minister is totally inept.

Mr. Duksza: Supplementary: Does the minister intend allowing these insidious actions by the doctors—allowing a deterrent fee in our health system in Ontario?

Hon. Mr. Timbrell: I'm sorry, Mr. Speaker, I didn't hear the question.

Mr. Duksza: Does the minister intend, by allowing physicians to opt out from the system

by very insidious actions of this sort, to introduce a deterrent fee into the health system without taking action himself?

Hon. Mr. Timbrell: Mr. Speaker, as the honourable member knows, and if he will refer back to the budget of March 7, the principle of a province-wide profession-wide deterrent fee was considered by the government, by the Treasury in particular, and rejected. It is still a fact that since the beginning of the plan, any physician, himself included, has had the right to opt in or opt out of the plan. That has worked very well and I have no reason to believe at this point that it won't work in the future.

Mr. Warner: The system crumbles around you and you do nothing.

Mr. Foulds: I wonder if the minister could do two things for us: one, share with us the rough figures that he already has before him; and two, give us his definition of universality? Is that 75 per cent, 60 per cent or 100 per cent? In other words, at what point does he think the system will be threatened?

Hon. Mr. Timbrell: I am not sure what the honourable member is referring to—75 per cent, 60 per cent of what, but—

Mr. Foulds: Of doctors, in.

Hon. Mr. Timbrell:—again, going back over a month to the exchanges in this chamber, I think it is far too premature and would be the height of speculation to try to pin what may be a problem to a specific number. We haven't had a problem in nine years. I am sure that as the anti-inflation controls come off we will see some aberrations in the pattern, but looking ahead to the longer term, I have no reason to believe that the basic principles of the system will be threatened, although I have made it clear repeatedly in this House and outside of this House that if we find that people are being deprived of services because of the whole system being changed beyond the authority of this House and this government, then we would step in, and the intervention would be tailored to the degree of the problem.

Mr. Cassidy: You ought to table the figures. Why don't you bring in the figures?

SCARBOROUGH CENTENARY HOSPITAL

Hon. Mr. Timbrell: Mr. Speaker, on April 25, the hon. member for Scarborough-Ellesmere asked my colleague the Minister of Labour (B. Stephenson) that Scarborough Centenary Hospital co-operate with the Metropolitan Toronto Police force in the investigation of the beating of a hospital employee by a patient and two visitors so that

charges could be laid in this matter. I have spoken with the Minister of Labour on the subject and I would like to reply on our mutual behalf.

I understand that this question was precipitated by a letter written by a Mr. Edwards of the Canadian Union of Public Employees to Mr. Glover, administrator of the hospital, alleging that a number of serious incidents have occurred in the hospital psychiatric ward with regard to patients abusing the staff.

I have been advised that there was one incident recently on April 12 and one incident about six months ago. Such incidents are, however, very rare. All such incidents are brought to the attention of the hospital's administration for information and followup. The hospital does, of course, co-operate with the police in such investigations and I understand that the hospital's administration has not been contacted by the police in this case.

I would also like to point out to the honourable member that hospitals are required under regulation 729 of the Public Hospitals Act to have an accident prevention policy. This is to ensure the establishment of procedures designed to encourage a safe work environment, safe work practices and the prevention of accidents to patients, employees, professional staff and visitors.

The hospital must also provide for an accident prevention committee with a composition representing the administrative staff, the medical staff, the nursing staff and employees to whom the Labour Relations Act applies. This committee, under the regulation, must meet at least once every three months, report to the hospital board of governors on each meeting and make recommendations to the board concerning implementation of the accident prevention policy. Scarborough Centenary Hospital has such a committee, which it calls the occupation health and safety committee.

Mr. Warner: Supplementary: While I take it that the minister is exonerating the actions of the hospital, is he aware of a letter of April 26 in which the hospital administration says it doesn't wish to meet any longer with the union with respect to the health and safety committee? What leadership will the minister show to make sure that the health and safety committee will be set up properly and do its job properly so that Mr. Allan and other employees won't be the subject of attacks because they are understaffed?

Hon. Mr. Timbrell: The first thing I will do is have a look at the whole letter rather than listening to something taken out of context perhaps. To the best of my knowl-

edge I am advised that the committee does exist—

Mr. Warner: On a point of privilege, Mr. Speaker, the minister is accusing me of taking this out of context.

Hon. Mr. Timbrell: I am casting no aspersions. I am just saying the member has quoted one small part. I will take a look at the whole letter and I will confirm what I have been told; namely that the committee does exist, it does meet regularly and does consist of the people I referred to.

NATIVE PEOPLE'S CENTRE

Mrs. Campbell: I have a question of the Minister of Culture and Recreation. Can the minister confirm his intention to continue funding the unique Ahbenooyegug native people's centre for this year; and will he allow the youth workers' program at the centre to be supported by grants from his ministry?

Hon. Mr. Welch: Yes.

Mrs. Campbell: I wonder when we could have an indication of that, in view of the fact that this centre, which serves over 400 children and their families, has been closed down for three weeks because of lack of funding. Could he speak to his colleague, the Minister of Community and Social Services (Mr. Norton), to try to get some permanent funding for it?

Hon. Mr. Welch: I would be glad to look into that right away.

IMMUNIZATION

Mr. Breaugh: I have a new question for the Minister of Health. Recently the minister sent letters to all the private physicians and public health units indicating a shortage of vaccines in this province. Could he tell us how he rationalizes this indication to stop using the vaccines with his public information program asking that there be further, larger and better immunization programs?

Hon. Mr. Timbrell: I am not sure of the letter the honourable member refers to, but I suspect it is one that refers to temporary shortages of certain vaccines and that was written in order to draw this to their attention.

Mr. Breaugh: Supplementary: Can the minister assure the House then that his ministry will have sufficient vaccines available to cover what is normally a rather increased usage, particularly in polio and tetanus shots, during the summer?

Hon. Mr. Timbrell: To the best of our ability and dependent upon our suppliers, we always make sure of that.

HARWICH LANDFILL SITE

Mr. Speaker: The Minister of the Environment has the answer to a question asked previously.

Mr. Kerrio: It is about time.

Hon. Mr. McCague: The member for Kent-Elgin (Mr. McGuigan) asked me last week about the disposal site in Harwich township. His question related to why we issued a certificate to a new owner. I will explain that a little.

The Gore landfill site was previously licensed and owned by Mr. Vogler. After Mr. Gore purchased the site and prior to the renewal of a provisional certificate of approval, Mr. Gore fulfilled the following requirements: All motor vehicles on the site were moved to one area remote from public view to be either stored or removed. The entire site was cleaned up. A building was removed and proper berming was either constructed or is under construction. A series of ground-water monitoring wells was established around the site after consultation between Mr. Gore's consultants and the technical support section.

Mr. Gore provided a site operation plan which was acceptable to our ministry. This plan outlines the location of the garbage and the type of site development. In conjunction with the landfilling operation on this site, Mr. Gore is undertaking recycling operations for metals, glass and cardboard and is attempting to establish a subsurface, long-term compost operation.

Mr. McGuigan: Supplementary: The minister mentioned that they had been issued a provisional certificate of approval. Would he care to expand upon the meaning of "provisional" and just what it involves?

Hon. Mr. McCague: Mr. Gore would receive a certificate as soon as he lives up to the requirements. One thing that was mentioned was that the berm hasn't been completely constructed as yet.

LEGAL AID PLAN

Mr. Lawlor: A question to the Attorney General: Would the Attorney General care to comment upon that statement made fairly recently by Simcoe county Crown Attorney John Murphy under two counts: (a) with respect to Mr. Murphy's contention that legal aid as such is a licence to steal; and (b) that the public defender system would

mean the end of the legal aid setup in Ontario?

Hon. Mr. McMurtry: I was asked a similar question on Thursday by the member for Ottawa East.

Mr. Roy: The very same question.

Mr. Deans: Is the minister afraid of the bar? Is he afraid of the law society?

Hon. Mr. McMurtry: I certainly dissociated myself from the statement attributed to the local crown attorney, where it was reported that he was referring to the legal aid plan and lawyers who participated in it in the very uncomplimentary manner which you have just referred to.

Certainly, in so far as the public defender concept is being reviewed, the public defender concept is being reviewed. A proposal has not even been suggested, but it has been reviewed with a view to opening up such an office in Metropolitan Toronto because of the fact that Metro Toronto is a very large urban centre and people charged with criminal offences do have difficulties in knowing which lawyers have particular qualifications with respect to the undertaking of criminal defences.

The concept is being reviewed in that context—not to replace the legal aid plan but only to supplement it; not to interfere with the freedom of choice that accrues to each individual charged with a criminal offence to select a lawyer of his or her choice, but simply to give that citizen an additional alternative.

BAN ON ALCOHOL

Mr. Bradley: My question is for the Minister of Natural Resources.

In the light of the apparent success of the policy prohibiting alcohol in certain provincial parks during the past weekend and until June 19—successful in terms of less rowdiness and vandalism taking place—does the minister intend to extend that ban throughout the summer, because it's been so successful in stemming the tide, or does he intend to terminate it on the prescribed date of June 19?

While the minister is answering the question, would he share with the House the points of view brought forward in the reports made to him by his parks' superintendents on activities that took place this weekend?

Hon. F. S. Miller: The original date of June 18 was not arbitrarily chosen but because we don't normally have much trouble in the parks past that point in the summer, there appeared to be no reason to prohibit the use of alcohol in campsites past that point.

Whether I am prepared to extend it to another year, will depend on a couple of factors. An analysis of the real results of the weekend shows that everything seems to have gone well. Since I take the blame when things don't, I might as well take the credit when they do go well. Obviously, then, it was because of my decision.

Mr. T. P. Reid: You weren't in the park, were you?

Hon. F. S. Miller: No, you weren't in the park. That's the difference. It's the single ones we worry about, not us married fellows.

Mr. S. Smith: Thanks for the good weather anyway, Frank.

Hon. F. S. Miller: That, of course, is another thing I legislated.

Mr. Breithaupt: The weather is federal. Don't take credit for that.

Mr. Speaker: Just ignore the interjections.

Hon. F. S. Miller: I would think we really did add to the pleasure of the experience for many campers this weekend and, thank goodness, many people obeyed the law without confrontation, for which I thank them. It has shown what I have always believed, that enforcement, while important, isn't as important as a population willing to obey a law. That was done this weekend and as a result, the enjoyment for the people in this province in our parks was increased.

I would think our experiment appears to be successful and if it's successful we should extend it to another spring and let the summers continue as they always have. We can always adjust the policy if we have trouble.

Mr. Bradley: A supplementary question. Looking at it on a permanent basis, over the next several years, would the minister be prepared to look at classifying parks, for among other reasons, to allow alcoholic beverages to be used on a permanent basis and those which would not, so that the people of Ontario would have a choice when they're entering provincial parks as to whether those parks are going to allow alcohol or not?

Hon. F. S. Miller: I think that would be reasonable and would be something we could do if a final disposition were made. I suspect we'll have to watch though because the use of parks can shift pretty quickly. One year one park may have a problem and we may transfer it to another. This year that did not appear to happen. It could easily happen again. In so far as we're able to do so, I think we should give potential campers that information in advance.

Mr. di Santo: Is the minister aware that on the weekend of June 9 and 10 there is a

very big gathering of divers in Brighton, Ontario? There is real concern because that is an occasion where many, many tourists are attracted, not only from Canada but from the United States. Is the minister willing to consider whether to lift the ban for that date?

Hon. F. S. Miller: I have already been asked to do so by a member of my own party and I can assure the member that's been given serious consideration. The purpose of the ban was to prevent those who did not want to be disturbed from being disturbed. I am told that whole park—Presqu'île Park—is taken over by the diving group. As such they would only have themselves to bother and I have recommended to my staff that we withdraw the ban on that weekend for that park.

Mr. McGuigan: Mr. Speaker, is the minister aware that the shift he spoke of may already be taking place towards conservation authority parks? I'm not sure if that's within his jurisdiction or not, but would he look at extending that same protection against rowdiness to the conservation authority parks?

Hon. F. S. Miller: The conservation authority regulations are approved by my ministry but they are prepared by the individual conservation authorities in the province. I would think that if a conservation authority felt it had a particular problem then we would gladly consider it with them.

I'm not anxious to make all the parks in Ontario dry. I'm only anxious to protect serious campers who, they tell me, are 60 per cent of the people normally visiting our campsites most days of the week—families. If some isolated conservation authority campgrounds need this kind of protection, we would consider it.

I'm also told we shifted it to the private sector. That's a little too early to tell, but I have a great faith in the private sector; they don't depend upon a written regulation to enforce rules of conduct. If they don't like the way someone is acting, they don't have to have a statute or regulation to back them up. They can simply evict the person on the basis that they don't want them.

STANTON PIPES PLANT

Mr. Mackenzie: Can the Minister of Labour tell us where her safety people have been in the case of the Stanton Pipes plant in Hamilton and how we can have 248 lost-time accidents, including one death, in less than four years? Does she realize that a major reason for the strike there is the approach to safety and health conditions in the plant? With a list of horrors than can be docu-

mented and a management attitude that completely rejects safety and health matters, can the minister tell us what her inspectors had to say about this situation and what role she is willing to play in this strike?

Hon. B. Stephenson: Mr. Speaker, I'm interested to hear the honourable member's personal opinion of the attitude of the employers and of the description and history of accidents in that plant—

Mr. Deans: How could he come to any other conclusion?

Hon. B. Stephenson: I have asked the occupational health and safety division for a full report—

Mr. Warner: You are going to defend them now.

Hon. B. Stephenson:—on their investigations of that plant which I intend to present to this House as the—

Mr. Renwick: You will find that the facts are identical with his opinion.

Hon. B. Stephenson:—member for Hamilton East had requested earlier. That is being in the process of being drawn up and will be presented to the House when it is ready.

Mr. Mackenzie: Supplementary, Mr. Speaker: I had asked the minister if she would play an immediate role in the strike. It's pretty difficult when a plant superintendent refuses to let even the police in, even after there has been a death in the plant. The superintendent also tells the workers that the safety conditions they are complaining about in the plant are none of their business. We had another serious accident just a matter of weeks ago—

[2:45]

Mr. Speaker: Question.

Mr. Mackenzie:—and still no safety facilities as recommended by a coroner's jury. Surely this is the major issue in the strike and surely the minister should have a role to play in that strike.

Mr. Speaker: No question was asked.

The Minister of Correctional Services has the answer to a question asked previously.

COMMUNITY RESOURCE CENTRES

Hon. Mr. Drea: Mr. Speaker, on May 1 I undertook to answer a question from the member for Haldimand-Norfolk (Mr. G. I. Miller) concerning the placement of inmates at the time of the closing of the Glendale Adult Training Centre.

Of the last 40 inmates, nine chose to go to detention centres near their homes to complete their sentences. Eleven other inmates

went to community resource centres; 13 went to the Brampton Adult Training Centre; six to the House of Concord and the remainder to Maplehurst and Burtch correctional centres.

Four of the inmates were from the Haldimand-Norfolk region. One of these went to the Burtch correctional centre, the second to Maplehurst correctional centre, the third to the Brampton adult training centre and the fourth was transferred to the Elgin-Middlesex detention centre and subsequently to a community resource centre for employment purposes.

There are currently 25 community resource centres in the province, with plans for 19 more to be opened this year, depending upon the availability of suitable property. One of these facilities is located in Brantford. Negotiations are under way for the establishment of a community resource centre in Simcoe and an additional one in Hamilton.

Mr. G. I. Miller: Could I ask a supplementary, Mr. Speaker? Are these privately operated community resource centres and what is the cost per inmate per operation? Does the minister have those figures?

Hon. Mr. Drea: All community resource centres are privately operated, with the exception of two which are native where we had them set up their own boards. They are run by private social agencies under contract to us on a per diem. The per diems depend upon the locality. On a ball park figure, they range from about \$19 a day to about \$23. I'll send the member a note if he wants the exact per diems on the places.

Mr. Bradley: Supplementary: When the minister is determining whether or not there will be a resource centre set up, from whom does he receive a report on the potential backup services such as psychiatric services and other services that might be available to those who would be using the community resource centres?

Hon. Mr. Drea: The proposals initially come forward from the private social agencies. Included in their proposal is the program they intend to have, along with the fact that the municipality has approved the zoning, the health and the fire. In conjunction with the program proposal the agency makes, a list of the ancillary services available in the particular area is usually included.

The difficulty in St. Catharines is there is an all-encompassing local bylaw which prohibits the use of a residence for criminals or inebriates. That is our difficulty in that particular area of the Niagara region.

PORT DOVER EROSION

Mr. G. I. Miller: Mr. Speaker, I have a question of the Minister of Natural Resources. Given the fact that a serious erosion problem along the east end of the outer basin at Port Dover has now reached the critical point and this erosion has seriously affected the structural stability of many homes along the lake shore, would the minister consider immediately investigating the area in order that some emergency funding may be provided to the residents living along this part of the shoreline?

I would also like to present a petition signed by 106 residents at this time.

Hon. F. S. Miller: Mr. Speaker, the honourable member has asked me questions about this a number of times before and he knows that there have been only, I think, two mechanisms by which moneys were made available—money through shoreline protection programs through TEIGA, which was on loan, I think, to municipalities, rather than gifted. He's also aware, I believe, the federal government has been looking at problems of this nature. Currently there is no provincial program

I won't reject out of hand, though, his suggestion that we should look at it. I'd be glad to do that in case there is something that can be done either by us, but more likely by his friends in Ottawa.

Mr. G. I. Miller: Supplementary: Would the minister consider supporting 80 per cent funding, a program similar to that provided to the municipalities at this time?

Mr. Kerrio: Darcy has decided they're our friends.

Hon. F. S. Miller: I can't answer that with an affirmative answer. I would have to look at it carefully. It is an area that to date has not been considered to be one the province should be funding.

FEDERAL HOUSING PROPOSALS

Mr. Duksza: I have a question for the Minister of Housing with reference to the minister's answer to my question on May 12, when he stated unequivocally that Ontario has used up virtually every program that the federal government has put in place. Since I am dead certain that the minister could not possibly have intended to mislead the House, and I am equally certain that he is in total command of his ministry, can he explain how it happened that last year Ontario did not use up \$46 million of federal money for public housing projects and \$15.5 million of federal dollars allocated for co-op housing?

Mr. McClellan: That was John Rhodes's position.

Hon. Mr. Bennett: Mr. Speaker, first of all, one of the problems we always have in trying to track down how much money the provincial government uses in relation to the federal program is that we work on two different fiscal years.

Mr. Duksza: The minister means he didn't know when he answered last time.

Hon. Mr. Bennett: The fact remains that, if one takes the overall sums of money that are allocated to Ontario, we have made complete use of the funding given to us by the federal government.

Mr. Warner: Oh, come on.

Mr. Cassidy: That's not what Ottawa says.

Mr. Duksza: Can the minister then say that he has used up the \$46 million for non-profit housing and the \$15.5 million allocated for co-op housing which his own documents state have not been used up? Could he explain to me where the discrepancy arises—with the minister's knowledge of it or actually the document his ministry has produced?

Mr. Pope: He just explained it.

Hon. Mr. Bennett: As far as the actual dollars and cents are concerned, I will be glad to get for the member a breakdown of the funding used over the last 12 to 18 months for both co-op and non-profit housing.

Mr. Samis: That is a non-answer.

Mr. Duksza: With reference to Friday's question, has the minister come to a position on federal proposals or does he intend to discuss, with the representatives of co-op housing, the impact of those disruptive proposals on that sector of housing? Thirdly, will the ministry continue to make its share of provincial money available, with the 10 per cent capital grant, as well as the rent supplement program?

Finally, will the minister, if necessary, pick up in time the financial responsibilities so far held by the federal government since the responsibility for housing basically is a provincial responsibility?

Hon. Mr. Bennett: As I said some time ago, the province has been reviewing some of the proposals offered by the federal government, and while there are certain aspects of the program that might offer some advantages, we are not certain in the field of co-op housing or nonprofit housing that those advantages are as good as the previous programs. I fully understand the situation that the co-ops and nonprofits are in.

I would like to inform this House that, as the Minister of Housing for Ontario, I have invited my colleagues from the other nine provinces to meet in Toronto on June 14 with us and Mr. Ouellet to go over all his proposals, after our officials have met in Quebec City on June 1, to try and resolve some of the difficulties that exist.

Mr. Foulds: Why doesn't the Treasurer (Mr. McKeough) do that about the auto pact?

Hon. Mr. Bennett: I do not intend this afternoon, in any way, shape or form, to be dragged into trying to answer the problems or the programs any more explicitly than that until we have had a further review with the federal minister to find out exactly what he means by some of his programs and what the long-range benefits happen to be for Ontario and the other provinces across Canada.

NUCLEAR FUEL

Mr. J. Reed: Mr. Speaker, I have a question for the Minister of Energy. I wonder if the minister could tell us whether Ontario Hydro is participating with Atomic Energy of Canada Limited in the experimental reprocessing of spent nuclear fuel, at least to the extent of supplying spent fuel bundles to AECL? Could he also tell the House just how much material has been shipped and how much is planned to be shipped in the near future?

Is the minister aware that Canada's position officially has been that it would not engage in any approach towards reprocessing until receipt of the report called The International Nuclear Fuel Cycle Evaluation, which is not yet in the hands of the government of Canada?

Hon. Mr. Baetz: I'm sorry, Mr. Speaker, I have a cold.

Mr. Cassidy: You were freezing in the dark, eh?

Hon. Mr. Baetz: The whole question of irradiated fuel is not only an important question, it is the most important question facing Ontario Hydro, Atomic Energy of Canada and Canadians generally.

Mr. Deans: Are you going to reply or not?

Mr. Cassidy: How pompous can you get for a Tuesday afternoon?

Hon. Mr. Baetz: It is a question that my ministry has very actively and systematically been exploring and discussing.

Mr. Deans: I think your cold has blocked up your brain.

Mr. Breaugh: Never saw Jim Taylor wandering around like that.

Hon. Mr. Baetz: It is a question that we will be making an announcement on within the next two weeks. We are still hoping that at that time we will be making a joint announcement with the federal government. But if the federal government is not ready to make a joint announcement with the province of Ontario—and our position is clear on this one—we shall make the announcement on our own. But by June 5 we shall be making an announcement on irradiated fuel which will also deal with the question of reprocessing and so on.

Mr. J. Reed: Supplementary: Will the minister in that announcement tell the people of Ontario how much irradiated fuel has gone to AECL for trial reprocessing to this point and how much is planned to go in the future? In other words, will he let the people of Ontario know to just what degree of magnitude reprocessing is being carried on in Ontario now? Would the minister perhaps go one step further and reassure the people by telling them what safeguards are undertaken with this unprecedented kind of transportation to ensure that there is going to be no spillage of this very highly toxic product?

Hon. Mr. Baetz: I can assure this House, and the honourable member opposite, that Atomic Energy of Canada, Ontario Hydro and our government are meeting completely the conditions laid down by the two-year moratorium that Canada agreed to enter, which expires in July of next year, on the whole question of reprocessing of fuel.

At this time I can assure the House that none of this is going on. As I said earlier in my previous comments, this is a very serious, important and crucial question for all Canadians and particularly the people of Ontario.

Mr. Peterson: That is why he asked it.

Hon. Mr. Baetz: It is one that my ministry has been giving top priority to over the last few months and, as I said earlier, by June 5, no later, we shall be making an announcement either alone or jointly with the federal government and its agency, Atomic Energy of Canada Limited.

Mr. Foulds: Supplementary: I wonder if the minister could tell us if this projected statement that he has now informed us of will include Ontario's attitude and position with regard to nuclear waste disposal and the whole question of storage, which is of course part of the question of the reprocessing; and particularly how that will affect the projected site, if any, that may be placed in northwestern Ontario?

Hon. Mr. Baetz: Yes. Our statement will deal very much with the whole question of irradiated fuel, its temporary storage and its eventual disposal.

Mr. T. P. Reid: Can the minister now give us an assurance that the storage of the irradiated fuel underground, in whatever geological formation, is a completely safe process and that there is no danger of escape into the atmosphere and environment where it is buried?

Hon. Mr. Baetz: We have been advised by scientists that there are techniques available which are very definitely safe. However, again this is a matter that we will be discussing and reporting in more detail, following our statement on June 5.

Ms. Gigantes: Supplementary: I would like to ask the minister if he is aware of the report done in Britain by Sir Brian Flowers which discussed the question of waste disposal and determined that, in fact, the technology was not yet safe?

Mr. Foulds: Same thing happened in a meeting at Thunder Bay three weeks ago.

Hon. Mr. Baetz: I am very well aware of that report. I am also aware of other reports by scientists of perhaps a higher stature that say there have been safe techniques developed for the safe and permanent storage of irradiated fuel.

Mr. Laughren: Like the Minister of Labour, you are always looking for a way out.

Mr. Peterson: To the minister: Is the minister also going to be dealing in his announcement of June 5 with the problem of mine tailings, which some people feel is even more serious than the question of irradiated fuel?

Is he going to be dealing with that waste disposal problem also?

[3:00]

Hon. Mr. Baetz: It is not the intention to deal with the question of mine tailings in that announcement. I believe this is a question which is more directly related to the Ministry of the Environment.

Mr. Foulds: Supplementary: Has the minister been made aware of an announcement by the member for Fort William (Mr. Hennessy) that he would be calling on the Premier (Mr. Davis) and presumably this present minister for a select committee to look into the waste disposal problem in northwestern Ontario? Has that been discussed at cabinet and has such a request gone forward?

Hon. Mr. Baetz: The member will be getting some of the answers to that question.

Mr. Warner: When?

Hon. Mr. Baetz: All I can tell him is that by no later than June 5, this government will be making a detailed statement. We hope it will be a joint statement with the federal Minister of Energy, Mines and Resources to deal with the modus operandi and with the procedures of the four parties—

Mr. Kerrio: Consistent, that's one thing.

Hon. Mr. Baetz:—which have some responsibility in this whole question of irradiated fuel disposal, namely, the federal government and its agency, Atomic Energy of Canada Limited, and the provincial government and our agency, Ontario Hydro. We will be setting forth what we regard as our position on a modus operandi as to how to deal with this very important subject.

Mr. Warner: Modus operandi! You should resign.

Hon. Mr. Baetz: We are not trying to duck the issue. This is a responsibility and we are dealing with it.

Mr. Wildman: You are just trying to dispose of it.

Mr. Speaker: The member for Beaches-Woodbine with a new question.

Mr. J. Reed: Supplementary.

Mr. Speaker: We've had six supplementaries already, and the minister said he will be making a major announcement on June 5.

FLECK MANUFACTURING COMPANY

Ms. Bryden: I have a question of the Solicitor General. When I visited the Fleck plant last Friday along with two of my colleagues, I observed 15 or 20 OPP cars on the site with at least four officers in each car. Can the Solicitor General tell us exactly how many OPP men were assigned to the Fleck plant that day to handle about 90 women strikers and a number of other women who joined their legal picket line, a peaceful picket line, as a demonstration of support for what appears to be a very legitimate request for bargaining in good faith on a first contract? Can he also tell us what was the estimated cost of this policing overkill on that day?

Hon. Mr. Kerr: To answer the last question first, I haven't got the information as to that particular day. My information is that there were about 20 police officers in the area of the park that day.

Mr. Wildman: There were more like 70.

Mr. Warner: Make it 70.

Hon. Mr. Kerr: As the member knows, there was some notice of a large picket line

that day and that there were going to be workers joining the picket line from other centres in Ontario. In order to keep the park open and to keep some semblance of order, that is why there was an increased number of police officers that day. I think the honourable member will agree that there was really no problem. One of the problems that exist in that area when there are picketers from outside—

Mr. Wildman: There were 70 men there.

Hon. Mr. Kerr: —is that they are not picketing right directly in front of the plant but they are closing off the main road into the park, which means that workers at other plants cannot get to their jobs.

Mr. Laughren: The minister knows the problem. It's called Fleck.

Hon. Mr. Kerr: So it's a matter of traffic direction and keeping the road open, not intimidating the workers.

Mr. Cassidy: That is absolutely not a problem at all.

Ms. Gigantes: That wasn't happening at all.

Ms. Bryden: Supplementary: When the Solicitor General obtains the figures I requested, will he also obtain a cumulative total of the police costs in connection with this strike? Will he also obtain a report as to whether there was any closing off of the main entrances on that day last Friday?

Mr. Cassidy: Including their regular salaries.

Hon. Mr. Kerr: Yes.

Mr. Warner: It could have been avoided if the Minister of Labour were doing her job. They could have settled it long ago.

Mr. M. Davidson: Supplementary: Can the minister confirm the story which appeared in the press that the estimated costs of policing that strike to this point is in excess of half a million dollars? Can he also tell us why it is necessary to provide accommodation in places like Holiday Inns for police officers being assigned to that strike, when there are far less expensive accommodations available in that area?

Hon. Mr. Kerr: I think the honourable member has probably been influenced by some recent press summaries of the situation rather than what is going on on a day-to-day basis.

The question of accommodation at the Holiday Inn—this was in respect to the one incident, the one day, when Mr. McDermott attended at the plant when there was in the vicinity of 400 police officers in that area.

Mr. Renwick: A low ratio.

An hon. member: Isn't that dangerous?

Hon. Mr. Kerr: If the member will recall, it was expected that there would be about 1,500 workers from outside that area that day. The 400 police officers were not in the park. They were in the area only in case they were required.

Now, the member asked me for the total cost. I believe he used something over half a million dollars. That figure is in excess of what I have. I understand it is something under that. It is something closer to about \$400,000.

Mr. Deans: That makes it okay?

Mr. Lupusella: The minister should be ashamed.

Hon. Mr. Kerr: That, in fact, I believe, includes the normal salaries and overtime pay which was paid to many of those police officers. However, I have up to date figures, figures which are given to me daily and I would be happy to share them with the honourable member.

Mr. Deans: How is the minister doing on his investigation of organized crime?

Mr. Breithaupt: Where these particular costs have been incurred, why would the Solicitor General not have investigated the possible use of Camp Ipperwash, for example, as a location for these police to be accommodated in order to have minimal expenses in this very difficult situation?

Hon. Mr. Kerr: We are using Camp Ipperwash.

Mr. Speaker: The oral question period has expired.

INTRODUCTION OF BILLS

ECONOMIC IMPACT DISCLOSURE ACT

Mr. Peterson moved first reading of Bill 93, An Act respecting the Economic and Fiscal Impact of Government Policies.

Motion agreed to.

Mr. Peterson: Very briefly, the purpose of the bill is to require the preparation and disclosure of fiscal and economic studies for all legislative measures proposed by government.

ONTARIO WATER RESOURCES AMENDMENT ACT

Mr. Germa moved first reading of Bill 94, An Act to amend the Ontario Water Resources Act.

Motion agreed to.

Mr. Germa: The purpose of the bill is to prohibit mining activity in bodies of water

that serve or are likely to serve as sources of community drinking water. The bill provides for the issue of permits to authorize mining activities that are in the public interest. Mining activity undertaken without the authority of a licence is constituted as an offence.

CHAIN STORE DISCOUNTS

Hon. W. Newman: Mr. Speaker, just before the orders of the day I would like to refer to Hansard of May 18, Thursday afternoon. On page 2632 I used the word "continued" twice in answering a question or point of privilege by the member for Brant-Oxford-Norfolk (Mr. Nixon). I meant to say, at that point in time, "the practice had been discontinued." So the reading is now correct and I'll read it to the members of the House.

"I was not aware of the letter written to the Honourable William Stewart in 1972, but I have been sent a note saying that the prompt payment discount was discontinued at that point in time . . ."

Further in my answer I used the same word "continued" and it should be the word "discontinued."

I was unable to have the changes made in Hansard but have requested the change be made or corrected.

ORDERS OF THE DAY

YORK MUNICIPAL HYDRO-ELECTRIC SERVICE ACT

Hon. Mr. Baetz moved second reading of Bill 66, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of York.

Mr. Speaker: Does the honourable minister have a statement?

Hon. Mr. Baetz: Yes, Mr. Speaker, I have a brief statement.

This bill establishes a new municipal hydro-electric commission for each of the eight area municipalities in the Regional Municipality of York. The nine existing commissions are to be dissolved. The bill is substantially similar to previous restructuring acts in Waterloo, Peel and Oxford regions.

No later than the first day of January 1979 all customers within the towns of Aurora, Markham, Newmarket, Richmond Hill and Vaughan will be supplied by the new commissions. Customers in the town of Whitechurch-Stouffville and the townships of East Gwillimbury, Georgina and King who are currently served directly by Ontario Hydro will continue to be served by Hydro. New hydro

commissions will serve the remaining customers in Georgina, King and Whitechurch-Stouffville.

This legislation has been reviewed by the provincial steering committee, Ontario Hydro, TEIGA and the Ministry of Energy in consultation with the local study team, the Association of Major Power Consumers in Ontario, the Ontario Municipal Electric Association and the Provincial-Municipal Liaison Committee. The provisions of the bill, in general, have been agreed upon by these groups.

On behalf of this government, I wish to commend the York local study team, the steering committee, their staff and Ontario Hydro for their efforts during the past three years in helping to establish a more rational and responsive electrical power service for the people of York.

Mr. Stong: Mr. Speaker, I rise in support of Bill 66. It represents the accumulation of many years work by the steering committee set up in the regional municipality of York and headed by Mr. Sam Cook.

Basically, this bill provides for localized hydro commissions and, in that sense, it is a step in the right direction from what may have been termed as regional government, or regional hydro. With this bill, although there may be some argument with respect to efficiency, what we lose in efficiency by going to localized government we make up economically and in accountability. For this bill, Mr. Speaker, provides among other things for elected officials to the local hydro commissions, thereby ensuring accountability to the people, especially those who are paying the bills.

The bill likewise covers several other issues. It covers the makeup of commissions and how the commissions are going to come forward and what's going to happen in the transition and interim period. It likewise provides for an arbitration process whereby, in the event of disagreement between a local municipality and Ontario Hydro, or one municipality and another, arbitration provisions are provided.

I must say that in this particular aspect of the bill, when this matter gets into committee I will be moving an amendment to the arbitration clause of this bill. The arbitration, as it is set up, provides that the arbitration committee is the final recourse, and there is no recourse of appeal. Some of the municipalities have expressed concern about the fact that there is no appeal of the decision of the arbitrator.

The bill also covers transfer of personnel, and all its ramifications, including the pen-

sions, sick leave and the life insurance, and there are no difficulties with respect to that part of the bill. But the bill does get into an area of transfer of assets and in that area the way the bill is written constitutes a very inequitable and unfair position with respect to those commissions or those communities that must transfer assets one from the other. The same is true as between Ontario Hydro and some of the commissions.

[3:15]

This bill sets up localized commissions to conform to the boundaries of the towns and municipalities as they were constituted with the institution of regional government. This is a good thing as far as having local commissions is concerned, but in extending the commissions that are already in existence to the boundaries as they were set by regional government, there are difficulties that arise. There is a particular difficulty between the towns of Richmond Hill and Vaughan and more particularly with respect to commissions of those respective towns. There are assets that must be transferred from one town to the other in terms of the commission and ownership by those commissions.

But the biggest problem, arises out of the fact that in the cases of Richmond Hill, Markham and I believe Newmarket, arrangements and agreements and contracts were entered into between these towns and developers. Before they were permitted to develop a tract of land the developers had to agree to supply all of the services and plants and they paid for those services and plants. In so far as they paid for them, the money was collected by the town. For instance in the case of Richmond Hill, the town, pursuant to a subdivision agreement, collected payments from the developer. Those payments were then transferred to the town of Vaughan and Vaughan then initiated and constituted plants and services.

The wording of this bill as it has been offered by the minister provides for the transfer of certain assets. It refers to original cost. It refers to the fact that, for instance in the case of the town of Richmond Hill, where the commission would have to purchase assets from the hydro commission of Vaughan, those assets would be purchased at the original cost less some of the accumulated depreciation as well as equity.

But the real problem is that the town of Vaughan or the commission of Vaughan did not pay for those assets in the first place. The developer paid for them. In so far as the developer paid for those assets, why should those users or consumers in the town of

Richmond Hill have to pay again for the assets with this takeover? This takeover works an unfair advantage to the town of Vaughan in this particular case.

Those ratepayers in the Baif subdivision particularly have paid for those assets, for the physical plant, when they purchased their home. The bill was added by the developer to the purchase price of the home. Now if Richmond Hill has to buy those assets from the town of Vaughan because Richmond Hill has taken over that area pursuant to regional government and pursuant to this bill, Richmond Hill would be required by this bill to purchase those assets from the town of Vaughan.

The same problem arises with respect to Markham and Newmarket in so far as Ontario Hydro also is selling those physical plants and services to the individual commissions. Again, subdividers could not subdivide without having paid for the assets. Arrangements were entered into between the town of Markham, for instance, and subdividers, in a subdivision contract or agreement, whereby those physical assets and plants and services be paid for. In so far as they were paid for, Ontario Hydro is now, in turning those assets over to the commission for the town of Markham, charging the town of Markham for what it did not have to pay initially.

So when this matter gets to committee, I will be offering an amendment to section 4(8) and likewise to section 4(10) dealing with the unfair and inequitous situation that arises thereunder.

Mr. J. Reed: Did you say inequitous or iniquitous?

Mr. Stong: Iniquitous. I must say that in principle, in so far as this bill sets up localized commissions I can support it and it will receive support from this side of the House, with the exception that no town, no commission ought to pay twice for assets and no consumer or ratepayer should have to undergo the cost of purchasing something for which he has already paid. With those exceptions, we will be supporting this bill.

Mr. Swart: We too in this party support this bill, and subject to some of the reservations mentioned by the member for York Centre we support this bill with some enthusiasm. I think this system which has evolved in determining the type of structure for a region is desirable and is a good system. The results are good.

I would have to point out, though, that we have almost come a full cycle in the last six years with regard to the whole principle

of restructuring, and at considerable cost to the people of Ontario. The minister and other members of this House will know that Task Force Hydro in its December 14, 1972, report recommended in all the restructured areas that Hydro be at the regional or at the upper tier level. This was confirmed by the Hogg report some two or three years later, and then modified by a statement of the minister in February 11, 1975, so that it could either be at the upper tier or at the lower tier.

This was further modified by the member for Prince Edward-Lennox (Mr. J. A. Taylor)—am I correct in that?—in July 1977. At that time I went after him and his government rather hard, not so much for what the end result was but the fact of all this money spent for all these studies which had been done over this period of time. Now we have come back to almost exactly the same type of structure and a slightly different method of accomplishing it as we had prior to 1969 or 1970. However, because it does provide the optimum in local decision making, I am very much prepared to support this bill.

I suppose it is possible that there would have been some restructuring done at the regional level, or at the upper tier, if the government had not put in regional governments which are so thoroughly discredited that now wherever the study teams are going around in the areas and talk about the upper tier, all the members of the public who attend those meetings, and usually the members of the local council, invariably say, "Look what regional government has done to this area; look at the cost of regional government. We don't want that to happen with our hydro."

As a result, when it might have worked at the upper tier level, because it would be a single tier level, regional government has so discredited the principle that no longer are the public or the local councils willing to accept or even consider Hydro at the upper tier level.

This bill provides considerable flexibility for the local councils. You can have an appointed or elected commission, Mr. Speaker, that's really left to the council after the first term is up. I guess the desire on the part of the drafters of the legislation is that it should be an elected commission because the council has to take some action if they want to make it an appointed commission. They have to pass the necessary bylaw, at least that flexibility is left there with the local council. They have the flexibility of determining whether it shall be a three or

a five-man commission after that first interim period.

The town of Whitchurch-Stouffville and the townships of Georgina and King have the option to go all the way in at a later date or back out and turn it over to Hydro. There is considerable flexibility there.

It seems to me that this bill, like the bills for the restructuring in the other counties and regions which have been dealt with, provides security for the employees so they won't find themselves out of a job or find themselves with the loss of fringe benefits to which they have been entitled.

The member for York Centre raised a point with regard to the bill—perhaps we don't want to discuss it here at great length—but I understand there may be some difference of opinion between him and the member for York North (Mr. Hodgson) on parts of his proposals for amendments.

I want to listen to the arguments put forth by both because the member for York Centre seems to make a lot of sense in his argument that Richmond Hill should not have to pay Vaughan or anyone else for certain facilities, or assets that were provided by developers. That makes sense. If these were provided in lieu of the lot payments which are sometimes made to a municipality, and the township of Vaughan didn't charge those assets, then we have to take a rather close look at that too, if it was in lieu of something else.

In the end I suppose I will be the arbitrator of this dispute in this party so I'll listen very closely to the arguments put forth by both sides and by the minister to determine whether the amendment should be supported or not.

Hon. Mr. Baetz: That's right, Mel. Common sense will prevail.

Mr. Stong: The minister's been shafted.

Mr. Swart: Subject to those qualifications which are minor with regard to the bill, we will be supporting the bill in principle and reserving the decision on the amendments until we hear the full arguments on both sides of the House.

Mr. Hodgson: I would like to rise in support of Bill 66. Just so there's no misunderstanding—and I get rambling on—forget what the last member said about the difference between me and the member for York Centre. I look at a much broader picture as far as restructuring Hydro in the region of York. I'm looking at the whole region, not just at Richmond Hill and Vaughan.

Mr. Stong: How about Markham and Newmarket?

Mr. Roy: That's not your usual style, Bill.

Mr. Hodgson: The member for York Centre and I have discussed it and he knows where I stand. I hope he'll concede that we look at a bill that is in the interest of all the people and all the users in the region of York. There are certain—

Mr. Roy: Maybe we can get the former minister to talk about that.

Mr. Swart: You got to answer his argument though.

Mr. Stong: At one time everybody had to purchase from Ontario Hydro.

Mr. Hodgson: —aspects of the proposal the member for York Centre alluded to, not the localised part but the overall view of the region of York. I can give very serious consideration to supporting it.

Wherever there has been assets paid for by a developer I don't think Ontario Hydro is entitled to charge them back to the local municipality. I can't perceive myself supporting anything that would cause a home owner to pay twice for the same service. If these were forgotten in former bills, as the old saying goes, two wrongs never make a right. This may be a good time to correct that. I'm sure that if the home owners in the other areas knew that they had paid for it twice, there would be—

[3:30]

Hon. Mr. Kerr: Hell to pay.

Mr. Hodgson: Right.

Mr. Roy: The member can't go wrong; he should just support the member for York Centre.

Mr. Hodgson: I would like to thank at this time the former Minister of Energy, the member for Prince Edward-Lennox, for the work that he had done on the restructuring of Hydro in the region of York prior to our present minister coming in.

Mr. Samis: Don't forget some of the other things he said about Hydro.

Mr. Deputy Speaker: Order.

Mr. Stong: Just stick to the issue here, Bill.

Mr. J. Reed: He was right, too.

Mr. Hodgson: But I would just like to review for a moment what has gone into York restructuring, what local input. The local study committee formed in 1972 put in long hours and a lot of days in restructuring. They went to every municipality, explained what they would like to see in the bill and they got approval from eight municipalities out of the nine to go ahead with restructuring.

After the bill was printed I sent out a copy to the five municipalities that I represent and

asked for comments. I got comments from one municipality—the township of King. They would like to see—and I can see the reasoning behind it—the present commission they have now in King City extended over the whole of King township. King township is the third largest rural municipality in the province. It would break the township to extend it over the whole of the area at once, they they have asked if they could enlarge on the King City commission some time in the future. But they haven't outlined how much they would like it enlarged in the first year or the second year—or an outline at all; I don't think they're ready for this.

Although I have sympathy for King in this regard, I couldn't support at this present time taking on a four-mile square area around King City, and then two or three years later taking on another four-mile square area. You have to be fair with suppliers of hydro; you have to put your transformers in place for a certain size area of certain expected population, it would be very difficult otherwise. However, some of those things may be overcome when this bill is reviewed. It can be reviewed two or three years from now.

This is the major point I want to bring out. I would ask for the support of this House and ask for your very sincere consideration of any amendment which is going to delay this bill for any length of time. It has been seven and a half years since the region of York was formed. Taking Newmarket alone—north of Davis Drive was all brought in from East Gwillimbury township—there are 3,000 homes north of Davis Drive paying the same taxes as everybody else in the whole town of Newmarket and here they have been paying a different rate for hydro. They wanted it three or four years ago. I brought it to the attention of the Ministry of Energy at that time, but this is the first indication that it's going to be something that everyone in Newmarket—paying municipal taxes or anything else—is going to be treated the same as the old consumers prior to regional government.

Again, I would ask every member to support this bill. I hope we would be able to clean it up. The minister indicated he was not going into committee today, but maybe we can get into committee next Tuesday and clean this thing up once and for all. Thank you very much.

Mr. J. Reed: Mr. Speaker, I think there are a couple of observations that one must make here. First of all, the member for York Centre (Mr. Stong) has done it again. He has established himself very quickly as being one of

the great legislative men in the whole Legislature, and certainly in our caucus. We've come to depend on his astute observation of bills. This is no exception, because I think in perusing this bill he has made a discovery that heretofore had not been made. It shows that legislators, like anybody else, are fallible. But the one thing we do have is the advantage of having this forum, certainly in this time of minority government, where we can actually take a very objective look at a bill to see if there is something wrong with it. It doesn't necessarily affect the principle of the bill but it helps to improve it.

I would request at this time that the Minister of Energy peruse the previous bills to find out if the same condition, the same foible that exists in this bill now, does not exist in the others. Maybe we should undertake to review those and to correct them.

I have supported this thrust since I have been Energy critic, because I feel that one of the accomplishments of this kind of legislation is that, in its own small way, it is gradually getting Ontario Hydro out of the retail business. I think that's a very laudable move.

When Ontario Hydro was first created, one of the good things that happened was that it was able to provide electric power to rural Ontario; and because it was a crown corporation it was able to provide the service probably as a matter of public policy and probably at least more quickly than could have been done in other ways. But now I believe, having had a chance to look at the price we are paying for rural electrification, that it is becoming more obvious, at least in many areas, that the rural consumer under the old system is perhaps paying more than he needs to be paying for his electric power service. The contract shows up when you come to a street and on one side you have a municipal service and on the other side you have a rural service. Watch out for the tremendous disparity between the two.

We do know that in a rural area, of course, it takes a longer connection between one service entrance and another, it takes a little more to maintain the wires and so on, but I do think that the minister would do well to review the whole process of rural electrification and perhaps this kind of bill or the intent of this bill might well apply to other areas of Ontario.

I think also that this bill, by the increase in size and probably the improved ability of the municipality to grasp its utility, may well give incentive for more municipalities to undertake generation of their own electric power.

We have some municipalities in Ontario that have hydraulic facilities and are doing this now. The city of Orillia, I believe, is now installing its third generating plant, and the municipality of Parry Sound just recently has upgraded a plant it has been operating for many years.

But there are other municipalities that had their own generating facilities which they let go as the price of power went down. I don't know if many of us can remember far enough back that as the years went by the price of power was decreasing in Ontario. But now the whole picture has changed and it would seem relevant to at least some municipalities if they seriously considered generating their own power again.

One of the wonderful things about having a power facility within a municipality is that it provides a levelling device going over that wonderful peak at 5:50 p.m., which is a very costly thing for the consumer. I see that as another plus factor as the principles of these bills start to apply in the larger sense to Ontario.

Certainly it's with enthusiasm that I support the principle of this bill and I look forward to the amendment of my colleague from York Centre.

Mr. J. A. Taylor: Just very briefly, I wish, of course, to rise in support of the principle of this bill. It was some years, as the member for Welland-Thorold (Mr. Swart) mentioned, before there ever was a first bill introduced in this House for the restructuring of public utilities commissions in this province.

I think it was the need for flexibility and the confidence in the good judgement of the local people, the need for self-determination and local autonomy at the basic municipal level that had to be acknowledged and recognized before we could be flexible enough and see a bill brought forward in this House that gave that jurisdiction to the local utilities commission.

There has been a growing gap, I think a growing inequity, throughout Ontario in regard to the rural users and the urban users of electricity. As I support this bill and thank my colleague, the member for York North (Mr. Hodgson), for his kind remarks, I also express concern that as more customers of Ontario Hydro become customers of the local utilities there are fewer rural customers to take up the ever increasing financial burden to be borne by the rural customers.

I think that was maybe the concern alluded to by the member for Halton-Burlington (Mr. J. Reed), because with every increase in hydro rates—and an increase of nearly 10 per cent has been indicated again

for this year—we see that gap widen. The gap presently is probably 36 per cent higher for rural customers than urban customers on an average in Ontario. We can see that gap widen.

I think probably the urge on the part of many communities to get on with restructuring is to get into a category of consumption that would lessen their financial load. With their own utilities commissions they can accomplish that, get out of the rural structure into the urban structure and, therefore, the rates will be lower.

I think we must never forget the burden of the rural ratepayer. I think that implicit in this bill is an obligation on the part of government to ensure that the cost to the rural customer be reviewed as well and to make sure that that problem is addressed squarely, as an issue and as an ever increasing financial burden on the rural people of Ontario. Again, I urge flexibility in the approach of restructuring across the province. I think the various parts of Ontario, the varying geography and the peoples, the municipalities, all invite differences. I think we must accommodate those differences and I think we must be flexible in our approach to ensure that the best interests of the local people are served.

Mr. Deputy Speaker: Is there any other member wishing to participate? If not, the honourable minister.

Hon. Mr. Baetz: Mr. Speaker, as we have indicated, we do not wish to pass this on to committee today and, therefore, my remarks will be very brief. I would only like to say that I was delighted to hear the honourable member for Welland-Thorold tell us that he is going to be listening to the debate with an open mind and heart.

We are sure that wisdom and good judgement will prevail in this particular subject matter as it so often does.

[3:45]

Mr. J. Reed: Does the minister have any particular bias as to which way?

Mr. Swart: Any other bias?

Hon. Mr. Baetz: We are on the side of truth, so we are rather confident as we go into the debate, when we get to committee.

I must say that I found it rather interesting that I believe the four speakers who addressed themselves to this subject all touched on this question of greater equity between the rural Ontario hydro subscribers and those in the structured municipalities. Of course, one of the results of the proposed amendment would be to further exacerbate

the difference that now exists between the rural subscriber and the municipality.

Mr. Stong: Nonsense, nonsense.

Hon. Mr. Baetz: We will be able to demonstrate that when we get to debate, but that certainly would be one of the by-products. Of course, also, I was glad that the member for Halton-Burlington did recognize his colleague had a great deal of wisdom in this and paid tribute to him. I would do the same thing.

I would, of course, remind both of them that there are other distinguished members of the Liberal caucus from Kitchener-Waterloo, from the city of Waterloo, from Kitchener, from Kitchener-Wilmot, who have supported the principle of this kind of legislation without the amendment, so I would hope that in the party of the loyal opposition over there—

Mr. J. Reed: I pointed out I missed it too.

Hon. Mr. Baetz:—that there too good judgement and wisdom will prevail.

Mr. Stong: Are you afraid of it?

Hon. Mr. Baetz: Anyway, Mr. Speaker, I do hope, as I know all of us here do, that we will be able to sort out what differences exist, and that we will enact this piece of legislation which I know all members here have been fighting for and striving for for so very long, including my good colleague from York North.

We will look forward to a very well informed debate when we get into committee.

Motion agreed to.

Ordered for committee of the whole House.

CROSSROADS CHRISTIAN COMMUNICATIONS INCORPORATED ACT

Mr. Lawlor moved second reading of Bill Pr3, An Act respecting Crossroads Christian Communications Incorporated.

Motion agreed to.

The bill was also given third reading on motion.

HILLPORT MOTORS LIMITED

Mr. J. A. Taylor, on behalf of Mr. Hennessy, moved second reading of Bill Pr16, an Act to revive Hillport Motors Limited.

Motion agreed to.

The bill was also given third reading on motion.

TOWNSHIP OF TILBURY WEST

Mr. Ruston moved second reading of Bill Pr20, an Act respecting the Township of Tilbury West.

Motion agreed to.

The bill was also given third reading on motion.

House in committee of the whole.

JUDICATURE ACT

House in committee on Bill 71, An Act to amend the Judicature Act.

Mr. Chairman: Honourable Mr. McMurtry moves that the reprinted version of Bill 71 be the one that is considered by the committee.

Motion agreed to.

Hon. Mr. McMurtry: Very briefly, following the last discussion of this bill in the House, I have had the benefit of the views of the Justice critics of the two parties opposite. I would like to say for the record I appreciate very much their very constructive and helpful involvement in bringing about a bill which is going to be the best possible bill at this point in time in the province's history, particularly as this is such important landmark legislation. I think their participation again reflects the spirit of co-operation that has prevailed during the whole debate in relation to this legislation. I would like to express my appreciation for their assistance and co-operation and indicate that I will be moving, at the appropriate time, an amendment to the bill as reprinted, which has been fully discussed with the Justice critics opposite.

Mr. Roy: My colleague, the member for St. George (Mrs. Campbell), who is the justice critic, and I have worked together on proposing certain amendments; I have had the benefit of her counsel in these suggestions. Some of the suggestions were made on second reading. If I may, I will address myself to the reprinted version which has some of the amendments that were suggested earlier.

In response to the comments of the Attorney General about having presented the original Bill 71 and our having brought forward certain suggestions and having had some amendments prepared and accepted by the Attorney General, I would like to say that the exercise has been one of co-operation between the three parties involved and the Attorney General. I would like to say to my colleagues who were involved in that process, including the Justice critic for the NDP, that

we have had occasion to sit together and review some of the proposed amendments.

For instance, the original bill had suggested that the Lieutenant Governor in Council would designate the counties. We felt that some of these counties should be designated in the legislation right now and that there was no reason these counties not be designated in view of the fact that experiments in our criminal courts and some in our family courts had been under way and had been working out well.

I had suggested, and I will put it on the record, that possibly what we should have, in all these counties, is all the courts in those counties covered. The matter was discussed with the Attorney General, with my colleague the Justice critic of our party and the member for Lakeshore (Mr. Lawlor), the critic for the NDP party. There are practical problems. This is why we have arrived at a compromise.

Mr. Foulds: It's either NDP or ND Party. P stands for party.

Mr. Roy: I'm sorry.

Mr. Renwick: It's PC Party.

Mr. Roy: In any event, hopefully I will not be more nasty when I describe the party to my left than I have been in just mixing up one particular letter.

Mr. M. N. Davison: Be natural.

Mr. Roy: I just want to be conciliatory.

Mr. Haggerty: You are never nasty.

Mr. Roy: As the Premier (Mr. Davis) often says, I don't want in any way to be provocative.

In any event, in a spirit of co-operation and with the realization there are practical problems in enacting this legislation, we agreed we must proceed cautiously and practically. Hopefully, when we proceed in those areas in a spirit of co-operation and in a non-partisan fashion, I think we advance the whole situation for Franco-Ontarians in this province. I think that is the most effective way of doing it.

There is no use in three parties taking hard lines and then sitting on their high horses, debating which has the best position. In the meantime, the Franco-Ontarians don't obtain any services.

We have full knowledge of the fact we would like to go further, but we understand there are practical problems. In view of the fact the Attorney General has shown his good faith, first of all by presenting the legislation, and secondly by acceding to some of our amendments, we give him full marks and we are saying to him, "Okay, we have faith in

the process, let's proceed in designating these courts as expeditiously as we can."

Hopefully that is the way we will proceed, because surely the good faith must be there in view of the fact the bill has been presented and he has accepted some of the amendments.

That is the spirit of co-operation that exists in attempting to have this legislation work. The counties are designated under the bill and we are in full agreement with this. Hopefully, the Attorney General will proceed in designating the courts involved.

We are cognizant there is a federal bill implicated here, Bill C-42 which is presently before the federal House.

Possibly, Mr. Chairman, before I get into this—

Mr. Foulds: You gave this guy a QC; no wonder he is so chummy.

Mr. Roy: I like to call the shots as I see them; I can get involved in the partisan jabs as well as anyone, but when credit is due credit is due. We acted in a spirit of co-operation and we have arrived at what I consider to be good legislation, so why not put in on the record? I am not afraid that somebody might say I got too cosy or I was too compromising. That is the spirit we should have in this House in minority government and I am not afraid that somebody might say I got too cosy or I was too compromising. That is the spirit we should have in this House in minority government and I am not apologizing for anything.

Mr. Chairman, I just wonder if you want to proceed? I have other comments involved with section 1, but do you want to proceed with subsections because I have some other comments to make?

These are actually the only comments I have to make in relation to subsection 2. I have other comments, but I am ready to accede to the directions of the chair and limit my comments to subsection 2.

Mr. Deputy Chairman: The member for Lakeshore? Before you start, is subsection 1 acceptable? Is subsection 1 carried? Are you dealing with the bill in general or with one of the subsections?

Mr. Lawlor: The Attorney General made a brief preliminary statement arising out of certain negotiations or conversations we had, and my friend from the Liberal Party did likewise.

I would like to make such a brief statement.

Mr. Deputy Chairman: I will allow that.

Mr. Lawlor: I won't prolong it. Again, it is a rather novel thing for some of us in the House to go into a back room and sit down

and thrash over the various possibilities of amending legislation. Certainly in this instance it saves a great deal of the time of this House.

As things stood when we started, it would have taken two or two and a half hours, and now the Attorney General has accepted those matters which were most urgent and most commendable at this time and has embodied them in this legislation. We all should give ourselves a little credit for that in saving the time of this House.

[4:00]

It is defective, still, in two areas. In the geographical scope there are certain areas of the province where a fairly substantial French-speaking population is extant and whose needs cannot be presently met for very obvious and practical reasons.

Secondly, with respect to a range of legal matters—including motions which, again, impracticality would supervene—there aren't enough lawyers who speak both languages, there are not enough judges to handle both languages. I would trust that this legislation, like other matters that come before this House, would fructify and bloom, and that in time to come the scope of this particular kind of act will broaden out. It will be the job of the opposition, in any event, to continue to press in these areas. But, as I see it, we've done pretty much the best we can do, subject to some small changes that will be forthcoming.

Mr. Deputy Chairman: Can we now deal with subsection 1 of the bill?

On section 1:

Subsection 1 agreed to.

On subsection 2:

Mr. Renwick: Mr. Chairman, I always leave it to my colleague the member for Lakeshore, and my friend the member for Ottawa East to deal with substantial matters. I would commend, however, the following amendment to the consideration of the committee.

Mr. Deputy Chairman: Mr. Renwick moves that the figure "4," where it appears in subsection 2 of section 127, as amended in subsection 2 of section 1 of Bill 71, be changed to "3."

Motion agreed to.

Subsection 2, as amended, agreed to.

On subsection 3:

Mr. Roy: In relation to subsection 3, I'd like to say this: We would have liked to see in the legislation the designation of certain parts of counties. As the member for Lake-

shore has mentioned, there are certain areas of the province where there is still a substantial number of francophones who will not have the benefit of this legislation because they are located in just one part of the county.

I can think of the district of Renfrew, for instance, where in most of the county there are no francophones except in the city of—my God, my colleague from Renfrew North (Mr. Conway) will never forgive me for forgetting the name of Pembroke. As we progress with this legislation, we'll have to look seriously at certain parts of counties and at certain courts within those parts of counties.

As I said earlier, I would have liked to have seen the proclamation of all courts. But as has been mentioned by the member for Lakeshore, the problem is the practical one that we don't have staff available; we don't have lawyers; we don't have judges in many areas who are able to give the service that is intended under this bill. Hopefully, we'll proceed gradually in those areas.

One of the things mentioned by the member for Lakeshore is the lack of bilingual lawyers in this province. In the province of Quebec most everybody, including English-speaking counsel, can understand French, and those who are French-speaking can understand English. Unfortunately, that is not the case in Ontario. So, we have to proceed gradually in those areas.

One of the other things I was going to mention was that I was concerned, and I talked about it on second reading, that two things exist. One is when you have a situation where for all intents and purposes it would be feasible to either have the trial or hearing in French or bilingually and if that takes place in a county that is not designated that there be provisions whereby you bring in a French speaking judge. In some circumstances, that wouldn't be difficult because in some courts—for instance the Supreme Court and even in county and provincial courts—judges are travelling anyway. They are exchanging from one county to the next. That provision could be available. An alternative would be permission to have a change of venue; to change the site of the trial from that undesignated county into a designated area.

Of course, one of the things we discussed, as the Attorney General and my colleagues here know, is the fact, that first of all, in the criminal trial, there are provisions under Bill C-42 for a change of venue. There are provisions, Mr. Chairman, under that bill whereby counsel can make an application for a change of venue. That takes care of the

criminal side of it. On the civil side, of course, the rules of practice now allow for application for a change of venue, but I don't think there has ever been any precedent or any application made for a change of venue on the basis of language. Although, I suppose overall when one looks at the balance of probabilities, or you look at where it will be in the best interest, where it will facilitate all the parties involved that may be the situation.

On that basis, I was quite prepared, having in mind again the practical difficulties involved, not to press that amendment any further at this time. I hope this is something we will see through the workings of the legislation. We will see how the process works and how we can, through practice, and through experience, see to it that from a practical point of view we can enhance the workings of this bill.

Although I personally would have liked to see the legislation go further, I realize the practical problems. I realize as well that in our discussions there are provisions available now, certainly in the criminal field, under Bill C-42 and there are similar provisions for a change of venue under the rules of practice. On that basis I feel, as agreed with the Attorney General, we would not press our amendment any further.

Mr. Lawlor: The area of venue has caused and will cause problems. That's one of the nub points to be worked out in future legislation.

Under section 462, subsection 2, of the federal legislation, it says that "the court shall order that the trial of an accused be held in a territorial division in the same province other than that in which the offence would otherwise be tried if an order has been made that the accused be tried before a justice of the peace, magistrate, judge, or judge and jury who speak the official language of Canada, that is the language of the accused or the official language of Canada in which the accused can best give testimony or both official languages and such order cannot be conveniently complied with in the territorial division in which the offence would otherwise be tried." That, as the member has said, covers the criminal aspect of the matter.

I think the civil aspect is likely to prove far more tricky, particularly in Ontario itself, as the provincial court judges are very often appointed on the basis of their capability with languages and particularly in and around the areas that are specifically mentioned in the previous subsection. Trials will have to be experimented with in a sense.

If the preliminary is taken partly in one language and partly in the other; and during the trial itself some witnesses speak one language and some witnesses speak another; and the documentation that has to be used is some in one language and some in another; the backward and forward movement in translation, and in the tenor and posing of the questions, et cetera, are, for a period of time, going to cause a very considerable adjustment or readjustment in the thinking of counsel and the court itself, as these numerous switches and problems work themselves out. That is why we are leaving that whole field fallow, in order to test its potentiality. All of us will be watching with great care and with high hopes, not just as an accommodation but as a heartfelt recognition of the needs in this province and as a gesture to the province of Quebec.

We have been castigated because of our stance and a certain obtuseness to this date. As we move into a greater largess, I suppose we ought to be given a little recognition and credit too.

Mr. Deputy Chairman: Subsections 3 to 5, inclusive, carried? Carried.

Hon. Mr. McMurtry moves that subsection 6, as contained in section 1 of the bill, be deleted and the following substituted therefor:

"(6) Where an application is made under subsection 4 and in addition to a direction made thereunder, the court may direct

"(a) that the hearing or any part of the hearing be in the French language if in the opinion of the court the hearing or part can be so conducted effectually and

"(b) that subsection 7 apply to oral evidence given in examinations for discovery or in any other pre-hearing stage of the proceeding."

Mrs. Campbell: Mr. Chairman, I would like to comment again on what has been said earlier. We very much appreciate the co-operation of the Attorney General in bringing forward this amendment. We could not understand why any oral evidence of a pre-trial nature could not be dealt with in the same way as oral evidence at a trial. The Attorney General was very quick to accept that position.

I personally hope the day may come when depositions and pleadings may be dealt with in the same way. However, we accept the fact that there are very real and practical problems at this point in time and we commend the Attorney General for bringing this amendment forward. We support it.

Mr. Lawlor: Mr. Chairman, at an earlier time we had some misgivings as to language

but they were clarified in the revised version. The application to the court, whether by one route or another under subsection 5, designates a trial either before a judge touching the language issue or before a judge and jury, was to speak both the English and French languages; this is a broadening out of that basic principle in a double way. It recognizes that the hearing may be in French only if, as the wording here goes, it "can be so conducted effectually," and then goes on to pre-trial matters to the extent, as we said previously, that these can be accommodated at this time.

Mr. Roy: Mr. Chairman, if I may, I would like to make a few very brief comments on this amendment as moved by the Attorney General.

On second reading of the bill we originally had two misgivings about the section. The first one was that there was far too much discretion given under the original subsection in that it allowed the judge to have discretion. First of all, the bill read that court "may" allow a hearing if the court felt the hearing or part of it could "be so conducted effectually." The Attorney General has responded to that original concern by making an amendment in the reprinted version. We readily accept that and we feel it clarifies a serious concern we had about the provisions of subsection 6.

[4:15]

The other one was that we felt the bill did not go far enough in the sense that it limited itself, basically, to a hearing. Our concern is that the Judicature Act talks about writs, pleadings and proceedings and in this case, we're only talking about proceedings. We understand that again there is a practical problem involved.

My original idea on this was to suggest to the Attorney General that he allow pleadings, parts of proceedings and proceedings themselves to be in French or bilingually. But on further reflection and in discussions with members of the bar, because I know something of how the law operates, doing a bit on the side here and there, there was a realization there are indeed practical problems in having pleadings in French. To give you an example, if you have a French-speaking litigant who drafts his statement of claim in French and sends it off to the defendant in English, and he wants to be represented by English-speaking counsel, there may be a problem in them understanding exactly what the claim is all about. In that sense, it would be unfair.

I asked members of the bar in the province of Quebec how they solved that problem, and of course, they have no problem because most everybody understands both languages, including the English-speaking counsel. In Ontario, 95 per cent of the counsel, I would think, do not understand the French language so there is that practical problem.

The reverse side of the coin is that you have a litigant who has his pleadings in English being examined in the French language on his pleadings, and that can cause a problem. But in discussing it with my colleagues and the Attorney General, we felt that what we are trying to accomplish is to give services to the litigant himself, and this is where we opted again for the practical, efficient side of having a piece of legislation which is workable, which is flexible and a piece of legislation which doesn't cause undue hardship on one side.

Of course if it does cause hardship, that's when we get into trouble. We get a lot of headlines in newspapers, we get a lot of people saying their rights are being jeopardized in this province and in attempting to right one wrong, you may be causing others. So we were extremely careful in that area and we opted for the fact that we should put emphasis on all evidence given by a litigant.

This is where the Attorney General has moved the amendment which we fully support, the fact that in certain pre-trial discoveries or other types of pre-trial motions or proceedings where the litigant is asked to give oral evidence, he should be afforded an opportunity, if the trial is going to be in French in the first place, to be able to speak in French. If you have the transcript of a discovery which has taken place in English and you are cross-examining the individual at trial in French, there can be communication problems.

The way the amendment is drafted, where it reads that it will apply to oral evidence given in an examination for discovery or in a pre-hearing stage of the proceedings, under the circumstances at this time, is about the most practical way of proceeding. Certainly it is a step forward. It's a practical approach, because in some counties like Prescott and Russell where counsel are mostly French, and 85 per cent of the people speak French, you get involved in a discovery and again, you've got to go through an interpreter. That can be annoying, not only to the litigant involved, but to counsel. In those circumstances the amendment as proposed by the

Attorney General is a good one and we fully support it.

I would hate to leave comments on this legislation without saying a few words in French to the francophones in this province for whom this bill is intended.

Alors si je pouvais, Monsieur le président, mes collègues veulent que j'aille lentement, pour qu'ils puissent me comprendre un peu. Je voudrais dire tout simplement, Monsieur le président, que, comme de raison, j'avais des amendements qui allaient plus loin que les amendements qui ont été adoptés. Mais nous ne sommes pas sans comprendre que dans ce genre de législation il y a certainement des difficultés pratiques quand on s'embarque surtout dans les questions de loi et que les Franco-Ontariens sont dispersés ici et là.

Certainement on a des difficultés premièrement d'avoir des avocats qui parlent français, d'avoir des juges, d'avoir du personnel de Cour, et cetera. Alors, dans ces conditions, on a accepté le bill et les amendements dans un esprit de coopération. Les trois partis ont travaillé ensemble pour essayer d'avoir un bill qui soit aussi pratique que possible dans les circonstances. Alors, Monsieur le président, nous avons ici une situation où, premièrement, le Procureur Général a accepté nos amendements au sous-article 2, où il a accepté de désigner immédiatement les comtés en question; deuxièmement, il a accepté un autre amendement qui clarifiait une situation dans le sous-article 6 où la loi n'était pas très claire, ou encore, il y avait peut-être trop de flexibilité laissée aux juges qui président dans un procès.

Cette situation a été clarifiée pour que ce soit très clair qu'une fois que le juge décide qu'un procès, ou qu'une procédure peut se faire en français, que ce soit tout simplement la seule décision. Une fois qu'il décide que c'est pratique de le faire, qu'il le fasse et qu'il n'y ait pas plus de discrétion que cela.

Finalement, Monsieur le président, nous croyons que la discrétion du juge n'est pas limitée seulement au procès comme tel, mais que cela aurait dû aller aux procédures préliminaires et, dans ces conditions, nous croyons que pour l'enquête, l'examen au préalable et toute autre procédure, un individu qui se présente devant la plus haute Cour, que ce soit la Civile ou la Criminelle, doit avoir la possibilité, si son procès est en français, d'avoir les procédures préliminaires également en français.

Comme j'ai dit plus tôt, Monsieur le président, nous aurions aimé aller plus loin mais nous nous rendons compte que nous nous heurtons à des difficultés pratiques. Nous

sommes convaincus de toute façon qu'il faut s'entendre, et que Monsieur le Procureur de la Couronne va suivre cette situation de très près.

Nous avons travaillé, les trois partis ensemble, de bonne foi, et nous faisons confiance au Procureur Général. Nous allons suivre la situation de très près et, à mesure qu'on verra du progrès, on pourra, premièrement, élargir la législation pour couvrir le plus grand nombre possible de Franco-Ontariens, et, deuxièmement, avoir aussi une législation qui pourra couvrir le plus grand nombre possible de procédures. Alors vraiment, Monsieur le président, je crois que dans les circonstances, le Bill 71 va aussi loin qu'il est pratiquement possible pour le moment.

Motion agreed to.

Subsection 6, as amended, agreed to.

On subsection 7:

Mr. Deputy Chairman: Hon. Mr. McMurtry moves that subsection 7 as contained in section 1 of the bill be amended by striking out "for the purposes of appeal" at the end thereof and inserting in lieu thereof "for all purposes."

Mr. Sargent: Say it in French.

Hon. Mr. McMurtry: One of these days I will.

Motion agreed to.

Subsection 7, as amended, agreed to.

Subsections 8 and 9 agreed to.

Section 1 agreed to.

On section 2:

Mr. Roy: Could I just make one comment on section 2? Under Bill C-42 full jurisdiction is left to the courts as to application of the provisions. I only refer to this because originally, back in 1968 when the Official Languages Act was brought into force by the then Attorney General, John Turner, certain concessions had been made to the provinces, and they would not move to enforce any of the provisions of the Official Languages Act to apply. I take it that that is what is meant by section 462.3 of Bill C-42, the federal bill.

So again, this is evidence of co-operation between the province and the federal government. Hopefully, even the provisions of Bill C-42 will be dependent upon the initiatives taken in this province. I have the assurance of the Attorney General that we are going to look at this very closely as we proceed. In fact, he can take credit for having presented his legislation before they did at the federal level. I'll even go further and say that we will give you marks for initiating—in fact, prodding the federal government to bring in the provisions of Bill C-42.

So, I just make these comments, Mr. Chairman, again as a reflection of the importance of co-operation between parties not only at one level but at both levels. All of us can take pride in the fact that in spite of some radicals who may be moving one way, the leadership of this country is moving in the right direction to give true meaning to the spirit of partnership of this country.

Section 2 agreed to.

Section 3 agreed to.

Bill 71, as amended, reported.

CORONERS ACT

Hon. Mr. Kerr moved second reading of Bill 86, An Act to amend the Coroners Act, 1972.

Mr. Stong: In rising in support of Bill 86, I would like to say to the minister that we are, on this side of the House, prepared to accept the recommendations as set out in the amendment to the Coroners Act.

However, I am wondering if the Solicitor General could answer at least two inquiries arising out of this act.

One of them involves the principle contained in section 3 of the act which limits the operation of that section and the calling of an inquest into the death of a worker as a result of an accident occurring in the course of his employment at or in a mine. I am wondering why the Solicitor General limited these accidents to those occasioned in a mine? Why not in an excavation such as a ditch where the walls cave in, or in the excavation of a building where the walls in the basement cave in, or any other type of excavation? Why is it limited to work in a mine rather than in other places where accidents can be occasioned by walls caving in and crushing the worker?

I assume the intent of this section is to cause an inquiry where death results as a result of a cave-in. Surely a cave-in or any type of accident such as that can occur, not only in a mine but in a pit or quarry, for instance, or in an excavation. Why has the Solicitor General limited it to a mine?

With respect to the other sections of the act, they are an improvement and I have no hesitation supporting them in principle. I would refer to section 11, however.

I know that section 11 of the bill is intended to clarify the words "criminal offence." It limits the coroner being able to call a person charged with a criminal offence at an inquest. However, it does go on to say that a person charged with a criminal offence under the Criminal Code is a competent witness, but not a compellable witness.

[4:30]

There are two stages, as I envisage it. There could be criminal charges arising out of an incident which call for an inquiry under this act as well. Should that criminal charge be completed, I see no reason why a person cannot be not only competent but compellable at such an inquiry, providing the criminal charges have been completed. We know that the purport of this section is to protect the rights of an individual who is charged with a criminal offence before the courts and is subject to our judicial system. However, if the criminal charge has been disposed of, why is it not possible to call that individual, convicted or acquitted, at an inquest, providing his position at the trial would not be prejudiced?

Perhaps there could be problems with appeal. However, if there are no appeals in progress and the criminal charges have been disposed of, for instance, by way of plea of guilty or something of that nature, why isn't that witness not only a competent witness but a compellable witness?

The other sections deal with notifying the crown and substitution of barristers or solicitors for the crown attorney in hearing an inquest. There is no problem with them. The bill in principle, as it has been offered, does improve the Coroners Act and to that extent I have no problem supporting it. But I do ask the Solicitor General to clarify those two areas that I have alluded to.

Mr. Lupusella: I am going to be brief in my remarks. I welcome those particular amendments introduced by the Solicitor General. As has been stated in the compendium of background material sent to us by the Solicitor General, there are a number of housekeeping amendments proposed to update the legislation.

As I stated before, those amendments are welcome, even though I am not quite pleased about particular amendments because I share the concern raised by the member for York Centre in relation to section 3 (4a). I have to complain and raise this particular criticism because in previous estimates of the Solicitor General I raised the point that all work places in the province of Ontario, defined through the statutory legislation presently existing in the province of Ontario, should have been included in that particular bill. It seems the Solicitor General didn't pay attention to that.

I also raise the concern that in those amendments the Solicitor General was supposed to include a particular clause in order that the coroner's office would present an

annual report in the Legislature in order that all MPPs of the province of Ontario would have an opportunity to study the recommendations and find out the cause of problems based on the fact that the inquest was called in the first place. It seems that the Solicitor General had a lot of time to incorporate those particular concerns raised by me during the previous estimates.

By the way, in relation to section 3 4(a), I raised this particular concern just 10 days ago before the Solicitor General presented those amendments to the Coroners Act in the Legislature. Again, he didn't pay attention. I would like to compliment the member for York Centre who raised this concern because on the job accidents are quite a serious problem in this province. To give you an overview of the particular situation, in 1977 we had 226 on the job fatalities in Ontario.

The Solicitor General might reply to this criticism by stating it is not in his jurisdiction to solve problems involving work places in the province of Ontario. And I might agree with him. But if we are going to use the Coroners Act to find the causes of those fatalities I think we can also use other branches of this government to tackle seriously the problem of having a safe place to work.

In 1976 we had 297 fatalities here in Ontario. Nobody knows the causes. We know workers are dying but we don't really know who or what is responsible for their deaths. I think we can utilize those coroners' inquests to find out the causes of the workers' deaths. This government at least can act according to those particular recommendations if this government is really serious about fighting on the job fatalities in the province. I hope the Solicitor General and members of the official opposition party are going to accept the principles of these amendments.

I was pleased when I saw section 3 4(a) the clause that calls an inquest for those deaths taking place in the mining. Again, we have frightening figures. In 1977 we had 35 fatalities in the mines and in 1976 we had 54. The Solicitor General has an obligation, not just to those workers dying in the mines, but one which should be extended to all workers in the province. Even though in effect we are dealing with dead workers and that's not pleasant, we must have a commitment to find the origin of the problem that caused the deaths of those workers. At the very least government can act on the coroners' recommendations in order to plug loopholes in regulations so the fatality rate will decrease, instead of us receiving these frightening figures from one year to another.

Another concern of mine is those workers dying on farms. In 1977 there were seven fatalities and in 1976 there were 10. My particular concern is that if we incorporate in that section the principle that any work place defined by the statutory legislation presently existing in Ontario, at least we are going to have an opportunity to have an overall evaluation about those problems causing deaths in the province of Ontario. It is not a pleasant phenomenon and the government should make an effort. I do not buy any statement coming from the Solicitor General that this does not fall under his jurisdiction but is under the Minister of Labour's jurisdiction and he doesn't want to deal with this particular problem.

He has to show to workers in the province the obligation to study the causes in order that loopholes which exist in the work place will be covered once and for all. I hope the Liberal members will also support those amendments, so at least we will reduce those fatalities which take place from year to year.

The other point, which I raised before, is why isn't the coroner introducing an annual report to the Legislature? We are not concerned about a particular investigation which took place and which sometimes includes confidential material. We are interested in a report which emphasizes the recommendations coming out of those investigations.

I hope the Solicitor General is going to consider this item, which has been brought to his attention in previous estimates.

I am now talking about section 15(2). I will read it for your own information: "The coroner shall direct a constable to select from a list of names of persons provided under subsection 2 of section 28 five persons who in his opinion are suitable to serve as jurors at an inquest and the constable shall summons them to attend the inquest at a time and place appointed."

I am not convinced that it should be a constable who has the duty of appointing the jurors to be part of the coroner's inquest. It is against the principle of the judicial process which exists in Ontario. I would like to have a practical explanation from the Solicitor General why the person who has to appoint the jurors at an inquest should be a constable.

With this I am going to conclude my remarks. We will emphasize other principles on clause by clause discussion.

Mrs. Campbell: I just have a few brief remarks.

I am sorry the Solicitor General did not see fit to give some opening remarks in the introduction of this bill because there are

some areas which give me some concern, although, as my colleague has said, generally we accept the bill as it is before us.

One of the things I do find very difficult to accept is that portion of the bill which relates specifically to those who die as a result of an accident in a mine. It may be that my experience in mining is very limited, but I do have experience in some of those areas in an urban setting where unfortunate deaths occur.

[4:45]

It does seem to me it is wrong to limit that section, as it is limited, unless there is some explanation for it of which I'm totally unaware. For instance, in an urban setting we have many work places where tragic deaths occur. Off the top of my head I'm thinking of underground or tunnel workers. To me, if a death occurs in any place of business which is the result of an accident at the work place, it does seem it goes without saying there should be an investigation as to the cause.

I've tried to understand why this limitation is here. I don't think the death of a workman can be parcelled out as of greater importance because it happens in one industry or another. The death of a workman is the death of a workman and has very tremendous repercussions in the community, not just for the family but right across the community. I for one am very anxious to hear the Solicitor General's explanation of this particular section in this bill.

I don't wish to labour my remarks beyond that point because I would hope this bill will indeed go to committee where it can have a very thorough discussion and where amendments can appropriately be made.

It seems so awful to say in any piece of legislation that, "where a worker dies as the result of an accident at or in a mine but not including a pit or quarry . . ." The death is the reality and the cause of it is a reality. Certainly, Mr. Speaker, as I said before, in the time I have been involved in public life some of the greatest difficulties of this nature have been for those engaged in tunnel work. I am sure there will be more of that kind of work.

I would invite the Solicitor General to explain the thinking of his ministry and of himself, in so far as this particular section is concerned. I would like to see that section embrace all of those who die as a result of an accident in their place of employment. That is my view of the situation.

Hon. Mr. Kerr: Everywhere? Insurance offices, civil service, everywhere?

Mrs. Campbell: Let me say this, Mr. Speaker, if someone dies as a result of an accident, whether it's on the highway or whether it's at the place of business, the death is something which ought to be investigated because perhaps there is something badly wrong with the work place from which we could learn to prevent other such tragedies. That, surely, is what this is all about.

Hon. Mr. Kerr: You are talking about an inquest in every case?

Mrs. Campbell: I'm talking about an inquest where a worker dies as a result of an accident occurring in the course of his employment.

I presume the minister is going to say to me that if somebody unfortunately slips on a banana peel in a store, perhaps there shouldn't be an inquest. Perhaps there should be one to find out just what kind of negligence there may have been when somebody slipped on a banana peel.

You know, I am getting a little worried in this country that there seem to be people who can kill with impunity and others we can't kill at all with impunity. There are people who can die in an accident whose deaths automatically must be investigated. But the lives of those people have the same importance.

The lives of people in Toronto who are working in a tunnel and who die as a result of the collapse of a tunnel are just as important—and I say this with the greatest respect to my friends from the north—as a miner who dies as a result of an accident in a mine. I don't denigrate the miner, either, when I say that. I just don't understand the thinking, and I would like to have clarification of that particular point.

Mr. Bounsall: I rise to make the same points which the previous speaker and my colleague the member for Dovercourt have made with respect to that important point in an otherwise forward-looking bill. Whenever a worker dies as a result of an accident a coroner's inquest should automatically and immediately follow. In justice one cannot discriminate between accidents in the work place.

The minister now clearly knows, as a result of the short debate we have already had today, that both opposition parties have this point of view and no doubt will be supportive of an amendment in this regard. It is very reasonable that a bill dealing with coroners' inquests into accidental death, this narrow sense only of a worker in a mine should be extended to all accidental deaths of workers at any work place.

One would think that, having already sensed this, the minister would be looking for reasons to agree rather than, as he did in the course of the last speaker's remarks, become defensive about the whole matter and toss out comments such as, "Do you mean in an office building?" Well, sure. If there's been an accidental death of a worker in that office building that should be the subject of a coroner's inquest without any argument at all.

If I could refer to section 7 of this amendment bill, which deals with section 17, subsections (b) and (c) of the act, any coroner worth his or her salt, looking at subsection (b) would do an inquest anyway.

Hon. Mr. Kerr: Is the word "salt" in the bill?

Mr. Bounsall: This is the section which deals with the coroner having regard to if and when he will order an inquest. Subsection (b) says, "the desirability of the public being fully informed of the circumstances of the death through an inquest." I can't conceive of the public not being, not only just interested but needing to be informed of—

Hon. Mr. Kerr: You leave that discretion with the coroner.

Mr. Bounsall: —not why the person died at his safe place of employment, whatever that may be, but the circumstances that gave rise to that death.

Any coroner in this province should automatically under subsection (b) of section 17 of the act order an inquest. Anything that turned up at that inquest would be very useful, when the reason is pinpointed, as it would be in an inquest in seeing that steps be taken to prevent further accidents of that kind. It would help ensure that measures are taken either by a health and safety committee of the work place, which didn't realize the danger in it, or by the company, which didn't pay sufficient attention perhaps to the dangers involved which gave rise to the accident. Any pressures such as having it made public would cause them to take notice and would definitely be worth while.

Certainly, under subsection (c) of section 17a of this amendment, it states the coroner shall have regard to "the likelihood that the jury on an inquest might make useful recommendations directed to the avoidance of death in similar circumstances." Surely that makes it virtually automatic that every coroner in this province, in every situation of a death in the work place, would surely have some suspicion that a jury may be able to make useful recommendations directed at the avoidance of death in a similar circumstance in that particular hospital, in that particular

school, in that particular office building, or that particular farm, in that factory, in that shop, or on that construction site.

It's very straightforward to say, the worker fell off a scaffold and fell X many feet and that's the cause of death. The point is that inquest would indicate why that worker fell off that scaffold. It would be important to his fellow workers in the work place on that construction site to know fully the circumstances surrounding that particular death and to the construction company to also know whether they were or were not negligent. If they were negligent, they would know how they should be changing their safety environment on that site in order that may not occur again.

It seems to me so very obvious this should happen that I don't know why the minister sits there and, in some agitation now, fights the suggestion this should take place. It is inevitably going to turn up now, with both opposition parties favouring it in one form or another, as part of this bill.

I don't know why they picked out mining in particular and indicated that would be the only appropriate place in which an inquest should be held. Certainly last year there were 35 deaths in the mining industry out of a total of 226. That 15 per cent figure does represent mining as having a higher proportion of deaths of the number of workers involved in the work place. In 1976 there were 54 deaths in mining out of a total 297 deaths. That 18 per cent figure again indicates mining is a more hazardous operation than other occupations one could engage in, in the province of Ontario.

In 1976 there were 243 other work place deaths. Surely, a coroner's inquest and a coroner's jury would have interesting things to say about virtually every one of those deaths. Last year 191 deaths occurred in places other than the mining industry. One should definitely have an interest in deter-

mining the whys and the wherefores of those accidental deaths.

I say to the minister, when he and his staff decided they would only leave mining in this bill, did they go through the work places by occupation to see which were the other high hazard areas at all? How did they determine to choose only mines?

I know the figure for mining is high, but surely there are other areas which are demonstrably high. I would like the minister to reply to that. What figures in all of these other areas caused the minister to say those deaths aren't high enough in that particular area of work and therefore would be excluded from this section of the bill in terms of having an inquest and a coroner's jury? Even if there's only been one death in a particular area, I would say that was one too many, since useful suggestions can be made as to the avoidance of another fatality in the future by laying out clearly the details.

In farming in 1976, there were 10 deaths in the work place and in 1977, seven; that's certainly well and sufficient to ensure that farming should be looked at. An inquest in every case, without giving it a second thought. Even if there is a work place which has been virtually free from accidental deaths there is no reason why that should not be included.

Mr. Speaker: If I may interrupt the honourable member, perhaps this would be a good time for him to sort of recess his remarks. By mutual agreement, we had agreed to recess at 5 p.m.

Hon. Mr. Welch: Mr. Speaker, If I may just make some reference, I know you are going to call the supper break now as agreed. When we resume at 8 o'clock, we'll carry on with the second reading of this bill. Following it getting second reading we'll do the second order, which is budget debate, for the balance of the evening session.

The House recessed at 5 p.m.

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 Bennett, Hon. C.; Minister of Housing (Ottawa South PC)
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 Bradley, J. (St. Catharines L)
 Breaugh, M. (Oshawa NDP)
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 Cunningham, E. (Wentworth North L)
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 Deans, I. (Wentworth NDP)
 di Santo, O. (Downsview NDP)
 Drea, Hon. F.; Minister of Correctional Services (Scarborough Centre PC)
 Duksza, J. (Parkdale NDP)
 Edighoffer, H.; Deputy Speaker (Perth L)
 Foulds, J. F. (Port Arthur NDP)
 Germa, M. C. (Sudbury NDP)
 Gigantes, E. (Carleton East NDP)
 Haggerty, R. (Erie L)
 Hodgson, W. (York North PC)
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 Kerrio, V. (Niagara Falls L)
 Laughren, F. (Nickel Belt NDP)
 Lawlor, P. D. (Lakeshore NDP)
 Lupusella, A. (Dovercourt NDP)
 Mackenzie, R. (Hamilton East NDP)
 Martel, E. W. (Sudbury East NDP)
 McCague, Hon. G.; Minister of the Environment (Dufferin-Simcoe PC)
 McClellan, R. (Bellwoods NDP)
 McGuigan, J. (Kent-Elgin L)
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 Miller, Hon. F. S.; Minister of Natural Resources (Muskoka PC)
 Miller, G. I. (Haldimand-Norfolk L)
 Newman, B. (Windsor-Walkerville L)
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Tuesday, May 23, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, MAY 23, 1978

The House resumed at 8:02 p.m.

CORONERS AMENDMENT ACT (concluded)

Resumption of the debate on the amendment to the motion for second reading of Bill 86, An Act to amend the Coroners Act, 1972.

Mr. Speaker: Order. When we rose at the dinner hour the member for Windsor-Sandwich had the floor.

Mr. Bounsall: I'll just conclude my remarks very briefly.

Mr. Ziemba: Don't conclude so quickly.

Mr. Bounsall: I should repeat my speech from before supper again. Over the supper hour I've had a chance to talk to the Solicitor General (Mr. Kerr); and, as is his wont, he's always very convincing about why not all workers who are accidentally killed in the work place should have a coroner's inquest performed as a result. The argument was an economic one. I suggest that's a good way of creating employment in the province of Ontario, provided we increase the jurors' pay at the same time so that jurors can afford to be on coroners' juries.

I say to the Solicitor General, to justify what he has said to me about amounts of money it would require to have an inquest into every accidental death in the province of Ontario, come up with the figures, convince us. Bring in an amendment of his own to this section of the act to say, in effect, that there shall be an inquest into every accidental death in the province except—and that's where he should give whatever discretion and conditions he feels should be given to the coroner releasing him of the obligation to have an inquest into every accidental death.

I think the onus should clearly be on the coroner to have an inquest unless he or she has good reason not to. I would much prefer that we have a coroner's inquest into every case of an accidental death in the work place in the province of Ontario, for all the reasons outlined before the supper hour.

If the Solicitor General can outline clearly reasons as to why and where a coroner should consider not having one and build it into this section or a subsequent section, then I would say you have a few days in which to prepare

that; but I would prefer to see our amendment, as we've stated it, carry; that there should be a coroner's inquest. Come forth with the areas of the work force which he feels do not really need this protection; come forth with the dollars involved and the exceptions, the way he would write them to let a coroner have an out if, in his opinion, it wasn't desirable to have that particular inquest. I would be quite interested in that amendment; but failing that, there is no justification for having a coroner's inquest just on those workers who are accidentally killed in mines, having the obligation to have a coroner's jury set up on those cases. There are too many cases of interest in the province of Ontario where a worker has been killed accidentally on the work place and the facts surrounding that case should be made known to the public in the interests of increasing occupational health and safety in the province.

Mr. Martel: I really hadn't intended to speak to this, but having looked at section 4(a) I'm afraid it leaves me no alternative. Because what 4(a) does is leave out the rest of mining. It only includes mining per se, leaving out pits and quarries. I am not sure how one can ignore those who work in pits and quarries and deal strictly with those in mining. These remarks have to be made against the fact that at least 35 men were killed in the mining industry last year. That is an indication of why we must expand and not reduce inquests into fatalities for miners as the government was wont to do. Let me make the point very clearly: Had the government had its way, it would have dropped totally that section calling for inquests into miners' fatalities. They attempted to drop it from section 9 of the Mining Act and did not want to introduce it anywhere else. That section of the Mining Act called for an inquest into all fatalities. This government was prepared, in fact, to drop it, until there was such an outcry from the unions representing those employees in the mining industry that the government felt it had to re-introduce it and saw fit to put it into the Coroners Act.

In fact that's a relatively new section in this act, on a matter formerly covered under

the Mining Act. The government was prepared to drop it.

I want to relate a little of the experience I have encountered over the years in dealing with this section of the act. You would appreciate, Mr. Speaker, coming from northern Ontario, the types of difficulties we've had and the number of fatalities that have occurred in respect to the mining industry.

I can well recall the day—

Mr. Speaker: I want to remind the honourable member that although he is dealing with a very important principle, I hope he will address his remarks to a principle that is contained in the bill, not one that is omitted from the bill.

Mr. Makarchuk: Right on; he's right on, Mr. Speaker.

Mr. Martel: With the greatest of respect, Mr. Speaker, I draw your attention to section 3(3) of the bill dealing with section 9(4)(a) of the act, which says, "Where a worker dies as a result of an accident occurring in the course of his employment at or in a mine, but not including a pit or quarry, the manager or other person in charge of the mine shall immediately give notice of the death to a coroner and the coroner shall issue his warrant to hold an inquest upon the body." I'm speaking directly to that section of the act, which is an addition to the Coroners Act, 1972, but which was formerly included under section 9 of the Mining Act. I want to relate for the House some of the problems that those involved in the mining industry, particularly the unions, have had over the years with respect to that particular section.

I can well recall shortly after being elected that when we had an inquest it was always held in Sudbury on a Wednesday afternoon. You never held it on a Tuesday or a Thursday or a Friday. You went to the business community and you brought five businessmen in who shut their stores down on Wednesday afternoon so that you could have an inquest; they weren't open for business.

You never allowed an experienced miner to be on a panel involving fatalities underground. You simply brought in businessmen—who of course knew a great deal about mining; someone selling clothing has some idea of what goes on underground in a shaft or a drift; certainly, someone selling clothes understands those problems.

We argued that with some vigour, again led by the United Steelworkers. The assistant deputy minister, Mr. Frank Wilson, to his

credit, and H. B. Cotnam, to his credit, came to the conclusion that some of the people you should have on an inquest should be experienced miners. Lo and behold, we ultimately saw the thing change in the Sudbury district. We ultimately saw people who had experience in mining called as jurors in an inquest.

They also had another wrinkle: in an inquest the only people who could raise questions were legal counsel. It was not for the person who was representing someone who was killed in an accident, but I guess the crown attorney. The union used to submit questions to the crown attorney and the crown attorney, if he saw fit, would ask the question. If he didn't see fit, he didn't place the question. Of course, the crown attorney **knows everything about mining too.** So you never went to the people—that's right, they were undermining—you never allowed those people who knew something about mining to be involved.

The mining industry is fraught with fatalities. I think last year there were something like 35 miners killed in the province, and 54 the year before. In the Sudbury basin we wanted to allow the fellows who were representing the bereaved to ask the questions because they knew something about mining. They knew where you should look to determine how you might avert a fatality in the future.

What I am leading to is a declaration that this area in this bill is still deficient, because despite the fact we might learn how, when and where someone was killed, the recommendations which come forth from a coroner's inquest do not have to be adhered to. Some of the jurors might have had experience underground or in the smelter and they make recommendations which hopefully would eliminate similar fatalities from occurring in the future if the recommendations from the jury were followed.

But in Ontario you don't have to follow the recommendations. To me it is a farce to determine how, why, when and where someone was killed—and then not follow recommendations which ultimately, hopefully, would see the elimination of a dangerous practice leading to fewer fatalities occurring because of that sequence of events.

Despite repeated efforts over the years by the United Steelworkers and by those with whom I have been associated, and our insistence that the recommendations of a juror's inquest should be followed, the government has steadfastly said no.

[8:15]

Ms. Gigantes: The coroner's inquest.

Mr. Martel: The coroner's inquest, pardon me.

They continue to say no. It becomes an exercise in futility, really. Hopefully we would learn from our mistakes; hopefully we would learn that if a miner is killed because the proper procedures weren't adhered to underground and we determined who was responsible for that—and I'm not at this moment trying to lay blame on anyone—we would establish procedures based on the various recommendations that would prevent a fatality occurring in the future.

Members could talk to the United Steelworkers of America for hours and they can show where the same type of accidents, in the same place, has occurred on a number of occasions.

Think way back, Mr. Speaker, and you'll recall my raising this about six years ago, about the Edvedicus case. Mr. Edvedicus was killed by an overhead crane at Inco. Subsequently, the same problem arose two years later.

One of the recommendations of the Edvedicus case was to the effect that if the crane was improved and some modifications made, the same thing would not occur a second time, or it was very unlikely. But in fact it did occur. I well recall the union saying to the government in a series of communications that if only it had insisted the recommendations from the Edvedicus case be adhered to the second fatality, or near fatality, wouldn't have occurred.

I can well recall the Thompson case, in Sudbury, where a man was riding the side of a boxcar and he got pinned between the wall and a door. So help me, within a year, the same accident occurred in the same place. If a jury recommendation had been followed, and a practice had been altered, the second fatality might not have occurred.

Surely that is as important as finding out the how, why, when and where. We should be attempting to follow those recommendations so we could eliminate a reoccurrence in a very similar set of circumstances.

If one works underground, of course, the major number of fatalities occur as a result of loose falling on someone's head. These could be very small pieces of material falling from the ceiling, but in fact they can go to several hundred pounds, or several thousand pounds.

If you look at the statistics—and the Minister of Labour (B. Stephenson) would be familiar with these—on underground fatalities, most of them occur from material falling from the roof of a mine. Surely if we know

that, and surely if we started to follow some of the recommendations of various inquests—
Hon. B. Stephenson: But we do.

Mr. Martel: We do know it, but we're not doing anything about it.

Hon. B. Stephenson: We follow the recommendations.

Mr. Martel: You don't have to, it's not compulsory.

Hon. B. Stephenson: But we do.

Mr. Martel: I say to the minister that she might follow it.

Mr. Renwick: Why didn't you stay home? As far as workers' safety is involved we don't want you here; do you understand that?

Mr. Warner: You don't do anything.

Mr. Renwick: We don't want you here. We're talking about death, we're not talking about danger.

Mr. Speaker: Order, please. The only person who has the floor is the member for Sudbury East and he can address all his remarks to the chair.

Mr. Martel: I don't know that I'm not Mr. Speaker. I'm looking straight at you.

Mr. Warner: The Minister of Labour is about to resign.

Mr. Martel: I want to tell you, Mr. Speaker, that while I know that the ministry is looking at some of this—

Mr. Warner: She does nothing.

Hon. B. Stephenson: You are wrong.

Mr. Warner: When was the last time you ever followed a recommendation?

Mr. Speaker: Will the member for Scarborough-Ellesmere please come to order.

Hon. B. Stephenson: Please resign.

Mr. Makarchuk: Will the minister bring in Bill 70?

Mr. Martel: I say to my friend, the Minister of Labour—I was going to say mines—we know the various types of fatalities that occur underground—

Mr. Makarchuk: When are you bringing in Bill 70?

Mr. Martel: —and despite that there were 35 men killed underground last year in Ontario and 54 the year before, and most of those fatalities occurred under similar circumstances.

Mr. Lupusella: The Minister of Labour is giving a big fat zero to the injured workers.

Mr. Martel: What disturbs me is that we never move to a point where we can reduce it or minimize it. For example, one might start to look at scoop trams that would have some-

thing to protect a person operating one of those. I am told the real problem is cost. I don't know how you measure a human life against the cost of putting a proper protective barrier for someone operating a scoop tram. There has been more than one set of recommendations saying there should be that type of device or that there should be a roll bar on all equipment, but that hasn't been the case to this date. We will only overcome the problem when we insist that those recommendations are adhered to, and that has not occurred to this time.

To go back to the point I started with, I can't understand why we have excluded so many workers. In this section of the act we talk about people working in mines but, although pits and quarries have always been related to mining, we leave out those men—and women, if there are some—who work in pits and quarries, as we leave out everyone else. I can't understand it.

I know full well that the government's intentions at one time were to not make it mandatory that all inquests in mining be investigated by a coroner's inquest. That was crazy, and I agree with my friend from Windsor that, wherever an accident occurs, we need to look into the circumstances surrounding it. It's all well and good for us to sit in these surroundings. I don't think there's much danger of the chandeliers falling on our heads, although one can never tell.

Mr. Warner: You don't know what the bats are doing up there.

Mr. Martel: But it seems to me that we should be interested in trying to determine what causes every fatality. My friend who is not here this evening, the member for Yorkview (Mr. Young), could tell of a construction worker who was buried in a cave-in; certain regulations apparently weren't being followed and it cost a life. It's all well and good for us to stand here and prattle on, but in dangerous industries we should know what causes those accidents. And if the cost is so great, I suggest that the minister charge it to the industry, because they will clean up their act.

Mr. Warner: That's the only things those creeps understand. But the minister won't do it.

Mr. Martel: They will clean up their act in the same way, one hopes, as the day when the Minister of Labour brings back Bill 70. If one wants to see an occasion when we will reduce fatalities in the work place, it's going to be when Bill 70 is in its place.

Mr. Warner: Which the minister is not going to introduce this session.

Mr. Martel:—which we have had great difficulty trying to get back into the Legislature—

Mr. Warner: The minister is backpedalling.

Mr. Martel:—because the hope of all of us is to—

Mr. Speaker: Order. We are dealing with Bill 86.

Mr. Martel: Right on, Mr. Speaker. I am trying to reduce fatalities.

Ms. Gigantes: That's where it leads, Mr. Speaker.

Mr. Martel: It leads ultimately from conducting an inquiry—surely our hope in this Legislature is not to conduct inquests into fatalities. Our aim should be to prevent them. I guess that's really what I am addressing myself to, Mr. Speaker, when I digress for a moment, with your indulgence, to allude to Bill 70. If we bring that bill into the Legislature and get it as law, we hope we will reduce or minimize the fatalities that occur in this province—

Mr. Warner: A bill that the Minister of Labour holds back—

Mr. Martel:—and we won't have to make use of Bill 86.

Mr. Warner:—a bill that she withdraws from the Legislature.

Mr. Stong: Elie, you are supposed to stop when he's interjecting.

Hon. Mr. Maec: You're getting a lot of help from your friends, Elie.

Mr. Warner: She has an obligation to bring the bill back into the House.

Mr. Martel: That's right.

Mr. Warner: It's as simple as that.

Mr. Martel: Despite repeated efforts to try to get Bill 70 back to the Legislature, it's with some difficulty we are getting this done. We're interested over here in preventing accidents and not having to utilize that, but surely if we're going to utilize it, then it should be meaningful. To simply learn how, why, when and where is a lot of garbage unless, as I say to the minister, he's prepared to put in here something to the effect that we will look at the recommendations very carefully and suggest to industry that those recommendations be adopted so that in the long run we will not have a second and third and fourth repeat of the accidents which led to a number of people losing their lives.

As I've indicated already, the most serious underground accident is something falling on your head. But there's a second one; people not wearing belts and falling down manways

and other areas underground. If they had had their equipment on, they might not have been killed. That's what brings Bill 70 in. If the minister is not talking health and safety, he's going to have this occurring; if we had the other occurring, this would be used less frequently.

I know the minister understands it, I can see him nodding.

Ms. Gigantes: He does, he does.

Mr. Martel: It's just that he's on the horizontal instead of the vertical.

Hon. Mr. Maeck: Vertically and horizontally.

Mr. Martel: I'm hopeful that the minister will look at recommendations very carefully and will start to bring something in which maybe monitors recommendations and then looks back when a report is tabled and says, "Aha, we see the same thing occurring on a number of occasions. Maybe we, as a government, should address this problem to the Minister of Labour; maybe we should address it to the Minister of Agriculture and Food if it's agricultural workers who are injured for some reason, and have them look at the problem." It's a recommendation my colleague, the member for Dovercourt (Mr. Lupusella), will move. It will address itself to that so maybe the government can start to pinpoint rather specifically where problems are occurring and go back to the Minister of Agriculture and say, look, you've got too many people being injured in this specific area, what can you do about it? Then go back to the Minister of Labour and say, we've had 10 or 15 or 20 fatalities and this has been the root cause of it.

What we want to do is to try and eliminate the root cause. As it now stands, without adhering to recommendations you'll not reduce fatalities. I beg the minister to start to look to that direction because in the long run, it will pay dividends to the residents of Ontario.

Mr. Mackenzie: I want to speak just briefly on this bill and ask that the minister seriously consider the recommendations, the tone of the arguments, being made on this side of the House and the necessity of broadening the reasons for a coroner's inquest into a fatality.

If we're going to deal with prevention, and in view of the fact that we have no idea whatsoever as to when we're going to get additional coverage enacted such as might be possible under Bill 70, there has to be some protection for workers, not only in a mine but in the industrial plants. It serves a very important role. If there is a fatality in the plant, a fatality that clearly raises questions in

people's minds, there should be no question but that there is an automatic coroner's inquest into that fatality.

We're going to have to find ways and means of seeing that some of the recommendations made are carried out.

In my own town, and it was raised on the floor, we have a situation of an extremely bad safety record and an unsafe plant. I'm referring to the Stanton Pipes plant in Hamilton. I don't think 248 lost time accidents in four years, with about 190 employees, is a very good record.

[8:30]

We recently had a fatality in that plant, a rather tragic fatality that concerns me greatly. We had a coroner's jury look into that particular tragedy and they made a number of recommendations. Just looking through some of the significant ones, the first recommendation is that because of the nature of their business and materials, Stanton Pipes have first-aid equipment on their own premises for the treatment of burns. Second, that first-aid facilities shared with National Steel Car be open at all times when either plant is in operation with an unqualified attendant on duty.

With regard to the fatal accident in this plant to Robert Foldick last June, his work-mates who carried him from the scene, where he was engulfed in molten metal, not only had to crawl over obstructions to get into the next plant where first-aid facilities were available, but had to literally kick in the door, only to find that nobody was on duty. Now we find that one of the coroner's recommendations in this case was that first-aid facilities shared with National Steel Car be open at all times, when either plant is in operation, with a qualified attendant on duty. This coroner's report came out early in October.

I now bring to your attention a letter that I received just today from the safety and health chairman in that particular plant, dealing not only with this case but other accidents that also occurred in the plant, which says, "In the case of Mr. Foldick, the first-aid room was closed and he was unable to receive treatment."

In the letter are listed a number of cases that have occurred recently in the plant, including one where an iron stock block weighing approximately 200 pounds fell on the back of one Mr. W. MacDonald, just missing his spine. Fortunately, he was not that badly injured and was able to walk to the first-aid station approximately 250 yards away, which was shared by the adjoining company. On arrival, Mr. MacDonald found that the first-

aid station was closed and locked—after the coroner's inquest and recommendations.

He then had to walk down to the secondary emergency first-aid station in the other company, where the powerhouse operator who was supposed to render first aid shrugged his shoulders and said to Mr. MacDonald, "What do you expect me to do?"

At Christmas in that same plant, and in spite of another recommendation of that coroner's inquest, the first-aid room was closed. Over the Christmas holidays, some 80 per cent of the plant was working. What was the attitude of the personnel officer when he was challenged on the fact that the facilities were closed? He said, "We only need the first-aid room open when we are casting." They do an awful lot of things in that plant that are pretty tough, apart from the mixing of molten iron and magnesium, which can be a very volatile and dangerous mixture.

It seems to me that, when we have a fatality in one of the plants where there is a real question of the procedures used for the responsibility involved, we simply have to have the right to a coroner's inquest to look into the circumstances and ascertain not only how the fatality occurred. They do that very well in this report, but one of my criticisms is that they don't assess blame. In this particular case there are some serious questions as to the management decision that resulted in an old pressure vessel being put back on for mixing after it had been allowed to cool out with the result that the bricks were not secure in the vessel. We also have to get the recommendations that are made, and we have to have some means of following up on those recommendations.

While I really hate to have to say it, probably that inquest's recommendations, which have not been totally carried out in that particular plan, plus the circumstances of a couple of the more recent accidents and the strike situation that exists there today, are going to give us the ammunition that's needed to point out just exactly how bad that situation was, with the support of the recommendations that are clearly listed by the coroner's jury in that case.

I think the minister would be well advised to consider a broadening of the bill he has got before us to give us this right in all work places, not just in the case of mines. I hope that when such amendments are moved, the House will consider them seriously.

Mr. Speaker: Does any other member wish to get involved in the debate?

Mr. Renwick: I don't know whether I want to get involved in the debate. I want to participate in the debate and I want to speak

to the minister about the bill he's presented to us. I expressed across the floor sotto voce, I hope, my concern that the Minister of Labour was here tonight, because whenever the consequences of death in industrial or other industries in the province come into focus we find that she, as members of her class do, have great difficulty in understanding what we're trying to say about death and injuries in industry throughout the province of Ontario. I use industry in the broadest possible term.

Hon. B. Stephenson: What class, may I ask?

Ms. Gigantes: Upper class.

Hon. B. Stephenson: Oh, go soak your head!

Ms. Gigantes: The same to you.

Mr. Deputy Speaker: Order.

Mr. Mackenzie: Does that bother you?

An hon. member: Would you stop that cat fight, Mr. Speaker?

Mr. Deputy Speaker: Order.

Hon. B. Stephenson: Scarcely upper class.

Mr. Renwick: If you ever speak about class, all of the—

Ms. Gigantes: The minister wouldn't speak about class, would she?

Mr. Renwick:—Conservatives are always in the lower economic class. They happen to represent those who have the great majority of the wealth in the country, but they're always in the lower class and they always associate themselves indirectly or otherwise with those questions.

I don't want to be provocative in one sense, but I want to be provocative in another sense.

Mr. Stong: Try it again.

Mr. Renwick: I want it clearly understood that my colleagues in this caucus have fought for a long time to try to persuade the Conservative Party to change its attitude about what happens in the work place.

Mr. Lupusella: We are wasting our time.

Mr. Renwick: We have had an immense amount of difficulty. Minuscule changes in attitude by the Conservative Party, we have come to believe, are great advances in relation to industrial health and welfare at the work place. I don't want to worry about that tonight. I want to talk to the minister who is responsible for something called public safety, the Solicitor General of the province, a not intractable man, a man with some humour, a man who told us some years ago that those who were damaging the environment would

be behind bars by now, but of course they're not behind bars by now.

I want to say to him as a human being will he please stand back from the Coroners Act and say to himself: "This act is immensely restrictive in relation to the situations in which there are mandatory inquests required." For practical purposes at the present time, the act simply says there will be an inquest in very limited circumstances. I want the minister to say to himself, by introducing this particular amendment which is really by transposition simply a provision already required in the Mining Act, that he is not doing justice to the change in the social circumstances of the province of Ontario.

Let me refer, if I may, to the circumstances in which inquests are at present to be held in Ontario. First let me go back a step so that everyone will clearly understand what we're trying to talk about when we indicate that in committee we want to introduce certain amendments. The limitation presently on an inquest is that it shall inquire into and determine who the deceased was; how the deceased came to his death; when the deceased came to his death; where the deceased came to his death; and by what means the deceased came to his death.

Those are the very limitations which the minister has already imposed upon an inquest in Ontario. He has tried in this bill to perhaps broaden slightly the ambit of the inquest inquiry by saying that where an inquest is held it shall inquire into the circumstances of and determine who the deceased was.

But perhaps the minister will understand that even the most diligent jury inquiring into the death of a person in the province is severely limited about the nature and extent of the inquiry which can be held into the causes of the death. In other words, anyone will understand that the Coroners Act carefully avoids any reference to the cause of death.

It may be said, of course, that the wording of that section which says "by what means the deceased came to his death" may encompass the question of cause. But it does not do so because the language doesn't say so. Anyone can give a descriptive account of the death of any person but any in-depth inquiry as to the reasons or the circumstances surrounding the death would in modern language use the term "the cause of death."

I want to say to the minister first of all that the act nowhere says that the inquest is involved in the cause of death. That's the first elementary principle that I want to get across to the minister. The act should provide

that the inquest would inquire into what is the cause of death.

Then when you come to the very lengthy section 9, which carefully enunciates all of the occasions on which an inquest will be required, then you find very carefully set out in the act in subsections 1, 2 and 3 very limiting occasions and procedures under which the coroner will act to determine whether or not an inquest will be held.

There is a mandatory requirement in the present Mining Act which reads: "Where a fatal accident occurs in or in connection with a mine or plant, an inquest shall be held." Apart from that the only mandatory requirement is in section 4 of the Coroners Act. I want to quote it so that the members will understand the very limited nature of the mandatory inquest presently required under the Coroners Act. Section 9(4) of the Coroners Act, 1972, which we are asked to amend, states:

"Where a person dies while detained by or in the actual custody of a peace officer or while an inmate on the premises of a correctional institution, lockup or training school, the peace officer or officer in charge of the institution, lockup or training school, as the case may be, shall immediately give notice of the death to a coroner and the coroner shall issue his warrant to hold an inquest upon the body."

What we are asking simply is that in a modern society we extend that obligation to hold a mandatory inquest to circumstances other than the mine or the plant.

I want to make a point which was made originally in this debate. It is proposed to amend section 9 by adding subsection 4(a), which says: "Where a worker dies as a result of an accident occurring in the course of his employment at or in a mine but not including a pit or quarry, the manager or other person in charge of the mine shall immediately give notice of the death to a coroner and the coroner shall issue a warrant to hold an inquest upon the body."

[8:45]

I am saying to the assembly, is it the intention of the minister to extend or restrict, as my colleague, the member for Windsor-Sandwich (Mr. Bounsall), has drawn to my attention, provision 612 of the Mining Act? It is a rather cute method of limiting the scope of what is already contained. Or is it his intention, in fact, to do something other than merely amend by transposition the requirement as to when a mandatory inquest should be held because of an accidental death in a mine other than a pit or a quarry?

I don't know what the minister's intentions are. It is always difficult when the minister introduces a bill such as this and indicates all he is doing is making certain progressive changes in the act. It is always a question in our mind whether it is his intention to extend the scope of the operation of the act or merely to shuffle sections about. I want to say to the minister, if there is ever a situation which requires change in Ontario, it is the requirement that there be proper investigation of deaths in various areas of the industrial society in which we live.

Many of my colleagues believe it should be all-inclusive. I think it is fair to say our colleagues in the Liberal Party have indicated in the course of this debate they would seriously consider supporting appropriate amendments to extend the ambit of the section the minister has either transposed or introduced into this act with respect to the mining industry about the requirement for a mandatory inquest in the event of death.

Is the minister perhaps prepared at this point in time to say there are other specific instances in the province of Ontario where there must be an inquest, where it is mandatory? Are there other specific instances where it is not just up to the coroner, or where it is not up to the investigating officer to report to the coroner, who will then investigate, and if he decides, shall require that there be an inquest?

I don't know whether the minister, skilled lawyer that he may be, has any particular experience, in the field of deaths on construction sites. I doubt, for practical purposes, whether he has. I think anyone who has attended an inquest held in connection with a death on a construction site in Ontario in the last 10 or 15 years, must have come to the conclusion that, even if it is a mandatory requirement, there are very serious defects in the procedures which are followed at those inquests for the purpose of determining the cause of death and therefore the responsibility, ultimately, for the kind of lack of safety and other precautions at those sites which would have prevented that death.

I realize this is very protective legislation from the point of view of the establishment. All it wants to do is have inquests in those circumstances where it may be there is some concern about the death and the cause of the death. I think the minister has got to take a position, and our party thinks it must take a position that there are many occasions when there must be a mandatory inquest on which people who are representative of the public, as jury members, can give their views

as to not only the circumstances surrounding the death, but the cause of the death, and to see whether or not there can be some kind of remedial step taken by government in order to reduce that kind of fatality.

I do not think it is possible in a multicultural society for us to rely any longer upon the investigative officers, operating as they may be in very good faith, or upon the coroners to decide whether or not those inquests should be held. My view is that there must be and, if my understanding is that the minister does not wish to proceed into committee tonight, I'm hopeful that there may be an opportunity for representatives of this party to discuss with his party and representatives of the Liberal Party to discuss with his party the question of whether or not it is possible to come to some reasonable acceptance of an amendment to this provision which would have some realism in the kind of society in which we presently live. I don't know whether that's possible.

Every now and then, when questions of the welfare of people at the work place are before the assembly, we find a great deal of resistance in the government to any significant changes which would impose any burden on government to take any responsibility for safety at the work place. Surely, it is possible in the case of death for the government to accept the responsibility of having the kind of investigation that will make certain that we get to the cause and the root of the hazardous conditions which exist in many of the construction sites and in many other areas of industry not known to the government and not known to us here in the assembly.

I need not recount the experiences which I've had at inquests on deaths at construction sites when I was in the private practice of law. All I can simply say is that I was upset and concerned about the overwhelming desire to get the inquest over, to get the matter closed and to get on with one's everyday work without any further concern about the havoc that was wrought by the particular death.

I think my colleague, the member for Dovercourt (Mr. Lupusella), has indicated to the minister in his proposed amendment that he at least wants to see an annual report where the recommendations of the various coroners' juries across the country are published, because by that very act of publication we can be certain that the government will want to indicate those of the recommendations which they have implemented and those which they have not implemented.

Apart from crime and death on the highway, the major source of hazard to life is death in the industrial plants of the province. It is in our view that at this point in time we should be able to work intelligently in a co-operative and minority government the kind of extension of the mandatory requirement for inquest which is inherent in the amendment which the minister has introduced.

I don't know whether that's possible. The Tories get quite recalcitrant when one suggests to them that they don't know all of the steps which are required in order to protect the basic establishment of the society of which they are the elected government for the purpose of protecting. I'm hoping it may be possible, and in an enlightened way, for them to say that the protection of their establishment requires them to be somewhat reasonable about the extension of the provision as set forth in the proposed amendment to section 9 of the Coroners Act.

I don't know whether that's possible, but I say to the minister that there is at least, in our judgement, some area in which we might possibly be prepared to negotiate with the minister and with our colleagues on the right in order to achieve a reasonable solution to the circumstances of Ontario which require that there be mandatory coroners' inquests in the event of certain deaths on industrial, commercial, mining, construction and other sites in the province. I don't know whether that's possible. I don't know whether the minister has given it any thought.

Mr. Martel: One would think the Minister of Labour would be leading the fight.

Mr. Renwick: I want to say to the minister that we in this caucus are very much concerned about the casual change in the method of the selection of the coroner's jury. We think it is an inadequate recognition of the importance of the coroner's jury in the province that he would introduce the proposed amendment to section 27 of the Coroners Act. That provision is so informal it almost takes you back into the last century.

It says the coroner shall direct a constable to select, from the list of names of persons provided under subsection 2 of section 28, five persons who in his opinion, that is in the opinion of the constable, are suitable to serve as jurors at an inquest and the constable shall summon them to attend the inquest at the time and the place appointed. I really don't believe for one single moment that it can be left to a constable, singled out by the coroner, to determine the five persons who will form the jury for a coroner's inquest.

Surely the coroner's inquest deserves the recognition, at least, of the procedures used through the sheriffs of the various judicial districts to establish juries for criminal trials in the county courts.

There must be some way in which even the minister would agree it is not sufficient for a coroner to say to Constable So-and-so, "Please go out and find five people who are on this list and they will be the jury for the purpose of investigating a death of a person in the province of Ontario." The minister is quite aware of the major areas of concern expressed about the bill. I would hope he would seriously consider some of the representations that have been made by ourselves, by the members of the Liberal Party, about the amendment to section 9 of the Coroners Act and I would hope he would at some point make a further comment about the method of appointing the juries for coroners' inquests in Ontario.

But my last plea is for some openness by the government about this vexed question of deaths in the industrial sites that it be considered in a broad sense to include construction and mining sites in Ontario. That is a matter about which I know the minister is upset. He was upset before dinner. He's upset tonight about it. He's obviously equally upset because his colleague, the Minister of Labour, has difficulty in understanding the importance of accidents and deaths at the construction sites.

Hon. B. Stephenson: You really don't know what you are talking about. That's specious and spurious.

Mr. Renwick: But perhaps we can get it to the government, through the Solicitor General tonight, that if the ultimate result is death, maybe the consequences are such that we should inquire into them and maybe because of some kind of back pressure, we could then become concerned about the living persons at the work sites who suffer disability of one kind or another. I appeal to the minister, because of his interest in people, to seriously concern himself about our worries about this bill in the hope that he will not withdraw the bill but that, as we say these days, in the spirit of minority government, he will meet with us and members of the Liberal Party to resolve these problems.

[9:00]

Mr. MacBeth: Mr. Speaker, I wish to speak very briefly on this bill, if I might, particularly in regard to the amendment. I haven't seen the amendment but I understand it would make it mandatory that an inquest be held whenever there is a death in the work place.

It may be narrower than that; I haven't seen it.

Mr. McClellan: You know what you don't like.

Mr. MacBeth: If that were to happen, it would make a sham of the many important inquests that are held across this province. Inquests are there to serve a purpose; they're there to find the cause of death or to make suitable recommendations.

Mr. Renwick: It doesn't say "cost," John.

Mr. MacBeth: When they're there to make suitable recommendations—

Mr. Martel: But no one follows them.

Mr. MacBeth: —and I think that is the point the member for Riverdale is trying to make—if there can be any value and any good recommendations come forward from it, by all means, let's have an inquest. But to have an inquest simply because a death took place on the job would make a sham of inquests. Remember that inquests cost dollars.

Some hon. members: Oh, oh.

Mr. MacBeth: Just listen. I'm not putting dollars first, but it costs thousands of dollars to have an inquest. You must supply the room for it; you must supply the coroner—and they don't come without some expense—you must pay the witnesses, because it takes the time of the witnesses to be there; and you must pay the jurors.

Mr. Martel: Ten bucks a day.

Mr. MacBeth: There is expense involved, but there is also the time of the citizens involved. All the honourable members opposite are concerned about the fact that jurors are not paid the kind of fee that we would like to pay them—

Mr. Renwick: Raise their pay.

Mr. MacBeth: All right, but that's more dollars. More important than the pay, however, is the time that it takes for the jurors to come and sit on one of these inquests.

Mr. Martel: Just try to get rid of fatalities.

Ms. Gigantes: You weren't elected by dollars. Are you speaking on behalf of dollars?

Mr. MacBeth: If we know the cause of death—the person may even die of a heart attack on the job; what is the purpose of having an inquest in a situation like that? If we don't want to turn inquests into some kind of a game or a sham, we must hold them in high repute.

Ms. Gigantes: Were you elected by dollars?

Mr. Martel: Yes.

Mr. MacBeth: If we had an inquest automatically on every death, they would not serve the valuable purpose they are currently serving.

Ms. Gigantes: Were you elected by dollars?

Mr. MacBeth: Inquests today do serve a valuable purpose and, contrary to what some of the members opposite are saying, a good percentage of the recommendations that arise out of inquests are put into effect.

If we just have the inquest automatically, we'll be causing people to come in to hear these inquests, and they will be annoyed at the system. We're always worried about costs on these things—not that I want to put costs above saving human lives; I certainly don't—

Ms. Gigantes: Don't do it then.

Mr. MacBeth: —but, on the other hand, I don't want to see money spent needlessly.

Mr. Martel: Talk to the 10 widows in Sudbury last year.

Mr. MacBeth: If we're not going to accomplish anything by holding an inquest, what is the purpose in holding the inquest?

Ms. Gigantes: To change things.

Mr. MacBeth: I say, let's make sure that there is something going to be gained before we decide to have an inquest automatically on every case.

Mr. McClellan: Mr. Speaker, I want to speak very briefly to the legislation.

Mr. Stong: Hurray.

Mr. McClellan: —I find it difficult to understand how the Tories can talk about an inquest into a fatality, for example, on a construction site as though it would be some kind of a game or some kind of a sham, to quote the member for Humber, who just spoke. I don't understand that. My colleagues on his side don't understand that.

... **Hon. B. Stephenson:** That isn't what he said.

Mr. McClellan: I represent a riding where most of the people work in construction. We have suffered very heavily from accidents and fatalities in the construction industry in this province and in this city—

Mr. MacBeth: And generally there were inquests for them too.

Ms. Gigantes: So what are you fighting?

Mr. MacBeth: I'm fighting needless inquests—inquests that won't accomplish anything.

Ms. Gigantes: What about the inquests—

Mr. Deputy Speaker: Order.

Mr. Mackenzie: Let's negotiate a little.

Mr. Deputy Speaker: Order. The member for Bellwoods has the floor.

Mr. McClellan: The construction industry is not a very pretty industry. There are not too many industries which operate on the basis of the pushman system, as the construction industry does in this province and in this city. The people in my riding who work in construction are subjected to the pushman—

Hon. Mr. Kerr: The what?

Mr. McClellan: The pushman, the pusher.

Hon. Mr. Kerr: The pusher?

Mr. McClellan: It's a joke to you, perhaps, but to the guys who work in construction it's no joke.

Hon. Mr. Kerr: No, I'm not saying it's a joke.

Hon. B. Stephenson: He was asking a question.

Mr. McClellan: The pushman system is the institution of speedup on the construction site. Every single construction site in this city has the pushman, whose job it is to push the workers, to flog them verbally—

Hon. Mr. Kerr: To horse-whip them—throw that in too.

Mr. Mackenzie: He didn't say that.

Mr. McClellan: No, I didn't say that, I said to flog them verbally, to push them by whatever means he can to work faster and faster and faster.

Mr. Sterling: I have worked on a construction site.

Mr. McClellan: The function of the pusher is institutionalized in the construction industry in this province.

Ms. Gigantes: Fear of unemployment—do you understand that?

Mr. McClellan: The Ministry of Labour has refused to deal with the problem for years and years and years and the construction industry is as dangerous as it is in Ontario because of the institution of the pushman. We have been unable to deal with it. We have not been able to come to grips with this system.

Hon. B. Stephenson: We have the best record of any jurisdiction in North America and you know it.

Mr. Martel: So what.

Mr. McClellan: The Minister of Labour once again, sotto voce, apologizes for the pushman system but, Mr. Speaker, you don't have to run construction trades, you don't have to run the construction industry on this system.

Hon. B. Stephenson: I'm not apologizing for anything.

Mr. McClellan: It is not a foreman system. I heard one of my colleagues from the Liberal Party say, "Is it the same as a foreman?" It's not the same as a foreman.

Mr. Sterling: What alternatives do you have, what alternatives?

Ms. Gigantes: Norm, shame on you, shame on you. Have you seen the injured workers on those sites?

Hon. B. Stephenson: Have you? What construction site did you work on?

Mr. Deputy Speaker: Order.

Mr. Martel: We could put some of you lawyers to work for a change.

Mr. McClellan: The interjections, Mr. Speaker, validate the point that was made by my colleague from Riverdale when he said the Conservatives are incapable, by virtue of their class bias, of understanding the problems of the construction workers in this province.

Mr. Sterling: You're unrealistic.

Mr. McClellan: As you make your interjections right now, you validate what my colleague said.

Ms. Gigantes: You don't know those people.

Mr. Martel: You're pushing the subject.

Mr. Deputy Speaker: Order, order. I just wanted to see whether you could remain silent for a moment or two. I would like to remind the members that we are on the Coroners Act and I would ask the member for Bellwoods to continue in reference to the bill before the House.

Mr. McClellan: We're talking about measures that would bring about safe working conditions in the industry in which my constituents work and if I'm not to speak to that kind of an issue, I don't know why I'm here. I can't think of a more important subject to raise and to speak on as forcefully as I can. Otherwise, why the hell am I here?

Mr. Deputy Speaker: Order, order.

An hon. member: Why are you here?

Mr. McClellan: My constituents know why I'm here, if you don't, and I think it is useful, useful in the extreme—

Mr. Sterling: Talk in real terms.

Mr. Renwick: One doctor and I don't know what the other fellow does up there. He's certainly not a construction worker.

Hon. B. Stephenson: When did you do construction work, Jim?

Mr. McClellan: —to establish the principle of mandatory inquest into every single fatality in the construction industry in this province.

Any single measure, any measure at all, that will serve to focus attention on the—

Mr. Mackenzie: You're being offensive when you're so slow to move.

Mr. McClellan: —tragic and chronic unsafe conditions in the construction industry in this province is useful. I would hope my colleagues in the Liberal Party will support the amendment, and I mean this very sincerely. I hope they will support the amendment to bring about a mandatory inquest in a situation of any fatality on a construction site—indeed on any work site.

Mr. Martel: Nobody's talking about heart attacks.

Mr. McClellan: We hope, as well, that they will support the amendment that provides for a report to the assembly on the results of the work of the coroner's office. We should have every year a record of what's happening in the coroner's office and in each of the sectors of industry that he's dealing with.

Ms. Gigantes: A decent description of death—that's the least you can ask.

Hon. Mr. Kerr: There is nothing decent about death.

Mr. McClellan: There is indeed nothing decent about death, as the minister said. I would think that this minister would welcome amendments that would provide for mandatory inquests. I cannot comprehend opposition to that notion, when we have in this province an industrial accident rate that stands out in the western industrial world.

Hon. B. Stephenson: You're wrong.

Mr. McClellan: I am not wrong.

Mr. Lupusella: Why are we wrong? Where did you get your statistics?

Mr. Deputy Speaker: Order.

Hon. B. Stephenson: It stands out because it is lower. That's right. Just wait until I get to the figures, because you are wrong.

Ms. Gigantes: Throw her out. Throw her out.

Mr. McClellan: The minister is unable to contain herself in her enthusiasm to oppose measures which would serve—

Hon. Mr. Kerr: Mr. Speaker, could you bring these people to order?

Hon. B. Stephenson: I'm not opposing anything. I'm trying to keep you on the straight and narrow facts and you don't like it.

Mr. McClellan: —to improve work safety in Ontario work places. That is her record and she can have it. She is welcome to it. I am not talking to the Minister of Labour. I have given up trying to talk to the Minister of Labour. As my colleague from Riverdale said earlier, we don't care whether the Minister of Labour is here or not.

Hon. B. Stephenson: But he is saying he'd rather I wasn't here.

Mr. McClellan: We would prefer in fact that she were not here, because she serves only to obfuscate debate on matters of industrial safety.

Hon. B. Stephenson: I would prefer you weren't here either.

Mr. McClellan: She does not comprehend industrial safety. She does not understand the importance of these matters. Perhaps it is her class bias. I don't know what the problem is. Perhaps it's her medical bias. I just know that there's a problem with respect to the ability of the Minister of Labour to comprehend matters of work safety.

Mr. Lupusella: You should resign as Minister of Labour.

Mr. McClellan: We're not addressing her tonight. I'm trying to make an appeal to the Solicitor General to accept the will of the majority, to accept the reality that I was elected here by a group of people to speak from a particular perspective, which I am doing right now. My colleagues as well were sent here to express a particular point of view, which we are doing right now. If there is a majority in this House who express that point of view I'm asking that he accept it. That's all we're saying. It is not unreasonable. It is simply an expression of parliamentary democracy. I ask the minister simply to live with parliamentary democracy, to respect the fact—

Mr. Martel: Do like the Minister of Labour. Don't bring it back. She respects the will of the majority.

Mr. McClellan: —that I, as the spokesman of the constituents of Bellwoods riding, together with my colleagues, whether we are on this side of the House or on that side in whatever combination, when we are the majority our views hold.

Mr. Martel: Bring back Bill 70.

Mr. Speaker: If there are no other members wishing to participate, the Solicitor General.

Mr. Martel: The minister's being provocative.

Hon. Mr. Kerr: Mr. Speaker, first of all, I would like to mention that I may be bringing

in amendments to section 13 of the bill when we are in committee. That deals with representation at inquests. At the present time, it is not necessary to have a barrister or a solicitor attend at an inquest. It is my understanding from my colleague, the Attorney General (Mr. McMurtry), that it is not absolutely necessary at all types of inquest, to have a crown attorney attend. Many lay people, in rather simple inquests, can represent the crown. It has been done up until now, certainly, and therefore I will be considering bringing in an amendment to section 13.

[9:15]

Mr. Martel: Is it mandatory to have a solicitor there?

Mr. Speaker: Order.

Hon. Mr. Kerr: No. That would be the amendment, that it wouldn't be mandatory to have a solicitor there.

Mr. McClellan: You had better think that one out now, Mr. Solicitor General. Think that one out very carefully.

Mr. Renwick: We can make a deal on that section.

Hon. Mr. Kerr: Now I would like to deal with some of the provisions. First of all, I really should apologize to the member for St. George (Mrs. Campbell). She indicated I should have made an opening statement, and other members have also alluded to that particular situation. As I indicated when introducing the bill, they are basically housekeeping amendments. I realize there are some very important amendments, but they are basically outside of the provision regarding the mandatory inquests in the event of a mining accident. Most of the other sections, are, as I say, basically housekeeping amendments. I didn't have any notice of the honourable members' amendments to Bill 86 until this morning. Therefore, I did not have any real reason for any lengthy opening remarks.

Mr. Martel: Mailed Friday, George.

Ms. Gigantes: The mail is slow.

Mr. Lupusella: On a point of order, Mr. Speaker. If I may, Mr. Speaker, I would like to remind the Solicitor General that the amendments which were presented by this side of the House were introduced and were given to the government last Friday.

Mr. McClellan: Thursday.

Mr. Lupusella: I guess, if the Solicitor General wanted, he had an opportunity to look at those amendments and make opening remarks in relation to the introduction of those amendments. Thank you, Mr. Speaker.

Hon. Mr. Kerr: Mr. Speaker, I understand the amendments were called in to my office last Friday afternoon and were typed up sometime late Friday and I had an opportunity to see them this morning.

Ms. Gigantes: Wrong again. Wrong again.

Hon. Mr. Kerr: I wasn't in my office Friday afternoon.

Mr. Lupusella: You knew it when we dealt with the estimates of the Solicitor General.

Mr. Speaker: Order.

Hon. Mr. Kerr: I was in my constituency office on Friday afternoon. There was no real reason to wait until Friday to have those amendments. You could have had them earlier than that.

Mr. Martel: Mr. Speaker, on a point of order. The rules of the House, in fact, state categorically we should submit the amendments Friday before the bill is debated. We met with the order of the House by having them delivered by noon on Friday.

Mr. Speaker: Your honourable colleague before you had already drawn the House's attention to that fact.

Ms. Gigantes: Why does this whining continue?

Mr. Martel: With the greatest respect, Mr. Speaker, the minister subsequently rose in his place—

Mr. McClellan: Can't help it if he takes a five-day weekend.

Mr. Martel: —and indicated that we had not conformed with the rules.

Hon. Mr. Kerr: I didn't say that, Mr. Speaker.

Mr. Speaker: Order.

Hon. Mr. Kerr: I didn't say that.

Mr. Speaker: Order.

Mr. Lupusella: Can I rise on another point of order, Mr. Speaker?

Mr. Speaker: Order. The member for Dovercourt has already risen on a point of order.

Mr. Lupusella: It is a second point of order.

Mr. Speaker: His position with regard to the amendments is quite clear. Everybody on that side of the House has had an opportunity to speak to second reading of this bill.

Mr. McClellan: He's got another point of order.

Mr. Speaker: The Solicitor General has the floor.

Mr. Lupusella: It's another point of order, Mr. Speaker.

Hon. Mr. Kerr: Mr. Speaker, in dealing with most of the comments raised by the honourable members opposite, there is no question that section 3 of the bill and more particularly subsection 4(a) dealing with mandatory inquests in a mining accident were the sum and substance of most of the remarks. First of all, I want to say the main reason this section is in this bill is because, as the member for Riverdale has suggested, it is being transposed from the Mining Act.

Mr. Martel: They were dropping it.

Hon. Mr. Kerr: It is my understanding the Mining Act will not contain that provision. Because we feel that it is essential and, as a matter of fact, the government wants that provision to continue, this is part of the amendments to this legislation.

In dealing with the suggestion that there be mandatory inquests for all accidental deaths in all work places, as suggested by the amendment from the member for Dovercourt, I should review, as has been done to some extent, the Coroners Act in general regarding inquests. I would refer, first of all, to section 9 which has been mentioned. I will read that section.

Section 9 says: "Every person who has reason to believe that a deceased person died as a result of violence, misadventure, negligence, misconduct or malpractice; by unfair means, during pregnancy or following pregnancy in circumstances that might reasonably be attributable thereto; suddenly and unexpectedly; from disease or sickness for which he was not treated by a legally qualified medical practitioner; from any cause other than disease; or under such circumstances as may require investigation, shall immediately notify a coroner or a police officer of the facts and circumstances relating to the death, and where a police officer is notified, he shall in turn immediately notify the coroner of such facts and circumstances."

This, therefore, would include, as I say, every accidental death involving a worker in the workplace. There would be an investigation.

Mr. Renwick: But not an inquest.

Hon. Mr. Kerr: I might also add that the member for Riverdale has mentioned there isn't a definite or specific reference to cause. I might just refer the honourable member in this particular section to the words "the facts and circumstances relating to the death."

In my opinion, that certainly indicates there must be an investigation as to the cause. The facts and circumstances would seem to be as close to the ascertaining of the cause of death

as I can quickly think of at this time. Certainly there is no objection to including the word "cause" in that section.

Section 13(1) is really a complementary section to section 9. It says: "Where a coroner is informed that there is in his jurisdiction the body of a person and that there is reason to believe that the person died in any circumstances mentioned in section 9, he shall issue his warrant to take possession of the body and shall view the body and make such further investigation as is required to enable him to determine whether or not an inquest is necessary." Again, the accidental death and the death under the circumstances that I have mentioned in the legislation have to be investigated.

The honourable member mentioned section 7 of this bill as well. Again, referring to an amendment to section 17a of the act, it says: "When making a determination whether an inquest is necessary or unnecessary, the coroner shall have regard to whether the holding of an inquest would serve the public interest and, without restricting the generality of the foregoing, shall consider . . ." Then there are three subsections there as to the circumstances and the reasons under which an inquest would be held.

Section 21a of the present legislation provides that in the event the coroner decides against an inquest, there is reference to the chief coroner to review the decision and the chief coroner shall review the decision of the coroner.

There is another provision in the legislation where the minister may require that a warrant be issued for the holding of an inquest. This, again, is another—

Mr. Lupusella: May, not shall.

Hon. Mr. Kerr: That's right. He may direct any coroner. That's true.

Ms. Gigantes: Weasel words. Shall, shall.

Hon. Mr. Kerr: But, again, it's another form of appeal.

Mr. Renwick: You could have total control over the process and you wouldn't have it.

Ms. Gigantes: Weasel words.

Hon. Mr. Kerr: Again, if the relative of the deceased requests, the decision of the coroner may be reconsidered. All these are provisions where—

Mr. Martel: Ah, come on George, with great pressure you'll knuckle.

Hon. Mr. Kerr: —there is an accidental death. In my opinion, Mr. Speaker, the provisions are quite exhaustive here as to when a coroner should hold an inquest.

Mr. Renwick: No, they are not.

Hon. Mr. Kerr: The honourable members opposite should have some faith in the coroners of the province and in the coroner system of this province.

Mr. Renwick: No, not when you're talking about private industry, of deaths on private industrial sites.

Mr. Martel: Just ridiculous. Keep the faith, baby.

Hon. Mr. Kerr: When they talk about the provision that's required, as suggested by the member for Dovercourt, they're talking about every accidental death in the work place.

Mr. Lupusella: Right. At least that's the only way.

Hon. Mr. Kerr: Whether it's in an insurance office, whether it's in a store, whether it's in a restaurant, whether it happens to be a driver on the street—

Mr. Lupusella: That's how your government can become irresponsible about accidents.

Hon. Mr. Kerr: —an automobile accident, a nurse, even a secretary of a riding office, for goodness' sake. It could be an accidental death—

Mr. Lupusella: That's the only way.

Ms. Gigantes: You're an insurance agent, not a member of a government.

Hon. Mr. Kerr: —regardless of the circumstances.

Mr. Martel: No, we didn't say that.

Hon. Mr. Kerr: That's what you are saying.

Mr. Martel: No, we're not.

Hon. Mr. Kerr: Because you're doing away with the word "cause," or the requirements of cause in the amendment of the member for Dovercourt. You're not requiring any cause.

Mr. Martel: No, no, he said accidental.

Ms. Gigantes: Do you think people are stupid?

Hon. Mr. Kerr: There has to be no mystery. You're not dealing with the section of the act where it says—

Mr. Martel: No, they will handle it themselves.

Hon. Mr. Kerr: —an inquest is held to inquire into and determine who the deceased was, how the deceased came to his death, when the deceased came to his death, where the deceased came to his death—

Ms. Gigantes: Yes, yes, yes.

Hon. Mr. Kerr: —and by what means the deceased came to his death.

Ms. Gigantes: Yes, yes.

Hon. Mr. Kerr: Now, surely, "how" and "by what means" indicates that there has to be some cause. You have to ascertain some cause.

Mr. Martel: Most people die from a cause, George.

Ms. Gigantes: It's an act of God, according to you.

Hon. Mr. Kerr: What the member for Dovercourt is suggesting would make it horrendous.

Mr. Martel: Passed away late in the night.

Mr. Lupusella: They are reasonable amendments.

Hon. Mr. Kerr: I'm not talking just about the cause. I would suggest that there would be an inquest in Ontario 365 days a year.

Ms. Gigantes: How many people die in Ontario every day?

Hon. Mr. Kerr: There would be a jury sitting 365 days a year.

Mr. Martel: Now, there's a job for you, George.

Mr. Speaker: Order, order.

Hon. Mr. Kerr: There would be inquest upon inquest on the same circumstances—

Mr. Martel: I am just trying to find him a job. He can be the coroner.

Hon. Mr. Kerr: —resulting from the same situation. There would be two similar acts having inquests lasting three or four days with a jury empanelled that would counsel the whole structure of an inquest. It is completely unnecessary. And I would suggest—no, I won't say it.

Mr. Martel: No, don't say it, George. Quit while you're ahead.

Hon. Mr. Kerr: I'm just saying it would be a useless expenditure of money and human resources to hold an inquest in all circumstances when they are unnecessary.

Mr. Lupusella: They are not.

Hon. Mr. Kerr: Again, you have to have some faith in the coroners of this province—

Ms. Gigantes: You have some faith in people.

Mr. Lupusella: How can we have faith in this government?

Hon. Mr. Kerr: —and the history of the coroner's office in inquests. You must remember that we're involving doctors in inquests; doctors have to be part of inquests.

Mr. Renwick: That's what we're worried about.

Ms. Gigantes: Holy, holy doctors.

Hon. Mr. Kerr: There are roughly 30,000 investigations now in Ontario and something between one and two per cent of those investigations result in inquests. In other words, there's no question that most inquests are the result of industrial or construction accidents. There's no question. Again, there are recommendations so that, hopefully, those same circumstances can be avoided and the problem won't occur again.

Ms. Gigantes: We don't hope. We want legislation.

[9:30]

Hon. Mr. Kerr: I certainly understand what the member for Riverdale is attempting to do. I realize the importance of recommendations being published, recommendations that direct some type of required act on mandatory provision should be acted upon. Certainly I would agree to any reasonable recommendation in this legislation that would require the publication of recommendations.

I don't particularly agree with the amendment of the member for Dovercourt. He is talking about a separate annual report. The Solicitor General now has an annual report. Certainly much of the information he's requested can be included in the Solicitor General's annual report under the coroner's division.

Mr. McClellan: You missed the whole point.

Hon. Mr. Kerr: The hon. member for York Centre made reference to section 11. Again we wouldn't have any objection to a person who is charged with or acquitted of a criminal offence becoming a compellable witness after these charges have been disposed of, if there is still an inquest and that person would be a relevant and a required witness. There is no objection on our part that the section be amended to provide for that.

Another mention was of the question of a constable. I think the constable has in many respects been acting the same as a sheriff would act in empanelling criminal and civil juries. They are gathering names.

Ms. Gigantes: You are scrambling. You are scrambling.

Hon. Mr. Kerr: I know that the constable also will actually choose the names of those jurors. I don't know if there's been any great defect in that system. I think the constable attempts to have a representative jury. There are the same number of exemptions and excuses for not serving, so we have the same difficulties in empanelling a jury.

I have no objection, for example, for a provision that says the coroner would have

the final approval or the final say in who the actual jurors are at a particular inquest. But I think the process of the constable actually gathering the names, bringing the number down to a reasonable amount and then leaving the final decision to the coroner is something that could be considered. Again, because constables are not doctors, because they are not hearing a particular inquest, it doesn't mean that they don't have the ability to pick a representative juror.

Ms. Gigantes: Has the minister ever known anybody who has died in an accident? Has he?

Hon. Mr. Kerr: Yes, many people. I know I am not the veteran that the honourable member is—

Ms. Gigantes: Did the coroner investigate?

Hon. Mr. Kerr: —or walked on the seedy side of life that she has—

Ms. Gigantes: Did the coroner investigate?

Hon. Mr. Kerr: —but I have had some experience.

Mr. Speaker: Will the member for Carleton East try to contain herself? She had an opportunity to speak to this bill on second reading and didn't choose to do so.

Ms. Gigantes: Right, Mr. Speaker.

Mr. Lupusella: How many cases were investigated? How many cases?

An hon. member: Throw her out.

Hon. Mr. Kerr: And she has been yapping ever since.

An hon. member: George, that's unparliamentary.

Ms. Gigantes: Mr. Speaker, I have been yapping ever since because I made a mistake—

Hon. Mr. Kerr: Mr. Speaker, the member for Windsor-Sandwich suggested after our—oh, I am sorry, he's not here—after our brief discussion downstairs at around 6 o'clock, that my only concern was for the cost of having an inquest in all work places. My concern was not that at all. I tried to indicate just the practicality and the necessity of having an inquest in every such case.

He suggested that the bill list the exemptions; in other words, include an all-embracing provision in the work place and then list exemptions. I would not be in favour of that method of designating when there should be a mandatory inquest. It is better, in my opinion, to list specifically when there should be a mandatory inquest.

Under the legislation now, as the honourable members know, we have mandatory inquests for any person who dies in custody

as well as the provision in respect to mines. If the honourable members feel that should be expanded in some way within reason, that's something we can consider when this legislation is in committee.

I don't agree with the member for Sudbury East when he says that we would have dropped this provision regarding mines if there wasn't a great outcry from the union.

Mr. Martel: Sure you would have.

Hon. Mr. Kerr: We had every intention of including that mandatory provision—

Mr. Martel: Don't kid the troops, George.

Hon. Mr. Kerr: We had every intention of including the mandatory provision. The chief coroner would insist on it.

In a weak moment, the member for Sudbury East complimented the coroner—

Mr. Martel: Yes: He has done some good stuff.

Hon. Mr. Kerr: —for some of the improvement in procedures in respect to fatalities in mines. I think that indicates the general attitude and feeling of the coroner's office regarding inquests of this kind.

Mr. Martel: You fellows attempted to drop it from the Mining Act and let it disappear.

Hon. Mr. Kerr: A number of honourable members mentioned the fact that our recommendations are never adhered to. I would suggest that many of the provisions in our legislation dealing with safety, such as the Industrial Safety Act, the Construction Safety Act, the Public Hospitals Act, the Mining Act, are based on recommendations that have resulted from inquests or from recommendations directly from coroners who have investigated deaths without an inquest.

I don't have any objections to some mandatory provision regarding the publication of recommendations, or even of implementation of some of the recommendations of jurors, particularly in respect to rather specific accidents in the construction industry, in a mine or in some industry where by the very nature of the work there is a certain amount of danger involved.

Our aim is also to prevent fatalities, not just to hold inquests.

I realize that the vehicle of the inquest goes beyond finding the cause of death and fulfilling the other provisions of the act in the case of a specific fatality. If there is a death in a mine or in an underground operation of some kind, or even in a plant or in a quarry, for example, the recommendations that may come from that jury can be all-embracing; they can be applied across the industry or in that particular type of opera-

tion and not just in a way that could have prevented that particular fatality in relation to that particular inquest.

Therefore, I'm quite susceptible to having recommendations of that nature acted upon and steps taken, as they have been in the legislation that I've mentioned, as a result of the coroner's direction to various ministries in this government.

I really haven't too much more to say. As for the member for Riverdale's final suggestion, I'll have to read Hansard for that, but I believe he was in some way a little more restrictive than the suggested amendment from his colleague from Dovercourt. I think he was sticking to dangerous types of occupation, and that is much more reasonable than the broad provision suggested in the amendment by the member for Dovercourt. That's all I have to say now.

Motion agreed to.

Ordered for committee of the whole.

BUDGET DEBATE (continued)

Resumption of the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government.

Mr. Ruston: I hope to get finished this evening, even before the closing hour. I suppose with the competition from the Montreal-Boston hockey game and so forth we don't expect to have too many listening to our remarks. However, we will have them on record anyway.

Mr. Conway: The member is not going to talk about STOL, is he?

Mr. Ruston: No, I won't be talking about STOL. I hope to speak briefly on the budget itself, looking over the past 10 years of the operations of this government. Then, hopefully, I will branch out into some other areas of concern that I have. One will be education and where we are heading in that regard at this time.

I was looking over a budget that was presented in the first year I attended this House. That was in 1968 when Mr. Charles MacNaughton presented his budget and it is interesting to note what has gone on in the intervening 10-year period.

Mr. Conway: Where's Charlie now?

Mr. Ruston: If you look over the budgetary expenditures of Mr. MacNaughton's budget of 1968 he showed a total net general expenditure of \$2,819 million and some odd cents. It is interesting to compare that budget with the one introduced on April 7

by this Treasurer (Mr. McKeough) with total expenditures forecast at \$14,005 million.

Mr. Conway: Darcy's gone Social Credit.

Mr. Ruston: We hear remarks about government expenditures federally and provincially, and how the federal budget has gone out of kilter since the present Prime Minister of Canada took over. On the other hand, I look at what's happened to the Ontario budget and it seems as though the one that went out of hand in spending was the Provincial Treasurer.

Mr. Cooke: Are you defending Trudeau?

Mr. Ruston: I don't think he needs any defending; he'll look after himself, I'm quite sure of that. I'm just referring to how budgets have been raised in the past 10 years in all levels of government, particularly in provincial fields.

The other concern during that period is the deficit.

Mr. Sterling: Not quite \$5 billion.

Mr. Ruston: We have run a deficit almost every year since the present Premier (Mr. Davis) took over. The increase in the deficit has been rather astounding. From about \$200 million in 1969-70 it has risen each year.

Mr. Cooke: What's the federal Liberals' deficit?

Mr. Ruston: The deficit in 1970-71 was \$136 million and it went up to \$625 million in 1971-72, when the present Premier took over as leader of the Conservative Party of Ontario and we've never had anything but a deficit since then. In 1975-76 there was a \$1,480 million deficit; in 1976-77, \$1,229 million; and in interim 1977-78 \$1,597 million.

Mr. Sterling: Absolutely amazing.

Mr. Ruston: And the proposed deficit this year in Ontario is \$1.3 billion.

[9:45]

You can only have a deficit for so long and then something has to be done. I don't know what the present Treasurer has been trying to do, whether he's been trying to spend his way out of a deficit in the past 10 years, or even the last five or six years. It just doesn't work out.

Mr. Sterling: Where would you cut?

Mr. Ruston: It seems he has either to quit spending so much or raise taxes. Those are the only two things he can do that I'm aware of. I guess it's the same as in one's own financial situation; if one continues to spend a great deal more than one takes in, some day somebody locks the door on you and you're

out in the road. That's about what we should do with the Treasurer of Ontario, the way he's run the province for the last number of years.

It's fine for a government to have a deficit, or to "pump-prime" at certain times, depending on conditions of the province or the country at that time. If unemployment rises, then naturally it's up to the government to do whatever it can to stimulate the economy. That's when government should step in. But it seems like this present government has just been stepping in all the time and no one really seems to know what their plans were. I don't think they had any concrete plans as to where they were going. They just seemed to think it was the ideal thing to continue to overspend and to run a deficit.

The problem is that we have such a large deficit now that the financing of the deficit alone is running into major proportions; and when we see restrictions of hospital care and other such items, but especially hospital and health care in general, the people get very upset. Because, after all, to most everyone health care is the most important thing in life. That's when you need the facilities, Mr. Speaker. That's when you need the care, when you've got problems with your health. Those are the items that really shouldn't be cut back unless it's really absolutely necessary, or unless there is mismanagement of spending.

It behooves anyone to look at the budgets of this government in the last number of years and to try to ascertain what their plans were; what they expected of it when they continued to run such a large deficit. Now we're using over 10 per cent of our taxes to pay the interest on the debt, and this money would certainly be used in other ways to much more advantage. It concerns me a great deal, because we are putting a debt on our families and our children in the future. We look at—

Mr. Sterling: Nine thousand dollars federally.

Mr. Ruston:—Ontario's non-public borrowing, or the Canada Pension Plan now in 1977-78, \$858 million—

Mr. G. Taylor: You're not sitting in your seat.

Mr. Ruston:—and the teacher's superannuation fund of \$475 million.

Mr. Cooke: What's the federal Liberal deficit?

Mr. Ruston: I hear a little rumbling around to my left over here.

Mr. G. Taylor: Is that all it takes?

Mr. Ruston: I don't know whether they're rooting for the hockey team someplace or what they're talking about. I can't make out what they're saying, **Mr. Speaker**, so you'll pardon me if I ignore them.

Mr. Cooke: I am asking you what Trudeau's deficit is.

Mr. Ruston: I'm sure they're not going to add anything important to what's going on here.

Mr. Conway: That gang have been on the public payroll since day one.

Mr. Speaker: I want to remind the honourable members that this isn't the question period.

Mr. Ruston: That's right. They have been and that's all they ever expect to be. I guess they think money grows on trees and they can just pick it off and pass it out to their friends.

Mr. Cooke: The federal Liberals think it grows on trees.

Mr. Ruston: It's interesting to look at some of the expenditures of different departments over the past number of years. I was just noticing that the Education budget in 1968 was \$850 million. Now in this present year we're over the \$2 billion mark; education is around the \$2 billion mark. It shows the increases since this present Premier took over. He was previously the Minister of Education.

We would like to talk, if we could, in regard to OHIP and the problems we are having now with the doctors claiming they are being mistreated. I saw an article in the paper the other day about a number of them who hadn't received their cheques. Somebody had said they'd mailed them out in brown envelopes, and they think the post office department put them in third class mail. Now they are late getting their cheques.

Mr. Makarchuk: I have the same problem with welfare recipients.

Mr. Ruston: What concerns me is we have three doctors in my own area who have opted out. They are in the clinic in the La Salle area and they have opted out of OHIP.

Mr. Cooke: I raised that in question period.

Mr. Ruston: Yes, I heard that, but the member doesn't know everything that is going on.

There are some problems there. There is another clinic that has opened up in a nearby area as well. In this particular one, I think what bothers me about the OHIP payments is general practitioners and the rate to which they have been held. If we look back over the period of the last 10 years, and I know in

1968-69 we still operated medicare under different private plans, Windsor Medical and, in our own county, the Essex County Medico-operative. We were paying, at that time, around \$5 for an office visit. Most of the time we paid the full medical association rate. Sometimes we paid 90 per cent and other times we paid 100 per cent, depending on the financial position of the co-op, but it was around \$5 an office visit. Now, up until this month the government was paying \$7.20.

Well, **Mr. Speaker**, if you look at what the increase in income has been over the past 10 years it seems to me to be very unfair. I think when they are putting these rates up and negotiating the rates with the doctors it is most unfair to take a flat rate of six or seven per cent and raise it across the board. If it's an operation costing \$200, at least you get \$12 or \$14 more, but six per cent of a \$7 office visit is pretty small. I think the general practitioners have a good case when they say they have been kept down and they would be able to give better care if they could get a little more for general practice.

There are a number of items we think should be mentioned here. Of concern, and I'm sure it is a concern of everybody now in Ontario—mostly in Ontario—is the auto pact. It is interesting, **Mr. Speaker**, to read the comments in all the news media, and so forth. Everyone is an expert on the auto pact. You hear reports. The Treasurer, of course, had a report brought out not too long ago by officials of the Ontario government. There are discussions as to whether it is very accurate. I think it might be a good idea if we read into the record, the actual auto pact, the agreement. I know a lot of people talk about it and many have never actually seen it in print. Of course, it's available. There is a very small two-page article here, **Mr. Speaker**, and I'm going to read it into the record and maybe discuss afterwards how it can be negotiated and so on.

This is an Agreement Concerning Automotive Products Between the Government of Canada and the Government of the United States of America.

"The government of Canada and the government of the United States of America, determined to strengthen the economic relations between our two countries, recognizing that this can best be achieved through the stimulation of economic growth and through the expansion of markets available to producers in both countries within the framework of the established policy of both countries of promoting multilateral trade;

"Recognizing that an expansion of trade can best be achieved through the reduction or elimination of tariff and all other barriers to trade operating to impede or distort the full and efficient development of each country's trade and industrial potential;

"Recognizing the important place that the automotive industry occupies in the industrial economy of the two countries and the interests of industry, labour and consumer in sustaining high levels of efficient production and continued growth in the automotive industry, agree as follows:

"Article 1: The governments of Canada and the United States, pursuant to the above principles, shall seek the early achievement of the following objectives:

"(a) The creation of a broader market for automotive products within which the full benefits of specialization and large-scale production can be achieved;

"(b) The liberalization of the United States and Canadian automotive trade in respect of tariff barriers and other factors tending to impede it, with a view to enabling the industries of both countries to participate on a fair and equitable basis in the expanding total market of the two countries;

"(c) The development of conditions in which market forces may operate effectively to obtain the most economic pattern of investment, production and trade.

"It shall be the policy of each government to avoid actions which would frustrate the achievement of these objectives.

"Article 2(a): The government of Canada, not later than the entry into force of the legislation contemplated in paragraph (b) of this article, shall accord duty-free treatment to imports of the products of the United States described in Annex A.

"(b) The government of the United States, during the session of the United States Congress commencing on January 4, 1965, shall seek enactment of legislation authorizing duty-free treatment of imports of the products of Canada described in Annex B. In seeking such legislation, the government of the United States shall also seek authority permitting the implementation of such duty-free treatment retroactively to the earliest date administratively possible following the date upon which the government of Canada has accorded duty-free treatment. Promptly after the entry into force of such legislation the government of the United States shall accord duty-free treatment to the products of Canada described in Annex B.

"Article 3: The commitments made by the two governments in this agreement shall not preclude action by either government con-

sistent with its obligations under Part II of the General Agreement on Tariffs and Trade.

"Article 4(a): At any time, at the request of either government, the two governments shall consult with respect to any matter relating to this agreement.

"(b) Without limiting the foregoing, the two governments shall at the request of either government, consult with respect to any problems which may arise concerning automotive producers in the United States which do not at present have facilities in Canada for the manufacture of motor vehicles, and with respect to the implications for the operation of this agreement of new automotive producers becoming established in Canada.

"(c) No later than January 1, 1968, the two governments shall jointly undertake a comprehensive review of the progress made towards achieving the objectives set forth in Article 1. During this review the governments shall consider any such further steps as may be necessary or desirable for the full achievement of these objectives.

"Article 5: Access to the Canadian and United States markets provided for under this agreement may by agreement be accorded on similar terms to other countries.

"Article 6: This agreement shall enter into force provisionally on the date of signature and definitively on the date upon which notes are exchanged between the two governments giving notice that appropriate action in their respective legislatures has been completed.

"Article 7: This agreement shall be of unlimited duration. Each government shall, however, have the right to terminate this agreement 12 months from the date on which that government gives written notice to the other government of its intention to terminate the agreement."

This was done in duplicate at Johnson City, Texas on January 16, 1965, in English and in French, the two texts being equally authentic. In witness whereof the representatives of the two governments have signed this agreement. For the government of Canada, Lester B. Pearson and Paul Martin; for the government of the United States of America, Lyndon B. Johnson and Dean Rusk.

[10:00]

That's a statement of the auto pact as it is. One of the interesting parts of it is in article 1 which says: "It shall be the policy of each government to avoid action which would frustrate the achievement of these objectives."

Mr. B. Newman: Repeat that. That was good.

Mr. Ruston: The objectives that I could see is that each country will, at all times, try to produce their fair share of the total production of automobiles.

I'm wondering if some of the things we read about that are being tried or attempted to be done in the United States—I was reading just recently about a place in Ohio where they were offering tax-free land for a large plant for the Ford Motor Company. I'm wondering if that could be classified as being a policy that may infringe on the rights of Canada to compete. What concerns me is if one starts that then we'll both have to start it. That could be a very serious situation.

I suppose I could go back and think of one of the tire manufacturing companies that started in New Brunswick—I believe it was Michelin. It got a large grant from the federal government to build a plant in the eastern provinces. At that time, you may recall, the United States was complaining. If I recall correctly they did put a special import duty on tires coming from that plant. They felt it was unfair competition because the government was subsidizing the plant. That may be, in effect, a part of what we could be facing now.

Article 4(a) says: "At any time, at the request of either government, the two governments shall consult with respect to any matter relating to this agreement."

They certainly can consult at any time with regard to it, but it does take a year's notice that they intend to cancel it. I think we've got to be very careful. Things in the United States may be changed somewhat right now. We have at this time a Democratic president in Mr. Carter. Of course, at the time it was signed by Mr. Johnson, who was also a Democratic president. But there is a little different circumstance now in that Mr. Carter has tied—I guess, other people have tied their strings to Mr. Carter, I'm not sure which way it goes. The former head of the UAW and the mayor of Detroit, which is the automobile centre of the United States, have been very strong supporters of Mr. Carter. I'm sure they're going to have their input as to any changes in the auto pact or exert pressure to have industry expand in the United States, especially in Michigan if at all possible. We're having some of that right now in Michigan. Governor Milliken went to Washington to try to get some funds to help Chrysler expand in Michigan. That's something that concerns many people.

In auto production in Canada it's interesting to see over the years some of the comparisons of what we have. I was just looking over a statement I had made up from some statistics which I read in the magazines and newspapers. In 1965, General Motors produced 351,303 cars in Canada and 68,420 trucks for a total of 419,723 vehicles. In 1972, they produced 406,186 cars and 104,705 trucks for a total of 510,891 vehicles. In 1977, they produced 522,279 cars and 351,256 trucks for a total of 873,535 vehicles. From 1965 to 1977, there was an increase from 419,723 to 873,535.

The Ford Motor Company of Canada in 1965 produced 153,323 cars and 43,792 trucks for a total of 190,379. In 1972, which happened to be a record production year—these are just years I picked out and then found later that this was a record production year for Ford—they produced 460,435 cars and 174,031 trucks for a total of 634,466 units. Then, in 1977, they produced 376,785 cars and 212,582 trucks for a total of 589,367, which is down some from 1972, but which is about 400,000 more than they made in 1965.

Mr. Haggerty: It sounds like a good deal.

Mr. Ruston: In 1965, we had a deficit in auto trading with the United States of \$500 million. The statement we see in the papers is that we had a trading deficit last year. It depends on who says it but it runs all the way from \$1 billion to \$1½ billion. That has a lot to do with auto parts themselves, which is one of our problems. I hope to have a little bit to say about what we should be doing with regard to getting into parts manufacturing in a stronger way in Ontario.

Mr. Cooke: What are the federal Liberals doing on that?

Mr. Ruston: We have some employee figures here. For instance, Chrysler Canada in 1963 had 5,000 employees and in 1965 they had 6,200. In 1971, the number had doubled to 13,500, and in 1972 it went up to 14,300. Now they have 16,000 employees. That's an increase of almost 10,000 employees in Chrysler Canada since 1965.

Mr. Haggerty: Just Chrysler?

Mr. Ruston: Yes. In 1972 General Motors had 26,600 employees in Canada and in 1978 they have 37,368, which is an increase of almost 11,000. During that same time, from the figures I have employment in the United States in General Motors increased about 10 per cent.

I must say it is a little difficult at times getting all the figures to match. There have

been many reports about this auto pact. There's even some doubt as to the one that the Treasurer has had made up lately by his officials. Some claim that what they are really saying there is that we are short of parts, but when they were assessing their total imports and exports, there are some who claim that that report included parts imported from offshore and not just the United States.

I was talking to somebody in the parts business one day who was telling me about the Pinto car made in St. Thomas. An interesting thing is that the radiator was made in Mexico, the motor was made in Brazil, the transmission was made in Germany and the skin or the body itself was made in the US. We're assemblers and—

Mr. B. Newman: They should call it a Heinz.

Mr. Ruston: Heinz 57 variety, my colleague from Windsor-Walkerville says.

That's world trade, of course. That's part of something that we have to live with to some extent. We're a trading country and, heaven help us, we don't want a wall around Canada. I'm sure you're aware, Mr. Speaker, that there would be many things we would have to do without if we didn't have world trade, and I'm sure we all expect to carry that on to some extent.

The example I have cited gives an idea, when we're assessing what goes into a car, where the parts are deficient in our agreement. If they were figuring in those parts when they come in from the United States, all imports coming in, if they came in from offshore countries then it's not a very fair assessment to say that we're that deficient in parts if that was put in that latest report commissioned by the Treasurer.

If we look back to 1974 or 1975, when auto production was down all over Canada and the United States, part of it was caused by the OPEC countries raising the price of oil so much. In 1974 or 1975 there were places in the United States where cars were lined up for gas and many stations were out of gas. The automobile industry took a downturn.

In 1975, of course, Canada was affected a great deal, and that's when our Treasurer took the sales tax off cars to try to stimulate the economy or to try to stimulate the automobile business. It did help somewhat in Ontario. But the problem is that when we have an auto pact with another country as large as the United States, a small downturn there can really affect us a great deal, because we are dependent on the cars that we make here being sold in the United States.

If we look at the total number of cars—I was looking at some statistics the other day, and I've looked at so many statistics that I'm not sure about the old adage that figures don't lie but liars can figure—the total number of cars manufactured in Canada in 1977 was 1.7 million, while the total sold in Canada was 1,136,000, which means 564,000 more cars were made in Canada than were sold in Canada.

About 2,500 are employed at the new Chrysler van plant on Pillette Road in Windsor and I've heard some say that from 80 per cent to 90 per cent of all the parts going into those vans are imported. Again, that shows we're not really into the parts business as much as we should be.

What we probably should be doing, I think, is having both levels of government—the federal government definitely is going to have to get involved—involved with the auto manufacturers association or any new entrepreneur, wherever he may come from, who can manufacture parts in Canada. We should be looking at some of the parts manufacturing that takes high intensive energy, because we have a fair amount of energy in Ontario and Canada. We should be looking at that.

We should also be looking at new plastics. The new automobiles are lighter in weight because in the United States by 1985 their gas consumption must average 25 miles a gallon; so the cars are smaller. We should also be looking at manufacturing aluminum parts because that's another thing that's going to be used a lot more in cars because of the weight.

We do hear rumours that General Motors may be planning a large plant in Quebec, apparently to make aluminum parts for their new models coming out in the next few years. That would certainly be a shot in the arm if something like that were to come into the country.

[10:15]

I think we have to put pressure on the government of the United States. I understand that is being done. We also have to keep in contact with the automobile industry itself, the four large companies, to see that we get a fair share. In most cases we have been doing pretty well. I would certainly not want to cancel the auto pact at this time. I think that would be foolhardy, I just don't think that that's the way we have to go. It can be made into or continue to be a good thing. There are going to be times when the United States economy turns down, that it's going to affect us. After all, they are the ones that are using 90 per cent of the automobiles manufactured in the two countries.

This is something that has to be watched continually but we have to be careful that we don't, as the fellow says, throw the baby out with the bath water by someone saying we should really go shake the auto pact. We can discuss it, but I don't think we should go with the intention of drawing up a new one. I don't think we could do much better as far as that part goes except in the parts business. We have to put our main concern in the parts business and we should spend some time trying to find new companies or new industries that would go into the parts business in Canada.

The time is moving along. I could probably talk a little longer on that as it is an important item in our area. I know that Windsor is diversified somewhat more than it was. I can recall when the Ford Motor Company moved out to Oakville and we thought it was the end of the world. However, it was pretty tough for a number of years but Chrysler took over some of the slack. The auto pact came in and gave us a chance to really build up.

When I say we have to get into more parts and so forth, I am not saying it should be in Essex North or in the city of Windsor or whatever it might be. I don't want Essex county built over with asphalt and cement. I know we have some of the best farming land in Ontario. It's not only the land but the heat units that count, though it hasn't been very warm this year so far. However, I am sure that nature will take care of that in time. I think any place in Ontario would benefit us all wherever it might be.

Naturally, we like to see improvements in our own area but, on the other hand, we also have to look at the total country as well. If the people are working in some other province or in some other part of Ontario making these auto parts, then that's going to give them the money to buy whatever we make in Windsor and Essex county. That takes care of that and everybody is happy.

I'm a little concerned about another matter where we've had some problems in our area in the last few months. We had one teachers' strike that went on for seven weeks in the Essex County Separate School Board and we now have Essex county secondary school teachers on strike. That really is one of the things that concerns me a great deal. I just wonder where we are going with our education today. We read some startling things that are going on in our neighbouring country, the United States.

I was looking at the Detroit News this weekend. On May 21 there was an article headed, "Taxpayer Revolt Trims Bay City

Schools." That article is really frightening. They have mill rates over there to vote on and they were turned down. Here's a city of about 50,000 people where their schools are practically closed and the cost of operations keeps going up. They had to have a vote to get a higher mill rate to pay the costs and they were turned down by the public.

Heaven help us, we don't want that over here. But I think there's a feeling among people in general that our education system has got out of hand financially. Enrolment is going down and everyone, I'm sure, is trying to keep the taxes within a reasonable amount, but we just don't know where we're heading.

I was looking through the public accounts and comparing the number of people in the Ministry of Education who are working in the main office here. In 1970-71 there were 678 who made over \$20,000 a year. On March 31, 1975, there were 486 making over \$25,000 a year. Then in March 1977 there were 538. Of course, that has to do with the increase in wages and so forth over that time, but there was still 538.

When the Premier was Minister of Education, he brought in a bill to consolidate school districts in Ontario and these school districts would have the operation of all their schools and they would pretty well run their own show. They wouldn't really need all these officials in Toronto hustling down every week or two, checking with the teachers and checking with the students to see how they're doing and if they're teaching properly and all this. Our understanding was that this would be taken care of locally and we wouldn't need this massive bureaucratic system here in Toronto. But it just doesn't seem to have turned out that way.

I was looking to compare our system here with some places in the United States, and I know that their system isn't perfect by any means, but we must compare it. After all, it concerns government and taxation, and people are interested. I was looking at the director of education for the city of Washington, who has 10,000 employees under his jurisdiction—7,000 teachers and 3,000 other employees. He receives \$40,000 a year. The directors of education for most of the boards of education that I can find in Ontario have salaries that run anywhere from \$45,000 to \$55,000, and the total staffs they have jurisdiction over run anywhere from 600 to up to 2,000.

I don't know why it is that we feel that we have to be a higher level of income than a similar responsibility in the United States. The United States is supposed to be one of the richest countries in the world, and it concerns me a little when I see figures like that.

Here again, that was brought in under the Ministry of Education and the present Premier was the one who set up the guidelines. He decided that each board must be headed by a director and must have a superintendent and then must have an assistant superintendent. I think in our own area we have a director, a superintendent and four assistant superintendents. I'm not sure where it goes from there.

But in our strike situation with the Essex county secondary school teachers we have a different situation. The school board has asked to go to final offer selection or a voluntary binding arbitration, but the teachers refuse. In the previous strike at the Essex county separate school boards, the teachers wanted to go to voluntary binding arbitration, and the board refused. From what I can gather from the previous areas of Wentworth, Pembroke or Renfrew and other areas, the teachers always wanted to go to the arbitration and the boards did not. But Essex county, for some reasons or other, is just the opposite.

I don't know why. I talked to the Minister of Education (Mr. Wells) the other day, since he had sent letters to the boards asking them to settle their strike situations even if they went to arbitration. I said he should send a letter to the teachers' federation in our area asking them to go to arbitration and get the children back to school so they won't be losing any of their year. I said it certainly was a shame if at this time, when there is only five weeks left, they should be out of school.

There was a notice in the Windsor Star of May 19 which said the Essex county Board of Education's negotiations with the secondary teachers have left only monetary issues unresolved. The board here gives the detail of the breakdown of the salaries and so forth. I haven't got other boards of education to compare them to but effective January 1, 1977, teachers would run from a minimum of \$12,355 to a maximum of \$25,080. Vice-principals would run from \$28,300 to \$30,700 and principals \$34,800.

Effective January 1, 1978, teachers would receive, to begin with, \$13,096 up to \$26,585. Then effective January 1, 1979, teachers would get \$13,100 to a maximum of \$27,500. Effective September 1, 1979, teachers would receive \$13,620 to \$28,600, plus employee benefits—OHIP all paid; semi-private hospital; dental plan; 75 per cent paid for the drug plan; and life insurance, three times the salary. Positions of responsibility—25 per cent of all teachers receive an allowance in addition to salary as follows: \$1,000 to \$2,400, and then

retroactive salary from \$400 to \$1,800, then allowance for extra degrees.

As I say, Mr. Speaker, I don't have the figures from other areas. I am wondering if maybe at some time we are going to have to look at the matter of province-wide negotiations. Not many people in this House may agree to that, but I think it is something we are going to have to look at. It would mean that the contracts would begin on September 1 and they would be for all of Ontario.

Someone said you might have all of the schools closed. Well, maybe we would. But you know, Mr. Speaker, at least we would have a handle on it and when it was settled then everybody would be set then for the next year or two and we wouldn't have to be worrying about this continual problem. That is something I think we are going to have to look at.

Another thing I am concerned about is that when they are giving increases they continue percentage wise across the board. I don't think that's the fairest way. I think there's got to be a better way. I think the lower ones should get a higher percentage. That always has concerned me with percentage increases.

It's getting near closing time and rather than continue on another day I might just touch on one more thing. I could talk about a number of things, but I have on the order paper, as you might be aware, Mr. Speaker, a motion that the Legislature petition the government of Canada to have a referendum on capital punishment. I think that that is something that the people of Canada have been denied. I think it's a very personal thing. A person votes his own conscience on it and I don't begrudge anyone doing that.

In our own area the federal member, Mr. Whelan, has voted against capital punishment and I respect him for that. That's his opinion. But I think that something as serious as this should be left up to the conscience of the people of Canada to decide.

I noticed in the Toronto Star on May 11 that a former mayor of Toronto, Allan Lamport, wrote a letter. I don't have time to read it, Mr. Speaker, but it's a very good letter. He says that should be the route we should go because right now the leaders of all three parties in Ottawa are against capital punishment and I think 95 per cent of all the newspapers in Canada are too. So we are going to have a very difficult time putting it in unless we have a referendum. If the referendum is a very decisive referendum then I think it

should be up to the government of Canada to instigate it and leave it up to the conscience of the people of Canada and not just to the conscience of each of 265 members in the Parliament of Canada.

Well, Mr. Speaker, it is closing time so I will quit at that. Thank you.

Mr. Speaker: Anyone care to adjourn the debate?

On motion by Mr. Cooke, the debate was adjourned.

Hon. Mr. Maeck: Mr. Speaker, the standing committee on resources development has passed a motion asking the House to give them permission to hire legal counsel. I would ask at this time to have the unanimous consent of the House to revert to motions.

Mr. Speaker: Do we have unanimous consent?

Agreed.

MOTION

STANDING RESOURCES DEVELOPMENT COMMITTEE

Hon. Mr. Maeck, on behalf of Hon. Mr. Welch, moved that the standing committee on resources development be authorized to engage counsel for its study of the annual report of the Ministry of Agriculture and Food at charges approved by the Board of Internal Economy.

Motion agreed to.

On motion by Hon. Mr. Maeck, the House adjourned at 10:30 p.m.

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Legislature of Ontario Debates

Official Report (Hansard)
Daily Edition

Second Session, 31st Parliament

Thursday, May 25, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, MAY 25, 1978

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

LIQUOR LEGISLATION

Hon. Mr. Grossman: Mr. Speaker, I would like to announce to the House our plans for changes in Ontario's liquor legislation as part of the periodic review necessary to keep our liquor policy contemporary. Our objective with these changes is a balanced approach which provides the progressive measures the public wants with sufficient safeguards to prevent abuses.

As members will appreciate, liquor policy must be responsive to developments and attitudes within our society.

Mr. Conway: He sounds like Howard Ferguson.

Hon. Mr. Grossman: In recent years, this has meant more progressive drinking laws. The legal age of consumption was lowered to 18 and new legislation was passed easing many of the traditional restrictions on alcohol consumption. These changes reflected a general wish to grant more responsibility to individual citizens and less to government.

We now have had an opportunity to assess this progressive trend. In general, the results are positive. There has been no substantial increase in per capita consumption of alcohol in Ontario in the past three years. In fact, Liquor Control Board's sales increases have slowed down significantly. We hope this will continue because the effects of consumption in terms of such factors as illness, financial dependency, absenteeism and general social havoc have serious repercussions. It seems that most of us have become our own liquor control board, as the Ministry of Health advised in its education campaign.

There are some exceptions, however. We're concerned about underage drinking and the impact it is having in our high schools. We are concerned about drinking and driving, especially among young people. We are also concerned that police do not believe current laws can be adequately enforced so as to prevent obvious abuses. We are concerned that a large number of our citizens may be losing respect for law which is not enforced.

These problems have received a great deal of study and we have come to realize that alcohol abuse is in large measure beyond the power of government and the reach of legislation. It is absurd to think that government alone can instil a sense of maturity or a respect for values which are not to be found within the family; nor can we prevent people from abusing alcohol if they really want to do so.

Nonetheless, there is value in government leadership in this area. Defining unlawful or dangerous behaviour and enforcing the sanctions against it will have a deterrent effect. Of course, to be effective, this approach requires that we eliminate anomalies or inconsistencies in our legislation which have proved to be a nuisance and which have encouraged disrespect for the law. Thus, the policy changes which I am proposing today to the Liquor Licence Act reflect a balanced approach to respond to the problems of abuse and also recognize areas where a more progressive approach is required.

Our first proposal is to raise the drinking age to 19, effective September 1, 1978. There is nothing magical or philosophical about this age. It is, however, a realistic and practical way of dealing with alcohol abuse in high schools. All 18-year-olds of legal drinking age will be permitted to continue their eligibility to drink.

Only 2.4 per cent of our high school students in September are 19 and over, compared to 10.8 per cent who are now legally able to drink. A legal age of 19 will substantially reduce the peer pressure on younger students as more than 97 per cent of high school students will be ineligible to drink legally. Obviously this is not a perfect solution.

Mr. Nixon: You are probably right.

Hon. Mr. Grossman: Possibly.

There will still be young people in high school old enough to drink legally; there will still be some peer pressure and, undoubtedly, some of those who are not entitled to drink will do so anyway.

However, we believe that this measure will make it easier for many of our students to say no to alcohol consumption. This conclusion is based on the very extensive assess-

ment of student attitudes carried on by the youth secretariat under the direction of my seatmate, the member for Mississauga North (Mr. Jones), whose excellent report on this matter was published a little over two years ago. The Terry Jones report proposes a legal age of 19 and so did the select committee on highway safety in its recommendations published last September.

Mr. Eakins: So did the member for Essex South.

Mr. Kerrio: What about him?

Hon. Mr. Grossman: That committee, which included members from all parties, concluded that the government of Ontario should raise the legal drinking age to 19 because "steps must be taken to reduce access to alcohol for the youngest drivers." I should pause to note the private member's bill introduced by the member for Essex—

Mr. Ruston: South.

Hon. Mr. Grossman: South.

(Applause.)

Hon. Mr. Grossman: How about the Terry Jones report as well? Highway safety can take care of themselves.

Mr. T. P. Reid: It took you three years to do it.

Hon. Mr. Grossman: The age of employment in a licensed establishment will remain at 18. We do not wish to add to student unemployment, particularly in the resort and tourist industry, at a time when many students are finding it difficult to obtain part-time work. We see no inconsistency in having one age for drinking and another for employment.

To make the drinking age effective, we have to provide suitable identification. Under the act, the only piece of identification which protects the licensee from prosecution is a card provided by my ministry which has the bearer's photograph on it. To obtain this card, applicants must provide proof of their identity and age, a photograph and \$2.

There are now 93,000 in circulation which will continue to be honoured. As part of the Ontario government's new policy approach, we intend to expand the number of cards in use this summer by hiring teams of students to travel across the province as part of the Experience '78 student summer employment program. These teams will take photographs and issue cards on the spot.

Mr. Lewis: I have heard of make-work projects, but that is the best so far this year.

Hon. Mr. Grossman: We will also encourage increased promotion of this photo card by our licensees, the Ontario Hotel and Motel Association and colleges and universities. In addition, the Minister of Transportation and Communications (Mr. Snow) has already introduced a bill which was passed last week to phase in photographs on drivers' licences. Not everyone drives, but the licence itself will contain the date of birth, which will be proof of the right of the individual to drink.

The new drinking age will be enforced, and enforced stringently. My colleague, the Attorney General (Mr. McMurtry), has asked his crown attorneys to press for higher fines in appropriate cases involving illegal consumption by minors. Currently, it is our belief that the penalties being imposed are often too low to warrant police action or to deter illegal behaviour.

Mr. Warner: Crack down on the bars.

Hon. Mr. Grossman: We are proposing the introduction for the first time of a minimum penalty for licensees who serve a minor. This fine will be \$500 for each and every offence, plus an automatic seven-day suspension. The Liquor Licence Board will also have the option to extend the suspension as it sees fit. The maximum fine will be raised from \$2,000 to \$10,000. We believe these penalties will impress on licensees our serious view on underage drinking.

We will be proposing an amendment to the regulations under the Liquor Licence Act to provide a general obligation on the part of the licensee to request identification from anyone who could reasonably be assumed to be under age. In addition, we propose to write into the law, the present acknowledged right of a licensee to refuse anyone entrance to or to eject anyone from the premises. This is strong medicine, but no other approach is likely to work. Enforcement of these measures will not be expensive or difficult. We can readily identify where underage drinking is occurring and our increased investigations will, therefore, concentrate upon those relatively few problem operators.

Mr. Warner: You haven't been able to; you don't do it now.

Hon. Mr. Grossman: It is a matter of making existing police work and board inspections more effective by strengthening the law and increasing the penalties. Most licensees are already acting responsibly and the remainder will get the message.

We also think that education is important in attitudes of young people towards drinking.

The Canadian distilling industry has agreed to finance a conference next year to explore ways to improve curriculum guidelines on alcohol education in our schools. I am pleased to announce this conference will be jointly sponsored with the Ontario Association of Curriculum Development.

In addition, my colleague, the Minister of Health (Mr. Timbrell), will be proposing the allocation of funds to reinstitute a television advertising campaign on moderation in use of alcohol. It is our hope that between the government and industry we can provide the public with more information on the dangers of alcohol abuse for the whole population, not just for minors.

Enforcement will go hand in hand with education. The existing legislation, which focuses on illegal consumption, has created specific difficulties in enforcement for the police. Possessing alcoholic beverages in an open bottle or glass is not illegal. The police officer must actually witness consumption. The legislation will be amended so that open bottles cannot be carried in public places. The police will also be empowered to seize any liquor in the possession of people charged with an offence so that illegal consumption can be stopped when it is first noticed.

A great many complaints have been made by campers about consumption of alcohol in provincial parks. My colleague, the Minister of Natural Resources (Mr. F. S. Miller), has, therefore, commenced an experimental ban on the consumption of alcoholic beverages in 11 provincial parks between May 1 and June 18 of this year. Preliminary reports indicate public acceptance of this policy. We will be introducing amendments to our legislation to enable us to reflect the results of this experiment.

[2:15]

Consistent with our philosophy of providing local options in liquor policy, municipalities will also be given the right to pass bylaws making possession of alcohol illegal in specific parks, arenas or stadiums controlled by that municipality.

We are introducing a major new campaign against drinking and driving. The Ministry of Transportation and Communications is developing a new education program for use in schools. We believe a sustained and forceful information program is the most effective way to reduce the alarming upward spiral in automobile accidents involving young drinking drivers.

However, education is not enough. The government has no sympathy for the person who drives and drinks. We believe major

steps are necessary to ensure that drinking drivers are taken off our roads and the penalties and enforcement become major deterrents. At present, the Highway Traffic Act provides for an automatic three-month suspension of the driver's licence with the first conviction for drinking and driving, and a mandatory six-months suspension on the second and subsequent offences. My colleague, the Minister of Transportation and Communications, will be introducing legislation to provide for the first time a three-year automatic suspension on the third and subsequent conviction.

In addition to tougher penalties, we are determined to create a system to help detect drinking drivers. The Solicitor General (Mr. Kerr) will shortly provide more portable screening devices to police for use in patrol cars. This will enable the police to increase protection and prosecution. We want to ensure that the portable units are in more locations more often, and therefore will be more effective across the province.

Furthermore, the government proposes to introduce in the fall legislation to give police officers the authority to issue immediate, on-the-spot, 24-hour licence suspension in cases where the portable screening device has indicated a degree of impairment sufficient to make the motorist a risk, although not legally impaired. A similar system has worked well in Alberta and British Columbia. We feel it is an effective way to get the drinking driver off the road.

This suspension will not result in a criminal record or any other penalty whatsoever, but it will help to administer a sobering shock to the marginal drinking drivers and get them off the road before someone is killed. Of course, drivers can still choose to go back to the police station for the legal breathalyser and risk a possible charge of impaired driving.

Local authorities will be asked to step up policing of drinking and driving, including greater use of spot checks. The public must perceive there is a good chance of being apprehended before the law on drinking and driving is taken seriously. We must stop the senseless slaughter of people on our highways by those who are irresponsible enough to combine drinking and driving. We believe these measures will help to achieve this objective.

As I mentioned earlier, we also wish to round out the liquor policy by removing the anomalies in the current law. We are, therefore, proposing five progressive changes which will eliminate restrictions now in force. These changes reflect the fact that our experience

with more progressive legislation has been largely positive.

Mr. Nixon: We read all about this in the paper yesterday. How come it was released yesterday?

Hon. Mr. Grossman: Firstly, we intend to drop the requirement of a sit-down meal with a Sunday drink. The food-liquor ratio provides sufficient control over consumption, so we intend to enforce this restriction instead.

Mr. Blundy: Will I be able to get a drink on the train?

Hon. Mr. Grossman: Second, we are removing some of the limitations on the way licensees run their business. For example, we will allow hotels to close the few rooms they are now keeping open just to retain their liquor licence if local municipal councils say the rooms are not needed. In effect, this converts some of those small hotels to a tavern.

Thirdly, we propose to allow resorts to apply to the board to allow minors into all licensed rooms in resort areas so that families can be together without restriction. Minors will also be allowed into licensed areas of private clubs if no liquor is being served.

Mr. Conway: How about moonshine parlours?

Hon. Mr. Grossman: Fourthly, we are proposing to exempt airlines from the normal restrictions and limitations on hours during which alcoholic beverages may be served.

Fifthly, we are introducing amendments to allow licensed premises and Liquor Control Board outlets to operate on election day as we feel the present legislation is an anachronism in today's world.

Mr. Breagh: You guys will do anything to win those seats.

Hon. Mr. Grossman: In summarizing our proposed changes to some aspects of Ontario's liquor policy, I would like to emphasize that the main feature is a balanced approach.

Mr. Lewis: Why are you opening up the bars on election day? The entire Tory vote will be inside. You will never get your majority back.

Hon. Mr. Grossman: We are looking for tougher enforcement to ensure that the generally positive experience we have had with more progressive legislation is not jeopardized by the irresponsible behaviour of the minority. We see these changes as part of a continuous review of our liquor policy. The door will be open for further changes when required. I invite the comments and suggestions of the honourable members of the Legislature as we proceed with these changes.

MEDIC-ALERT MONTH

Hon. Mr. Timbrell: Mr. Speaker, sitting in your gallery today are Mr. Norman Ayoub, campaign chairman of the Medic-Alert campaign sponsored by the Toronto Life Underwriters Association, and two of the association's executive officers, Mr. Douglas Owen-Hicks and Mr. J. L. Arthur Jefferson.

Mr. Foulds: Will the minister stop mumbling?

Ms. Gigantes: We can't hear him.

Mr. Lewis: It's his usual affliction; hold the papers away from the microphone and speak more slowly.

Hon. Mr. Timbrell: Can't the members hear me? They are here because the Medic-Alert Foundation has designated May as Medic-Alert Month in Ontario. I would like to take a minute to pay tribute to the valuable work of this foundation.

As honourable members are aware—some of them possibly from first-hand knowledge—the Medic-Alert Foundation issues identification emblems to people with medical conditions. People involved in accidents or episodes making it impossible to describe their condition might become seriously ill, or even worse die, without this emblem, which is worn as an identification bracelet. Among those who wear these bracelets are skin divers, diabetics, epileptics, haemophiliacs; those who suffer from multiple sclerosis, who have severe allergies to horse serum, antibiotics, bee stings; or who take anticoagulants, cortisone or Antabuse; or who wear contact lenses.

The foundation provides a central registration service with serial number, name file and any additional information a member may record. A 24-hour telephone service is maintained by the foundation. Calls are accepted from doctors and public safety officials from anywhere in the world. An estimated one quarter million people in Canada depend on Medic-Alert for informed, immediate help in the event of an emergency. The Medic-Alert Foundation, an affiliate of Medic-Alert International, is a non-profit organization. It has been providing services in Canada for 18 years.

As Minister of Health for Ontario and on behalf of the Ontario Government, I would like to endorse, and ask the House to join in this endorsement, the contribution to health care in the province made by the Medic-Alert Foundation.

INMATE WORK PROJECTS

Hon. Mr. Drea: Later today the government House leader will be tabling a reply

to question 52 on the order paper, outlining projects being undertaken by inmates of correctional institutions operated by my ministry.

I know that honourable members will be pleased to learn the extent of the work projects being carried out by inmates in communities across the province. The detailed list which will be provided, mentions 115 individual projects which have been completed, are under way or are planned outside the confines of correctional institutions. In addition, approximately 50 work projects are being conducted on correctional institution properties.

The type of work which inmates are performing ranges from small projects involving only one or two inmates to sizeable undertakings utilizing large work parties. For example, individual inmates from Maplehurst Correctional Centre work on a one-to-one basis to assist a child afflicted by cerebral palsy who requires a daily exercise program. Similarly, inmates of Thunder Bay Correctional Centre help handicapped and disabled citizens to enjoy the swimming program at a local hospital. Two inmates of the Sudbury jail help with patients of a nursing home; while inmates of the Vanier Centre for Women work in day-care and in nursery school programs.

Hon. Mr. Davis: You forgot to mention the program in Brampton.

Hon. Mr. Drea: A well-established program involving inmates of the Rideau Correctional Centre sees one group of inmate volunteers working seven-and-one-half hour shifts daily with the retarded at the Rideau Regional Centre near Smiths Falls, while a second group works similar shifts in the geriatric ward at the Brockville Psychiatric Hospital. Recently, a similar program was established at the Lakeshore Psychiatric Hospital where inmates from Mimico Correctional Centre work as volunteers.

As well as inmates performing on a one to one basis, groups of inmates provide maintenance of grounds at various senior citizens' homes. During the winter, inmates of Monteith Correctional Centre cut firewood for needy elderly persons in the north. In other communities, inmates shovelled snow for elderly persons and others unable to carry out such tasks. This summer inmates will be mowing lawns for senior citizens.

Inmate work projects which benefit communities as a whole include general cleanups, such as the work now being performed at the Stephen Leacock home in Orillia, restoration of historical cemeteries, the clear-

ing of snow from around the fire hydrants in Millbrook in the winter and the clearing of ice and snow from all of the 246 bus stops and shelters in Barrie.

Kenora Jail inmates have cut logs into firewood which is sold, with all proceeds going to local community centres. A work crew of inmates from the Guelph Correctional Centre is helping the Grand River Conservation Authority prepare the site for the national convention of the Campers and Hikers Association of Canada to be held next year. Inmates from Burtch Correctional Centre are helping to clean up a river island where a benefit concert will be held this summer to help finance a theatre in Brantford for the entire community.

The work projects on ministry property include renovations to convert a former training school facility at Cambridge into the Waterloo Detention Centre. This project also involved the construction of a 20-foot-high security wall. The work was carried out by inmates under the supervision of correctional staff at savings to the taxpayer of approximately \$1 million.

Inmates are helping to construct two new dormitories at the Mimico Correctional Centre. Inmate crews will also build recreation facilities inside the walls at Millbrook Correctional Centre, as well as security walls at the Elgin-Middlesex Detention Centre and at a former training school at Guelph, which is to be converted into a detention facility for adults to replace the antiquated Guelph jail. In addition to assisting in construction projects at institutions, inmates at 22 facilities are planting and maintaining vegetable gardens to produce fresh produce for institutional use. As a matter of fact, we are now entirely self-sufficient in potatoes and at the end of this summer we will be in cabbages for our institutions.

A great deal of credit for the innovative inmate work projects which have been undertaken has fallen to the minister when, in fact, the real credit should go to the superintendents of our institutions and the correctional officers and staff who supervise and direct these work projects. The superintendents have always said that these kinds of projects could be done on a broad scale and now they are proving it. Incidentally, the projects are not being directed out of the ministry main office; control has been decentralized to allow individual institutions to respond to specific local needs.

I am very proud of the inmates who have always contended that, given the chance to work in the community, they would perform in a reasonable and responsible manner.

They have been given the opportunity and they have come through with flying colours. I think it is especially noteworthy that inmates who have worked in the programs I have mentioned have participated without receiving any payment except the personal satisfaction of helping other individuals and/or the community generally. Many of the inmates who worked on these projects will be released prior to July 1 and will therefore not benefit from the new remission system which comes into effect on that date.

The Ministry of Correctional Services is dedicated to providing a \$10 million dividend of free labour to the people of Ontario this year, and we have only begun to scratch the surface. Our goal is to help Canada regain its economic strength. I intend to encourage the continued expansion of inmate work projects that benefit the community.

I want it clearly understood that the utilization of inmates has not taken a single paying job away from anyone. The work that is being performed would not have been carried out, because there were no other people willing to perform the tasks or there were no funds available. Rather than reduce job opportunities, some of the projects which inmates have undertaken have stimulated employment by requiring the purchase of materials which would not otherwise have been sold.

Mr. S. Smith: Too bad that's the only way to get a job in Ontario.

Hon. Mr. Drea: Since inmates are not receiving remuneration for the work they are performing on behalf of the public, I believe some recognition should be given to their efforts. Therefore, signs which say simply "We're Working—Your Ministry of Correctional Services" will soon be erected at sites where inmates are completing projects.

Mr. S. Smith: Nobody else is.

Hon. Mr. Drea: I wish to thank my colleague, the Minister of Government Services (Mr. Henderson), for his co-operation in regard to our new signs, as well as for his assistance in arranging for a number of other government signs to be manufactured by inmates in our institutions as part of their on-the-job training.

Mr. Lewis: If you could find jobs for people who aren't in jail that would be useful.

Hon. Mr. Drea: Send me to Ottawa. Give me the challenge, and I will.

DEBT COLLECTION

Hon. Mr. McKeough: On May 13 the member for Port Arthur (Mr. Foulds) asked several

questions with respect to bad debt collection. Since the government does business with such a great number and variety of citizens, sometimes the most difficult problem is just to locate a debtor.

As happens also in business, even if they can be traced some payments are extremely difficult to exact, so six or seven years ago an in-house collection agency was set up in the Ministry of Government Services to assist ministries in their tracing and collection efforts. This has proven successful, as the record shows, and an eight-to-one collection-to-salary cost ratio is a credit to that staff.

[2:30]

Considering the total revenue flow in the province, the current \$5.2 million on 7,300 delinquent accounts testifies to the fact that the individual ministries which are responsible for the collection of all moneys due to the government do a very creditable job with a very high success rate. Not only do receivables come from the revenue side, but they can arrive from such things as recovery where a recipient has not complied with the eligibility requirement for grants, student awards; or from recovery of amounts paid to banks under guaranteed loan programs.

The problems of a mounting case load were brought to my treasury division's attention earlier this year by the management within the Ministry of Government Services, and our staffs conducted an in-depth review of the situation. One significant outcome of the review was that an increasing number of small dollar amounts were being referred to collection services which was overloading their capability to deal with the real payoff situations.

The outcome of this review is now in the process of implementation and it is generally aimed at giving the central collection service a more timely, smaller volume and higher dollar-value caseload, which will allow them to do what they do best while reinforcing each individual ministry's own collection responsibilities and timing requirements.

Revised treasury policy statements, which will further clarify these responsibilities and the timeliness and procedures governing the entire receivables processing method, are about to go to print. I understand the public accounts committee requested these of the Ministry of Government Services, and of course they will be glad to supply them.

As to why some ministries may have delayed using the in-house collection services, this mostly reflected a perhaps misplaced reluctance to admit an early defeat in pursuing what they see as their collection responsibility,

though I am sure it sometimes reflected less than rigorous follow-up procedures. That issue is specifically addressed in our forthcoming directive.

PROVINCIAL BORROWING

Hon. Mr. McKeough: Mr. Speaker, on May 17 several questions were raised regarding provincial and Ontario Hydro borrowing.

First, I want to reply to the questions by the member for Waterloo North (Mr. Epp) regarding the recent issue in Europe. To clarify some confusion in the question I want to point out that the issue was floated by Ontario Hydro with a province of Ontario guarantee. It was not a provincial issue on behalf of Ontario Hydro as suggested by the member for Waterloo North. Furthermore, the issue, while placed in Frankfurt, was floated on the Eurodollar market and, therefore, was denominated in US dollars, not Deutsche marks. Regarding the specifics of the issue: the principal is \$125 million American; the coupon is 8.5 per cent, priced to yield 8.60 per cent; and the term is seven years, maturing June 1, 1985.

On May 23, the province floated a debenture issue in New York on behalf of Ontario Hydro. This issue produced \$200 million American, with a coupon and yield of 9.375 per cent. The term is 30 years, maturing June 1, 2008. The debentures were rated Triple-A by both Moody's and Standard and Poor's.

At the same time, the member for Waterloo North requested a prospectus for the Eurodollar issue. I am tabling a copy of the preliminary prospectus for Europe. The final version will be available later this month or early next month. I am also tabling a copy of the final version of the US prospectus.

During the same series of questions, the member for Halton-Burlington (Mr. J. Reed) wanted to know the reason for the borrowing. Both issues noted above were for Ontario Hydro purposes. Capital construction during the current year was generating requirements in the range of \$1,500 million to \$1,550 million.

Borrowing for Hydro purposes to date in Canadian dollars is \$1,035 million. Of this \$400 million was raised in Canada and \$575 million in US funds. Conversion of the US funds to Canadian dollars has generated approximately \$635 million, that is about \$60 million over the principal amount of US dollar issues. The remaining requirements of some \$515 million for this calendar year is expected to be raised in Canada via bond issues and short-term Hydro notes.

The member for Wentworth (Mr. Deans) wanted to know if the borrowing was to re-finance an existing issue. Hydro requirements for 1978 amount to some \$204 million. This amount is spread over a number of issues. In view of the borrowing program I have already outlined, it is evident that the borrowing is not designed to refund existing debt.

The member for Wentworth also expressed concern over the policy of borrowing in foreign markets. We are well aware of the risks associated with exchange rate movements and therefore limit foreign borrowing activity. We cannot, however, raise all the requirements in the Canadian market as this would place undue pressure on Canadian interest rates and crowd out many smaller borrowers, that is force them to borrow abroad or reduce their capital expansion.

PROBATION SERVICES

Hon. Mr. Norton: I would like to inform the House that later today I will be introducing for first reading a new act to provide for the continuation of probation services for young offenders.

Mr. McClellan: What happened to private members' hour? Why are you trying to prevent the introduction of the bill by the member for York East (Mr. Elgie)?

Hon. Mr. Norton: Under the Probation Act, the Ministry of Community and Social Services currently provides probation services for the juvenile court as part of the juvenile corrections program of the children's services division. As the honourable members are aware, the Minister of Correctional Services (Mr. Drea) has recently introduced an act to re-enact the Ministry of Correctional Services Act. This new statute includes provisions for probation services with respect to adults, and when proclaimed and in force, will repeal the existing Probation Act. The primary purpose of the proposed children's probation act is to enable my ministry's probation officers to continue to provide probation services with respect to children.

Mr. McClellan: Admirable.

Hon. Mr. Norton: A definition of the duties and functions of probation officers has also been included. The proposed act does not represent a departure from existing probation programming, rather the act reflects the current practice of my ministry.

Briefly, the proposed act deals with the following matters: the appointment of probation officers under the Public Service Act and the designation of other persons by the minister as required; the purchase of probation services by my ministry under this act;

and the mandatory duties of the probation officer with respect to the juvenile court. These duties include the making of pre-dispositional reports on young offenders, recommendations to the court with respect to disposition and the compliance with terms of probation orders made under the Juvenile Delinquents Act of Canada.

The proposed act also includes provision similar to that in the proposed Ministry of Correctional Services Act, whereby a probation officer may apply to the court to vary the terms of a probation order which may be impractical or impossible for the officer to fulfil; the authority for the minister to prescribe other duties for probation officers; and finally, a description of the probation officers; role as a helping professional. The probation officer is directed to assist the probationer by explaining the court process to him or her, and by counselling the probationer and his or her family.

My ministry feels very strongly that the focus of the children's probation officer's work is the child and the family with special needs, and wishes to emphasize this commitment in our proposed legislation.

Mr. Roy: Are you sure you are finished over there. Are there no more statements?

ORAL QUESTIONS

DELAYS IN OMB HEARINGS

Mr. S. Smith: I would like to ask a question of the Premier. Given the obviously drastic unemployment situation in Toronto's construction industry, and given the backlog of construction projects that have been waiting to go but are held up at the OMB and elsewhere, has the Premier had a chance to react to the suggestion from the city of Toronto's housing commissioner, Mr. Dennis, that the OMB be beefed up, possibly with additional members if necessary, so as to get on with the job and get that backlog dealt with as quickly as possible, to create jobs and create construction in Toronto? Is the Premier prepared to move to increase the capacity of the OMB to deal with this important logjam which is causing suffering?

Mr. Rotenberg: That is not the logjam.

Hon. Mr. Davis: I believe there are to be some discussions this weekend related to some matters concerning the OMB. I would only make the observation that while part of the problem may rest in terms of numbers of people at the Ontario Municipal Board, I think also part of the problem relates to some of the applications that are

there—some of them at the insistence of the city of Toronto.

Some months ago in discussions with some of the municipal representatives, the government was successful in having certain accommodations made in terms of some projects as they related to the rather controversial bylaw that is presently before the board. I'm not sure it's as simple as just having two or three more members of the board—I wish it were that simple. But, certainly, that's something the government is prepared to explore if that will help.

I just caution the Leader of the Opposition that some of the problems we presently have don't relate to the numbers of people who are there to hear the applications. When one looks at the length of time, for instance, on the present hearing, it's not the numbers of the board members, it is the length of the hearings themselves; and I don't think the city of Toronto can escape totally a part of that responsibility.

Mr. S. Smith: I'm pleased to hear that the Premier will at least look at the possibility of additional members, which might at least help the OMB to hear some of the newer applications and could avoid the logjam that's there.

May I ask, by way of supplementary, if the Premier is prepared once again this summer to countenance the rather leisurely pace of work and hearings that seems to characterize the Ontario Municipal Board, with its four-day weeks and the whole month of July off and rather few working hours during the day and so on? Will the Premier make certain that the board meets five or six days and takes no lengthy vacations this summer? Is he prepared, by virtue of his conversation with the Treasurer (Mr. McKeough), or by any other means of seeking this information, to make sure that the OMB does not take the whole month of July off again this year? Is he prepared to make sure that the OMB gives its proper attention to what is a very serious matter?

Mr. Bradley: Check with Darcy first.

Hon. Mr. Davis: Part of the problem at the board could have been resolved here. I can't recall the particulars of the legislation—which the Leader of the Opposition perhaps voted against; he may recall his position—as it related to severances, which takes a substantial amount of time of the board and which by legislation we could have resolved here. Perhaps if we were to reintroduce that we might now gain his support in trying to minimize the amount of red tape and the necessity for hearings when they aren't really

that necessary, if I can phrase it as delicately as that.

Mr. S. Smith: Are they going to work in the month of July? Are they going to do five or six days or what? That is the question.

Hon. Mr. Davis: I'm not here defending the Ontario Municipal Board or its hours of work, but the municipal board does work during the summer months. I think the Leader of the Opposition will find that part of the reason is because some of those clients who are appearing before the board, or their counsel on behalf of their clients, on occasion are themselves taking the odd vacation during July and August. I'm not saying whether this is good or bad; I'm just saying this is a part of the problem during the summer months.

An hon. member: You're always blaming somebody else.

Hon. Mr. Davis: I think it is also fair to point out to the members of the House, knowing a little bit from some many years ago of how the municipal board functions, that while it is accused on many occasions of delay—and some of it is justified—in many instances the blame for the delay could be that of the municipality; it could even be that, on occasion, of the legal profession.

Mr. Roy: Oh no.

Hon. Mr. Davis: I would say this to the member for Ottawa East, I'm sure he himself has been guilty on occasion, not before the municipal board but before other courts that he knows far better, in either getting remands—

Mr. Roy: Not before the board; I'm always on time.

Hon. Mr. Davis: —because his public responsibilities require his attendance here, although we notice on Mondays and Fridays his practice requires his presence in the courts. We notice that sort of thing on occasion. I would say to the Leader of the Opposition, yes, we are anxious to expediate these things as best we can.

Mr. Roy: You miss me, do you? Half of your members should be away as well, they don't accomplish anything here.

Mr. Bradley: It's called quality representation.

Hon. Mr. Davis: I do say on behalf of the board that the delays are not always their fault.

Mr. Cassidy: Mr. Speaker, I'm a bit concerned at the Premier's effort to find scapegoats everywhere except in this Legislature itself. As a supplementary, is the Premier

aware that it is now six years since the select committee on the Ontario Municipal Board presented a series of recommendations to streamline the work of the board and to ensure that the kinds of delays that we are experiencing today would not take place, and that projects would not be blocked because of this kind of red tape erected by the government? The problem has been the failure of the government to take those recommendations seriously and to bring in reforms to the Planning Act in order to ensure that these problems would not exist. The problem is right over there.

Hon. Mr. McKeough: Nonsense.

Mr. Warner: Six years.

Hon. Mr. Davis: Mr. Speaker, I don't want to be provocative—

Mr. Ruston: Go ahead, go ahead.

Hon. Mr. Davis: —but I wish the honourable member would go back just a few months. When certain proposed amendments were presented to this House, the New Democratic Party members, along with the Liberal opposition, indicated that they would not support those amendments.

Hon. Mr. McKeough: That's right.

Hon. Mr. Davis: Those amendments would have expedited some of the processes at the board. Perhaps he will review those; perhaps he's saying to us now he's had a chance to reconsider his position again and he would be prepared to support some of that.

[2:45]

Mr. Nixon: You were taking away the right of appeal.

Hon. Mr. Davis: I would also make this observation to the member—and I have had some experience, and it is to that party in particular—this is one of the things that has happened with respect to municipal board hearings. His party, time after time, is demanding even greater public participation in terms of the board's function.

Hon. Mr. McKeough: Publicly funded.

Mr. Makarchuk: So why don't you deal with it?

Mr. Nixon: Where do you stand?

Hon. Mr. Davis: And I am not quarrelling with the principle, but you have to understand that the greater the public participation and the more people are encouraged in terms of presentations to the boards, the longer the process is going to take. You people have to understand that is now part of what causes some of the delays at the Ontario Municipal Board.

Mr. Nixon: Coming down strongly on both sides.

Hon. Mr. Davis: The members can sit and shake their heads all day long. That happens to be factually the case.

Mr. Speaker: Order. The Leader of the Opposition with a new question.

Mr. S. Smith: I haven't had my supplementary; I had only the first supplementary.

Mr. Speaker: Yes, you have.

Mr. S. Smith: Only the first supplementary.

Mr. Speaker: You have had a supplementary. Second question.

Mr. S. Smith: I appeal to you Mr. Speaker. It was not our own party that took the 40 minutes of today to read the usual Thursday's statements.

Mr. Speaker: Order. The question period started at 2:37, we have now spent eight minutes on the first question with one initial question and two supplementaries.

Mr. Nixon: It was the meandering response.

Interjections.

Mr. S. Smith: Those were meandering answers. All we needed was yes or no. Are they going to work the month of July or not?

Hon. Mr. McKeough: They work in July. They do so; you don't know what you are talking about.

Mr. S. Smith: They didn't last year and you know it.

RENT REVIEW

Mr. S. Smith: I will ask a question of the Minister of Consumer and Commercial Relations regarding the statement that he made in committee that there would be no successor legislation to the rent review act until October. Given the fact that, of course, there will be a problem with the 90-day notice unless some successor to the legislation comes forward by September 30, has the minister rethought this matter and is he prepared to give us what method he intends to use to overcome the confusion and chaos that might well result as a consequence of waiting until October to bring in successor legislation? Would he, for instance, like to have an amendment brought forward which would give the government the opportunity, by regulation, to have a short-term extension until the committee has finished its deliberations and the new legislation can be brought forward in the fall?

Mr. Lewis: Another 24-hour shift in policy; amazing.

Mr. Foulds: You have to draft legislation.

Hon. Mr. Grossman: We are aware of that problem and, as the member may recall, when I pointed that problem out—and it wasn't at committee, I think it was in debate in the House when we referred the matter to committee—I indicated that because of that problem, we would, on this side of the House, undertake to let the public know, hopefully in September, but at an earlier enough stage, with regard to our intention so that given the deliberations of the committee, which I hope the third party might continue to participate in after yesterday's attempt to end it.

Mr. Warner: We are participating.

Hon. Mr. Grossman: Given the deliberations of the committee; taken together with the legislation which we announced we will bring forward in September, there may be some predictability as to what to do.

Obviously, what the committee reports and what the government's response is will dictate the need or otherwise to amend the notice period.

In any case, I am currently giving some consideration to the problem, by way of either bringing in a short bill before the House rises in June to shorten that notice period or perhaps conversely to permit some change so that a rent increase—for example to come into effect January 1, 1979—may perhaps be again adjusted, either upwards or downwards—

Mr. Speaker: Would you try to shorten up the answer too, please.

Hon. Mr. Grossman: It is a very complex answer, Mr. Speaker.

—so that they are not locked into a decision that they have to make in November for a full 14-month period.

Mr. Foulds: You have been pretty slow in bringing forward legislation.

Hon. Mr. Grossman: Quite frankly, one of the problems that I identify with shortening that time period for notice this fall is that I see no reason why we should penalize tenants by way of leaving them with a 30- or 40-day notice period simply because the legislative process has been such that we can't get legislation into the House. I would be pleased to see any suggestions the opposition might have with regard to how we hurdle that problem.

Mr. S. Smith: By way of supplementary: Given the fact that the solution suggested by some, that we simply pre-empt and destroy the work of the committee now to premature-

ly come to some conclusion, is not a reasonable solution.

Mr. Warner: Now you are getting silly.

Mr. S. Smith: Would the minister accept the idea that he might bring an amendment before us—

Mr. Cassidy: That bunch is preposterous.

Mr. Roy: Can't you control these fellows, Mike?

Mr. S. Smith: —to give the government the power by regulation?

Mr. Warner: You are abandoning the tenants and you know it.

Mr. S. Smith: I appeal to you, Mr. Speaker.

Mr. Speaker: Order.

Mr. S. Smith: Your former colleagues are in disarray.

Interjections.

Mr. S. Smith: Would the minister consider bringing in an amendment to give the government the power by regulation to simply extend the present rent review for the month or two that is required on a shortterm basis—

Mr. Foulds: Oh, you would like to give them more power by regulation, would you? Nice move.

Mr. Speaker: Order.

Mr. S. Smith: —so that we can finally bring in the legislation in the fall—

Interjections.

Mr. S. Smith: —at a time when we will have completed the committee work?

Mr. Lewis: You just threatened a no-confidence motion over giving them more.

Mr. Speaker: Order.

Mr. S. Smith: The member is grand-standing.

Mr. Speaker: Order.

Mr. Lewis: I will try.

Mr. Speaker: Order. Maybe you could try keeping quiet and give people an opportunity to be heard.

Hon. Mr. Grossman: Forgive them. Echoes of their 1975 exploitation of the issue are causing them to fall all over themselves in running for the tenants' votes while we try and find a solution to the problem.

Mr. S. Smith: They are losing support so rapidly they have to do something.

Hon. Mr. Grossman: Now to deal with the problem instead of the politics of the situation. The problem we would have in extending that for the 60 days, of course, is it would lock all landlords and tenants into the cur-

rent scheme, i.e. six per cent for a further 12 months for all those leases that came up in January and February, since under the legislation they have to stick to one increase every 12 months. So if any lease came out January 1 it means everyone would be locked in for 12 months from that date.

That is the complexity of the problem and, frankly, I hesitate to opt for anything which sounds even closely akin to the silly solution the third party proposed yesterday of increasing it by pieces for ever and ever, amen. That emphasizes the problem and I don't think that is the definitive answer.

Mr. Breaugh: I seem to recall that's what you did.

Mr. Speaker: Final supplementary, the member for Scarborough-Ellesmere.

Mr. Warner: Thank you, Mr. Speaker. While it is enlightening to learn of the change of policy of the Liberal Party overnight—

Mr. Speaker: Question?

Mr. S. Smith: What rubbish.

Mr. Kerrio: Why don't you resign?

Mr. Warner: —I would like to know from the minister, since this committee doesn't report back until June 15—

Interjections.

Mr. Warner: —and it appears the House will arise on June 23 and not sit again until October, what specific protection will the minister guarantee for the tenants of this province before the September 30 deadline?

Why can't the minister simply refuse to extend the rent review legislation up to six months with a real reason for doing so, not the silly excuse he has given us this afternoon?

Hon. Mr. Grossman: For one thing the program was developed as a very shortterm program.

Interjections.

Hon. Mr. Grossman: It will reach 41 months by December of this year. I don't think the people of this province—be they landlords or tenants or neither—are at all helped by a shortterm program that is extended another six months so it becomes a 47-month shortterm program.

Mr. Foulds: You are going to be a short-term minister.

Mr. Breaugh: Why don't we have another election, it would be the third one in a row?

Hon. Mr. Grossman: I must say we can't accuse the third party of having a new policy every time we look around. They simply have one blind policy. They won't look past the

problems created by the current rent control scheme.

Mr. Cassidy: Read the presentation. It was constructive.

Interjections.

Hon. Mr. Grossman: They are going for six more months of it, and I say very simply to this House that we are looking for a scheme that is better than the current scheme, as quickly as possible—

Mr. Cassidy: You are looking to get out of it.

Hon. Mr. Grossman:—and I don't want to fraudulently hold out to anyone that we are about to encourage the continuation of this scheme for ever and ever.

Mr. Sargent: Build some more apartments, that's the answer.

Mr. Breaugh: What are you fraudulently going to do?

Hon. Mr. Grossman: However the members opposite may identify the good politics and the attractiveness of sticking to this scheme for ever for the sake of the tenants' votes—

Mr. Cassidy: You are welching on the tenants of the province.

Hon. Mr. Grossman:—let me tell them, tenants will be adequately protected under whatever new scheme we develop—

Mr. Warner: When? What are you going to do before September 30?

Hon. Mr. Grossman:—and obviously we are going to have to develop it without the assistance, advice, or participation of those people, as they scurry for the tenants' votes.

Mr. Makarchuk: Obviously you haven't been at any of the hearings.

Mr. Warner: What are you going to do before September 30?

FLECK MANUFACTURING COMPANY

Mr. Cassidy: I have a question of the Solicitor General arising out of the incidents at Centralia yesterday, which we were shocked by and which we all on this side of the House deplore. I want to recall to the minister that he stated on March 9 that the commissioner "has assured me that his men are acting impartially in this strike and intend only to maintain peace on the picket line." The minister said that on several other occasions early in March.

Can the minister state why OPP officers were present at the Fleck picket line yesterday in full riot gear, why they struck women and men to the point of making them unconscious and who gave the order to launch

this outrageous and completely unprovoked assault?

Interjections.

Hon. Mr. Kerr: The statement just made by the leader of the third party is a result, I would assume, of some press reports he has been reading.

Mr. Lewis: No.

Mr. Cassidy: It's from the people who were there.

Hon. Mr. Kerr: I have asked the Ontario Provincial Police to comment and report on these allegations. The information I have now and the information I was given yesterday afternoon was that the picket line was closed to those people who wanted to go to work on that particular shift. They were not able to do so. They were being intimidated and the police attempted to open that picket line to allow them access into that plant.

Mr. Mackenzie: Who came with the riot gear on and why?

Hon. Mr. Kerr: There was a scuffle, I understand, outside the plant.

Mr. Cassidy: Yes, the minister's people started it.

Mr. Warner: The police were out of control.

Hon. Mr. Kerr: That is a matter of opinion.

Mr. Cassidy: It's a matter of fact.

An hon. member: He is usually wrong, so don't worry about it.

Hon. Mr. Kerr: If the picket line is closed, that in itself is an illegal action. The honourable member knows that.

Mr. Lewis: What were they doing there in riot gear, for heaven's sake?

Hon. Mr. Kerr: I'm just saying that the picket line was closed. This is not something that has happened overnight, as the honourable member knows. The problem at Fleck has been going on now for about two and a half months. There have been very many peaceful days when there haven't been any incidents of this kind and when the plant has been open.

Mr. Foulds: When there haven't been any police incitements.

Mr. Lupusella: You have to be responsible and the Minister of Labour as well.

Ms. Gigantes: Police don't wear riot gear every day.

Mr. Cassidy: There was no provocation.

Mr. Warner: The police were out of control yesterday.

Hon. Mr. Kerr: There have been times when there has been up to 50 or 60 em-

ployees working in the plant. However, last week there was an incident, when a number of picketers from Windsor, I believe, attended at the plant. There was a scuffle with workers in the plant. There was some intimidation and there was some property damage.

Mr. Foulds: What do you mean by intimidation?

Hon. Mr. Kerr: Because of that, the police increased the number of people at the site and around the plant to prevent that type of occurrence.

Mr. Cassidy: Supplementary: I am staggered by what the minister has had to say. Can he say what instructions were issued to the OPP constables who were there in riot gear at the Fleck picket line yesterday at the outset that would lead them to set upon the women and men there with their nightsticks—which are this long—without speaking to the strikers, without asking them to move aside and without making any indication that they were about to launch that particular assault, particularly in view of the fact that the bus carrying the scabs has been going through on a regular basis and the strikers have been letting that bus through?

Mr. Mackenzie: Haven't you learned from Hepburn's Hussars?

Mr. McClellan: He is a modern-day Hepburn.

Hon. Mr. Kerr: On what premise and what information can the honourable member say that the police did not ask the picketer to move aside? How can he unequivocally say a thing like that?

Mr. Mackenzie: Answer the questions.

Interjections.

Mr. Lupusella: By way of supplementary: Considering that on March 9, 1978, the Solicitor General stated in this House that the OPP role in the Fleck strike was to maintain the peace, to inform workers of their rights and of the law regarding intimidation, mischief, damage, threats and weapons, how can the minister justify the police involvement in the picket line by injuring a few workers? Can the minister explain to this House why the OPP officers on yesterday's incident were not wearing identification?

Hon. Mr. Kerr: The question of identification is another matter. What I said on March 9 still applies.

[3:00]

Mr. Lupusella: Why are you accusing the workers then?

Hon. Mr. Kerr: It still applies. There have been a number of incidents over the two-and-

a-half-month period, as the honourable member knows.

Mr. Swart: Why did they have riot gear on?

Mr. Foulds: Why did they have the riot gear on to start with?

Mr. Warner: It's a sad day in this province.

Hon. Mr. Kerr: There was one other incident, I believe when Mr. McDermott attended at the picket line, or before that, perhaps, when the police were wearing helmets and carrying nightsticks. This is not the first time. This is in reaction to the number of outside people who attend the picket line—

Mr. Cassidy: There were 50 of them.

Hon. Mr. Kerr:—and who prevent the workers who want to go to work from entering that plant. As the honourable member knows, the law says that workers who want to work must be allowed to cross the picket line. That is the law and it is the duty of the police to attempt to uphold that law.

Mr. Foulds: By violence?

Mr. Cassidy: By violence?

Hon. Mr. Kerr: Now to answer that question, as I have said, based on the reports I have had today—which is more than I had received up to now about the incidents yesterday—I have asked about the allegations in respect to so-called violence or the actions of the police in pushing people with nightsticks and things of that nature.

Ms. Gigantes: The "so-called violence"? Beating them.

Mr. McClellan: You're a so-called minister.

An hon. member: Whacking them down.

An hon. member: Pushing them? Rushing them.

Hon. Mr. Kerr: I just don't believe that the police officers who were at that particular site, on duty there—

Mr. McClellan: If you're wise, you'll stay out of this.

Hon. Mr. Kerr:—would intend to hurt or strike anybody on that picket line without good and just reason.

Mr. Lewis: How do you hit people on the stomach and the breasts without hurting them, for God's sake? What is wrong with you?

Hon. Mr. Kerr: The point here is that the picket line was closed. Workers were prevented from going to work, which has not happened on many occasions during the past two and a half months. That, of course, is

the type of thing that provokes the type of confrontation that took place yesterday.

Mr. Cassidy: Supplementary.

Mr. Mackenzie: Supplementary.

Mr. Speaker: No. The member for Ottawa Centre with his second question.

SOLICITOR GENERAL'S RESPONSES

Mr. Cassidy: Mr. Speaker, I want to pose this question to the Premier. We will have some more questions today to the Solicitor General because of our concern about the situation at Centralia, but I suspect that the responses from the Solicitor General subsequently this afternoon—

Some hon. members: Question. Question.

Mr. Speaker: Order.

Mr. Cassidy: —will be no more satisfactory than the ones we've had now.

Mr. Speaker: Second question.

An hon. member: Speech.

Mr. Cassidy: In view of the responses of the Solicitor General and the evidence that he is not concerned that the unprovoked violence that was launched by police at the Fleck picket line; and in view of the evidence that the minister has neither adequately informed himself nor ensured that the police are properly under political control in the province of Ontario, I would like to ask the Premier if he will now seek the resignation of the Solicitor General—

Hon. Mr. McKeough: Oh, come on.

Mr. Cassidy: —and put in his place a minister who can bring the OPP under control.

Mr. T. P. Reid: That's the stupidest thing he's come up with yet.

Mr. Conway: Mike is such a friendly fellow.

Mr. Kerrio: Get ready, Lorne.

Hon. Mr. Davis: There are very few occasions when the Premier of this province can give a simple answer. The answer is no.

Mr. Cassidy: Supplementary: In view of the fact that the minister's responsibility—particularly in this situation where there have been many warnings from this side of the House, from the union, and from the public about the situation—is to keep himself informed, to keep this House informed, and to keep the police under proper political control, is the Premier satisfied with the way in which the minister is carrying out those responsibilities?

Hon. Mr. Davis: I'll take just a little longer

to answer this. I will start at the outset by saying yes, but I want to add further to that that I find it intriguing—and I'll phrase it as delicately as that—that the leader of the New Democratic Party, who should be relatively familiar with some of the problems existing at that particular plant, is suggesting that the Solicitor General of this province (a) is not concerned, (b) is not on top of the situation or is not exercising the appropriate judgement.

Mr. Breaugh: That's right.

Mr. Warner: He doesn't have a clue what's going on.

Hon. Mr. Davis: I would say to the leader of the New Democratic Party that the Solicitor General of this province discharges his responsibilities objectively, responsibly, with sensitivity; and I just wish the leader of the New Democratic Party would learn some of those attributes in the discharge of his responsibilities in this House.

Mr. Mackenzie: Through you, Mr. Speaker, to the Premier: If the Solicitor General is on top of the situation, as the Premier says, then he certainly should resign, because the story we have been given here today—

Mr. Speaker: A new question. I haven't heard a question.

Mr. Makarchuk: We haven't heard any answers either.

Mr. Mackenzie: How can the Premier say the Solicitor General is on top of the situation when we have had an escalation in violence whenever there has been an increased number of police there in riot gear and there was not an increased number of picketers on the day that this incident took place? We are not getting the truth in this House.

Interjections.

Hon. Mr. Davis: Mr. Speaker, if the honourable member wishes to state that the Solicitor General of this province is deliberately misleading the House, then I suggest that he have the intestinal fortitude to stand up and make that allegation.

Mr. Breaugh: He didn't ask you that. You know that.

Hon. Mr. Davis: The Solicitor General has a responsibility to inform the House on the basis of the information that is provided to him. I am totally confident he does just that.

Mr. Lewis: That's right and it is not accurate.

Mr. Foulds: Why doesn't he make sure the information is accurate?

WATERLOO REGIONAL POLICE

Mr. Breithaupt: Mr. Speaker, a question for the Solicitor General:

Will the Solicitor General inform the House as to the exact requests made of him by the Waterloo regional police commission for whatever investigation was sought by that commission of the activities of its police force? And will he table that letter?

Hon. Mr. Kerr: Yes, Mr. Speaker. The Waterloo police commission asked for investigation by the ministry or by the Ontario Police Commission. I believe it first asked for investigation by the OPP; then it was pointed out it would be more appropriate to be done by the Ontario Police Commission. This was referred to the Ontario Police Commission and they are now undertaking the investigation.

Mr. Breithaupt: As a supplementary, will the Solicitor General confirm that the costs of the investigation of this police force by the Ontario Police Commission will be fully paid from the consolidated revenue fund?

Hon. Mr. Kerr: No, Mr. Speaker. There will be certain costs that would have to be borne locally. For example, if the police have counsel, things of that nature, that would have to be borne locally. But the actual operation of the hearing, for example—there will be an open hearing or inquiry—the general structure and the day to day cost of that would be borne by the ministry.

Mr. M. Davidson: Supplementary, Mr. Speaker: Did I understand the minister correctly to say that contained in the letter was a further request to take the matter to the Ontario Police Commission? Why could he not follow the request of the chief of police in the area and have the investigation conducted by senior officers of the OPP? Such an investigation has just been carried out in the Niagara region. Why did he have to expand the scope of the investigation?

Hon. Mr. Kerr: Mr. Speaker, that is a very interesting question from a member of the NDP. Usually he would be criticizing us because of having an in-house investigation—because the police were investigating the police. I have heard those criticisms before.

Mr. Warner: Just answer it.

Mr. Foulds: Sometimes it is justified.

Hon. Mr. Kerr: As I just said in answer to the previous question, the request was from the chairman to have the OPP investigate the activities of a regional force. That would not be appropriate. That was pointed out to the chairman. Then the request was to have the

OPC, as was suggested to him, conduct the inquiry.

The problem as far as the region is concerned, if there is any problem, is that the Ontario Police Commission wants an open inquiry. They feel the allegations are serious enough that there should be an open inquiry, not just a private or in-house investigation. That is the difference of opinion that exists at the present time.

Mr. Sweeney: A supplementary, Mr. Speaker: Given that the regional police commission, in addition to its request to the minister, also instructed its chief to conduct an internal inquiry, why do the OPC investigators now obstruct that internal inquiry by advising witnesses not to co-operate with the chief? Why would they do that?

Hon. Mr. Kerr: Mr. Speaker, I'm not aware of the OPC telling police officers not to co-operate with the chief.

Mr. Wildman: What are you aware of?

Hon. Mr. Kerr: What the OPC does not feel is necessary now is the type of investigation the honourable member is talking about; in other words, that the police chief should be investigating these charges. The OPC does not feel that is necessary because it has the matter in hand. They are interviewing the police officers involved. They are involving the private citizens who are involved in these allegations. They are conducting the inquiry. It really doesn't make sense that the chief of police is also conducting an in-house inquiry unless he's doing it on the instructions of the OPC.

Mr. Sweeney: But he's doing it on the instructions of his board.

Hon. Mr. Kerr: But I'm not aware that there is a direction to each police officer on the force not to talk to the police. I'll find that out.

Mr. Sweeney: Would the minister investigate that?

Mr. Speaker: A new question; the member for Hamilton East.

FLECK MANUFACTURING COMPANY

Mr. Mackenzie: Mr. Speaker, what we do want to get at is the truth in what is going on. I would like to know from the Solicitor General how it is that there was a much larger crowd there when the women were down demonstrating just two or three days previously than the crowd that was on the picket line when the incidents took place yesterday. And why were the police there in riot gear, in the numbers they were in, and why did they move in? Who is giving the

orders? What is going on? I don't think the facts are coming out.

Hon. Mr. Kerr: Mr. Speaker, as I indicated before, I will certainly find out why the police officers were in riot gear.

Mr. Laughren: The minister should know that by now.

Mr. Mackenzie: The minister is on top of it; the Premier said so.

Hon. Mr. Kerr: That's right. But remember the instructions in the operation of that police force are given by the commissioner and the head of that police force. They are looking after this particular situation at Fleck on a day-to-day basis.

Mr. Cassidy: But the minister is responsible for their behaviour.

Hon. Mr. Kerr: A certain amount of information or intelligence comes to them as to what may take place from day to day.

As far as the incident last Friday is concerned, it was known that there would be a group of women attending—I believe there were around 250—

Mr. Foulds: And no riot gear.

Hon. Mr. Kerr:—and it would be assumed that there would be no incidents.

Some hon. members: Why?

Hon. Mr. Kerr: The police were in the area in reserve, shall we say, in the event that there was any problem.

As for the situation that took place yesterday, as I say, I will ask for a fuller report based on the information I have now as far as the dress of the police is concerned. However, they were mostly male picketers who came in yesterday from Windsor, I understand, or from outside of the area—there were about 70 of them—and there was some information and intelligence that there could be some problems.

Mr. Mackenzie: Much less than 100.

Hon. Mr. Kerr: I would assume that's why there was the police present that there was yesterday.

Mr. Warner: They lost control.

Mr. Lupusella: Supplementary, Mr. Speaker: Considering that we had just 200 women at the picket line last week, can the Solicitor General justify why 35 cruisers were called and two paddy wagons were within the immediate area of the industrial park, and they contained an estimated 75 to 100 officers? How can the Solicitor General justify that?

Hon. Mr. Rhodes: Two paddy wagons?

Hon. Mr. Kerr: Mr. Speaker, that will be

part of the information that I will get and give to the House.

Mr. Warner: How long does it take?

Ms. Gigantes: The Solicitor General takes his time, doesn't he? People could get killed while he takes his time.

Mr. Speaker: The member for Rainy River with a new question.

Mr. Lewis: The minister is preventing a settlement of that dispute—

Mr. Speaker: Order.

Hon. Mr. Kerr: No, I'm not. There's no reason why they can't sit down and argue it out.

Mr. Mackenzie: We're going back to Hepburn's Hussars again.

Mr. Speaker: Order.

OIL EXPORTS

Mr. T. P. Reid: Mr. Speaker, I have a question of the Minister of Energy. Did the minister happen to watch Patrick Watson on the CBC last night concerning the oil companies now asking the federal government for an increase in oil exports? Has Ontario a position on this? Will he make any representations to the National Energy Board in Ottawa regarding it?

Hon. Mr. Norton: We work so hard we don't have time to watch television.

Mr. Mackenzie: It doesn't show in your performance.

Hon. Mr. Baetz: Mr. Speaker, I must admit, as my colleague has just pointed out, that I was working very hard last night and did not have a chance to watch Patrick Watson.

Mr. Breithaupt: He usually bowls on Wednesday nights.

Mr. T. P. Reid: Or was he at the baseball game?

Hon. Mr. Baetz: However, I would like to assure him that our government will be appearing before the National Energy Board to make our views known about the whole question of supply and demand in the oil field. As I am sure the member knows, and everyone in this House knows, there are many wild estimates and guesstimates flying about the future—

[3:15]

Mr. Haggerty: Give us some of the facts.

Hon. Mr. Baetz:—supply of oil and requirements. We heard an outstanding scholar—at least he's reputed to be an outstanding scholar—

Mr. Foulds: Why are the lights going out when you are speaking about energy?

Hon. Mr. Baetz: I know the lights went out, that's all right—say that perhaps there is enough oil to last several hundred years. I don't know, I'd hate to bet on that particular problem. But, anyway, the member may be assured that we will be making our case known in a very forthright way and backed by all kinds of data before the National Energy Board during their present hearing.

Mr. T. P. Reid: Supplementary: I wonder if I could ask if the minister can share with the House exactly what those views are? I also ask if the minister is opposed then to the further export of petroleum products to the United States, as the current situation seems to be at least holding down the costs of gasoline and petroleum in Ontario and Canada?

Mr. Nixon: His deputy hasn't told him yet what he is going to do.

Hon. Mr. Baetz: That was a smart aleck remark. You can keep that. It's not worth a nickel.

Mr. Conway: Aren't you glad you didn't run for us, after all, Reuben?

Mr. Warner: He probably did watch TV last night, but it was turned off.

Hon. Mr. Baetz: We have not yet drawn our conclusions as to what our stance will be when we go before the National Energy Board. We are collecting our data, and from all sources; not only relying on the bureaucracy and my deputy minister, if that is any reassurance to the member.

FLECK MANUFACTURING COMPANY

Mr. Lupusella: Considering that the Solicitor General is on top of the situation, as the Premier stated, I would like to ask him a question. In view of the fact that one of the most important principles of law enforcement suggested by Sir Robert Peel, the founder of the British police force, is the following—it is a short quote, Mr. Speaker—"The police are the only members of the public who are paid to give full attention to duties which are incumbent upon every citizen in the interest of community welfare."

In view of that, can the minister explain to this House how the role of the OPP in the Fleck strike, a role which appears to be one of protecting the employer's interests and preventing the workers from carrying out their strike in accordance with the law, serves the principle of community welfare as articulated by Sir Robert Peel?

Hon. Mr. Kerr: As I have said on a number of occasions, the required duty of the police is to uphold the law. Whether the member agrees with that or not, that is the fact.

Mr. Cassidy: Not by beating people senseless.

Mr. Lupusella: The police are protecting the employer; that is the dilemma.

Hon. Mr. Kerr: They could be taken to serious task if they don't uphold the law as required by statute.

Mr. M. N. Davison: When was the last time they beat up on one of the bosses?

Hon. Mr. Kerr: The Criminal Code in this country, as well as other legislation—the Judicature Act, for example—says that any worker at a plant where there is a strike who wants to continue working at that plant must be allowed to do so without obstruction and intimidation. That is basically the law in this country.

Mr. Lupusella: The minister is protecting the employers.

Hon. Mr. Kerr: When that is interfered with in any way and workers are not allowed to do that—and in this case there has at times been a fluctuation from, say, 35 to 40 up to 60 employees of that plant who have been going to work—if they are obstructed, then the police are called in. I can't think of any other public agency that should be called in.

Mr. Deans: No, no; that is not how it happens.

An hon. member: Who calls them in? Fleck?

Hon. Mr. Kerr: The police are called in and asked to maintain peace and order on the picket line, and to make sure that there is access to that plant; and that the picketers stick to the law in informing the workers of a strike.

Mr. Cassidy: The police should stick to the law as well.

Hon. Mr. Kerr: They don't like that role; I'll tell you that right now. They don't like that role, but it is their duty to carry it out. Certainly, they are liking less and less what is going on at Fleck. They don't enjoy that. They are getting sick and tired of it and they want the strike settled, I'll tell the members that right now.

Mr. Cassidy: Is that your way to get the workers back to work, by clubbing them into submission?

Hon. Mr. Kerr: But as long as the two parties can't get together they have to be there to maintain the law.

Last week they were severely criticized, not just by the plant managers, but by the public generally, because they weren't there when there was damage, intimidation, when two workers in the plant were attacked and windshields were broken and plate glass windows were broken. That happened last week. We only had one or two men there, hoping that the same type of atmosphere would have continued that has continued there for two or three weeks. But because of outside workers deciding to go in and attempt to close the plant, there were problems and the police presence had to be increased. There were more people there.

That is the simple answer. I don't think they're in contradiction to what Sir Robert Peel has said. I don't think there's any—they attempt to serve the community and be the friend of the public. But they don't particularly like their role in labour-management disputes.

Mr. M. Davidson: Supplementary to the minister: Is the minister not concerned, as I am and many other people throughout this province are, that the role being played by the OPP at the Fleck strike is destroying its credibility in the eyes of many people throughout the province and reflecting upon every police officer in Ontario? Does that not concern the minister? If it does, why does he not do something about it?

Hon. Mr. Kerr: I think that when the facts are out here—

Mr. Cooke: Why don't you get the facts?

Hon. Mr. Kerr:—when the truth is known, when there is a balanced—

Mr. Warner: When do you intend to get the facts?

Hon. Mr. Kerr:—assessment of the role of the OPP at that strike—

Mr. Cassidy: You don't even know the facts.

Hon. Mr. Kerr:—and the problems that have been involved there over this two-and-a-half-month period, I don't believe the credibility of the police has suffered at all.

MAPLE PARK SITE

Mr. Hodgson: Mr. Speaker, I'd like to ask a question of the Chairman of Cabinet, the Minister of Government Services.

A couple of months ago an application was made by the town of Vaughan to have certain lands in the Maple area rezoned. Concerned citizens in that area and the Ontario Municipal Board ruled in favour of the rezoning of those lands in Vaughan township. A group of concerned citizens appealed to the cabinet to have the municipal board ruling rejected.

I'm asking whether the cabinet or the Chairman of Cabinet has made a decision on that certain request?

Hon. Mr. Henderson: Yes. Cabinet dealt with this yesterday—

Mr. Sargent: Thank him for the question.

Hon. Mr. Henderson: They upheld the decision of the—

Mr. McClellan: Turn around and tell him, Lorne.

Hon. Mr. Kerr: Ontario Municipal Board.

Mr. Roy: Were you surprised? Did it come as a complete surprise?

LOTTERIES

Mr. Kerrio: I have a question of the Minister of Culture and Recreation, if I may have his attention:

Mrs. Campbell: Just a little of it.

An hon. member: The minister of lotteries.

Mr. Kerrio: In view of the fact that the minister is now contemplating a fourth lottery in Ontario—we might refer to this government now as the "gambling government"—what are the projected revenues for this new computerized lottery and what purposes does he expect to put the revenue to?

An hon. member: The Las Vegas of the north.

Mr. Foulds: It is called the wipe-out-the-debt campaign.

Mr. Conway: A sellout to sin.

Hon. Mr. Welch: The Ontario Lottery Corporation and the Quebec Lottery Corporation are indeed inviting proposals for certain equipment that's necessary for this new game. The lottery corporation will be, no doubt—

Mr. Wildman: Gambling with Canada.

Hon. Mr. Welch:—ultimately sharing with us some further information about that, which I'll be glad to pass on to the House. No determination has yet been made with respect to the designation of the revenue.

Mr. Kerrio: A supplementary: I would then ask the minister why this Legislature might not have been consulted about the commission's ideas before a final go-ahead was given? We could expect these kind of decisions to be made without some discussions here in the House in an area that's becoming quite significant to the people of Ontario.

Hon. Mr. Davis: There are some decisions we do make.

Hon. Mr. Welch: This Legislature was consulted at the time of the introduction of

a bill establishing the Ontario Lottery Corporation. If the honourable member will look through the sections of that particular legislation, he will see that the lottery corporation was empowered by this Legislature to do the very thing they're doing now.

Mr. Kerrio: We are going to have to change all that.

FLECK MANUFACTURING COMPANY

Mr. Deans: Mr. Speaker, I also want to ask the Solicitor General a question with regard to the incidents involving the police. I would like to ask whether he would agree to make sure the people who are held accountable within the Ontario Provincial Police, the commissioner or whatever senior officers are in charge of the Fleck situation and any other officers who are required to make decisions, be at the justice committee tomorrow when we are dealing with the Ontario Provincial Police vote. Will they be there in order that they can be questioned directly about their involvement, how they make their decisions, why they feel it necessary to use the degree of force they have used, and what it is in this situation that requires this continual presence of the police in such magnitude? This has unnecessarily created, I think, and I think my colleagues share this view, controversy and violence on many occasions.

Hon. Mr. Kerr: Yes, Mr. Speaker, they will be there tomorrow morning.

Mr. Roy: A supplementary question, Mr. Speaker, if I may, without prejudging either side in this matter, but in view of the great public—

Mr. McClellan: So you are taking a stand on the question?

Mr. Roy: Mr. Speaker, I usually don't take a stand until I know the facts.

Interjections.

Mr. Cassidy: Didn't stop George Kerr.

Hon. Mr. Davis: You only take a stand once a year, Albert.

Interjections.

Mr. Roy: Are you here Darcy? You're not very popular in Rockcliffe, I'll tell you that.

I would like to ask the Solicitor General, Mr. Speaker, in view of the controversy on the use of the police and the great public interest in this situation, why is it that he is not able to stand in the House here today, 24 hours after this incident happened and give us a full and complete report? Don't these people report to him?

Hon. Mr. Kerr: Yes, Mr. Speaker, as I indicated earlier, I have a report of the inci-

dent that took place yesterday. The report does not include some of the things I have read today from press clippings or some of the allegations that have been made in questioning today. I will deal with this added information and these added allegations and report further to the House.

Mr. Cassidy: You started by saying there was nothing wrong.

Hon. Mr. Kerr: I want some detailed information on the allegations, for example, that women were unnecessarily struck and moved and pushed out of the way and things of that nature. I haven't got that at this time, but I do have a general report of what happened yesterday.

Mr. Cassidy: You started by saying there was nothing wrong. You began with a white-wash.

Hon. Mr. Kerr: I'm not saying that took place, don't misunderstand. I'm saying that because allegations were made in this House, I want that information and a report on those allegations.

Mr. Foulds: You will want it anyway?

Mr. Cassidy: Those allegations were made yesterday.

Mr. Speaker: Final supplementary.

Mr. Deans: Mr. Speaker, I just wanted to add to my question. Would the minister make sure the officer in charge of the detachment, I believe his name is Glover, is one of those people who appear tomorrow at the committee?

Hon. Mr. Kerr: Mr. Speaker, I will attempt to get Sergeant Glover here, yes. It's rather short notice, but I will attempt to get him here.

Mr. Deans: Please do.

Mr. Speaker: Point of privilege?

Mr. Lewis: The allegations to which the minister refers were not made simply in this House, they were made explicitly on the front page of the early edition of the Globe and Mail last night. If the minister was about his wits, and the OPP knew what they were about, he would have all the information here today, now.

AUTO INSURANCE

Mr. Sargent: Mr. Speaker, a question to the Minister of Consumer and Commercial Relations. Whether we agree with him or not, he says we are going to decrease the accidents in teenage driving by raising the drinking age to 19. What's more important, or equally as important, is the fact there is great discrimination against young drivers in the cost

of car insurance. When is his ministry going to look into the great inequalities here?

Hon. Mr. Grossman: I guess it was a couple of years ago that the Premier of this province took up the matter himself with the insurance companies together with the then Minister of Consumer and Commercial Relations.

[3:30]

Mr. Wildman: Did a lot of good.

Hon. Mr. Grossman: The member may recall that as a result the insurance companies agreed to go into a program whereby young drivers who were taking approved courses from the driving schools could, in many instances, with the co-operation of the insurance companies, get up to a 44 per cent reduction in their insurance premiums.

We have said time and again to those young drivers who are beginning to take lessons that if they'll check carefully and go to those approved driving schools and then insure themselves with those companies which have agreed to participate in the program set up by the Premier and my predecessor, they will face up to a 44 per cent decrease in their premiums.

As always, the problem has been anticipated and acted upon on this side of the House.

Mr. Kerrio: On that side of the House!

Mr. Sargent: Supplementary: In view of the fact that it's not working, what is the minister going to do about it?

Hon. Mr. Davis: I've more teenage drivers than you, so I know that it's working somewhat.

Mr. Sargent: Some of them are paying up to \$1,000 for car insurance to drive a car.

Mr. Speaker: The question has been asked.

Mr. Lewis: Some of them pay more than that.

Hon. Mr. Grossman: The member may wish to consult with his colleagues on the select committee on company law who have canvassed the whole problem of the allocation of insurance rates. They will tell him that if adjustments were made to disproportionately throw the burden of those rates on other drivers, it means that those drivers who are less likely to be involved in motor vehicle accidents would pay higher premiums than they're currently paying.

The whole principle of the system is that you pay according to the risk you represent; and while the system has its imperfections, I will say that the type of initiative that has been shown—

Mr. Makarchuk: For 30 per cent of them.

Hon. Mr. Grossman:—which permits people to upgrade themselves through things such as driving schools and approved courses is, we think, the fairest scheme.

At the present time, I am undertaking some discussions with a view towards studying the report of the select committee to see if perhaps it isn't time that the rating structure right across the board be looked at again.

CHAIN STORE DISCOUNTS

Mr. Swart: My question is for the Minister of Agriculture and Food. In the absence of the Attorney General (Mr. McMurtry), who has been unwilling or unable to provide the House with the information on which he based his decision that there was no illegality about the kickbacks or the discounts paid to the farm producers; and as the Attorney General said he based his decision on the information which was supplied by the Minister of Agriculture and Food, will that minister now table the information he gave the Attorney General, either here at this time or provide it to the resources committee this evening?

Hon. W. Newman: I'm glad to see the member has it well written out and well rehearsed.

Mr. Bounsall: That's better than you ever do.

Mr. Foulds: Maybe you should do that once in a while.

Hon. W. Newman: Sometimes we know what goes on in our ministry.

An hon. member: Not very often, though.

Hon. W. Newman: Mr. Speaker, in answer to the question—

Mr. Foulds: Bill, just get your tongue around those impromptu words.

Hon. W. Newman: In answer to the specific question, the Attorney General informed me this afternoon that he would have delivered to the committee tonight a letter on this matter.

Mr. Foulds: A letter—what about the evidence?

Hon. Mr. Davis: Wait until you read the letter.

Mr. Gaunt: Great anticipation.

Mr. Swart: Supplementary: In view of the fact that the Attorney General said he had only based that decision on the Criminal Code, the federal combines legislation and the Farm Products Marketing Act, could the minister tell us why he excluded the Farm Products Grades and Sales Act, which is pertinent to this? Will the minister or the

Attorney General also supply the opinion on whether that act was broken by the kick-backs?

Hon. W. Newman: This whole matter is in the Attorney General's hands. The Farm Products Grades and Sales Act will be dealt with. I could answer the question, but the Attorney General's letter will explain it, I think, and the member might understand it a little better this evening.

MILK SUPPLIES

Mr. Riddell: A question to the Minister of Agriculture and Food: Is he familiar with the recent formation of the Ontario Cheddar Cheese Association and with their concerns over the dwindling milk supply in the 5-A category? Is he aware that the cheddar cheese factory clientele are having to purchase a higher percentage of their cheddar cheese out of the province because of the shortage of milk?

If he is aware of these problems, does he intend to take any action to see that the cheese factories get their fair share of milk in this province; or is he prepared to let the cheddar cheese industry which we have developed over the years, wither and die?

Hon. W. Newman: I am very pleased that the member asked that particular question.

Mr. Foulds: Setup.

Hon. W. Newman: Yes, I would say it was a setup, because I am concerned about the total dairy industry in this province and it is in serious trouble right now under the national supply management scheme. I am not saying that national supply management is not a good idea, it is. But it is inequitable as far as Ontario is concerned today and I have the facts and figures to back it up—not only regarding cheddar cheese. We don't have enough milk to produce the cheese for export. We don't have enough milk to produce the cheese for our own needs here in the province of Ontario.

Mr. Sargent: Cheesy answer, Bill.

Mr. Stong: Full of holes.

Hon. W. Newman: We don't have enough milk to supply the milk powder and butter needs we have here in the province of Ontario.

Ms. Gigantes: How come Kraft always gets enough?

Hon. W. Newman: I am concerned that we need more basic MSQ from the Canadian Dairy Commission if we are going to survive in all aspects of the dairy industry in the province of Ontario.

Mr. Bradley: Pass the buck again, pass the buck again.

Hon. Mr. Davis: And you people from Essex—

Hon. W. Newman: Furthermore, I have already set up a meeting for June 5—providing the committee will allow me to go, with the inquiry and everything else that is on—with Mr. Whelan to put our case before him—

Mr. Roy: Oh, well, we will go with you, Bill.

Hon. Mr. Davis: You will be in Ottawa anyway.

Mr. Roy: That's right. You are not welcome to Ottawa.

Hon. W. Newman: —because we realize the seriousness of the total matter.

Interjections.

Mr. Speaker: Supplementary.

Mr. Riddell: Would the minister like me to accompany him on that trip to Ottawa so that I can make his case a wee bit stronger and see if we can't do something to help the province?

Hon. Mr. Rhodes: Are you starting to support the feds now, Stuart? Are you back on their side again?

Hon. W. Newman: I want to take representatives from the Ontario Dairy Council, the Ontario Milk Commission, the Ontario milk industry, the—

Mr. Warner: You need all the help you can get.

Mr. Foulds: You are really milking this.

Hon. W. Newman: —Ontario Milk Marketing Board, myself and two other staff. If there is room on the aircraft, we will be glad to take the member.

Hon. Mr. Baetz: If you pay your own way.

Hon. W. Newman: No, seriously, if we could possibly work it in, I would love to have the member go with us. He is welcome to go.

Mr. Kennedy: He can't go.

Hon. Mr. Davis: The fact that there isn't room is irrelevant.

Mr. Wildman: I don't want to go. Is the minister aware that there is such a shortage of MSQ in the northern pool that the latest sale of MSQ out of the Algoma district into the Tritown area was as high as \$60 a pound?

Mr. Eaton: That's cheap!

Hon. W. Newman: MSQ is usually sold at so many cents per pound.

Mr. Wildman: This is "around."

Hon. W. Newman: You are saying how much—\$60? I think you mean a hundredweight, do you? Okay, that makes it a little better.

Mr. Wildman: Yes, a hundredweight.

Hon. Mr. Rhodes: You had better go back to school.

Interjections.

Mr. S. Smith: Just a small matter.

Mr. Foulds: What is a hundredweight worth?

Mr. S. Smith: Two decimal places and you can't—

Mr. Speaker: Do you want an answer?

Mr. Foulds: Will the cabinet minister's own colleagues stop heckling him?

Hon. W. Newman: The control of the distribution of the small amount of MSQ we are given in this province lies in the hands of the Ontario Milk Marketing Board by legislation and regulation. The Ontario Milk Marketing Board, starting off the new dairy year on April 1, said, "If you wish to sell MSQ, market share quota, you must sell half of it to the board at a fixed price." They allow the other half to be flexible.

Mr. Foulds: I think you are really milking this issue.

Hon. W. Newman: The board now has a handle on at least half the MSQ. That was their decision and they have the power to do it that way. If there is a particular problem with a particular producer, and a lot of them do need MSQ, they should take their concerns to the milk marketing board. By the way, there is an appeal from the board to the Ontario Milk Commission that we are not satisfied.

Mr. Speaker: The time for oral questions has expired.

PETITION

RENT REVIEW

Mr. Warner: A petition to the Lieutenant Governor—

Hon. Mr. Davis: Are you presenting the Magna Carta again?

An hon. member: You already did that.

Mr. McClellan: An updated version.

Mr. Warner:—and the Legislative Assembly of Ontario in keeping with section 83 of the standing orders of the Legislative Assembly of Ontario.

An hon. member: Resign.

Mr. Bradley: Same names, different positions.

Hon. Mr. Grossman: Just another citizen.

Mr. Warner: I am petitioning the Lieutenant Governor and the Legislative Assembly that since it will not be possible for legislation to be drafted, introduced, given adequate discussion and passed between the June 15, 1978, reporting date of the standing general government committee and the deadline of the end of September 1978 which must be met for legislation to take effect on January 1, 1979, that the present rent review legislation be extended for at least six months as an interim measure. The petition is on behalf of and signed by the member for Parkdale (Mr. Dukszta).

REPORT

STANDING PROCEDURAL AFFAIRS COMMITTEE

Mr. Breaugh from the standing procedural affairs committee presented the committee's report which was read as follows and adopted:

Your committee has carefully examined the following applications for private acts and finds the notices, as published in each case, sufficient:

City of Ottawa;

Ottawa Charitable Foundation.

MOTIONS

STANDING RESOURCES DEVELOPMENT COMMITTEE

Hon. Mr. Welch moved that the proceedings of the standing resources development committee when considering the annual report of the Ministry of Agriculture and Food be recorded, transcribed and printed by Hansard in the format of the daily House Hansard.

Motion agreed to.

MINISTRY OF INDUSTRY AND TOURISM ESTIMATES

Hon. Mr. Welch moved that the estimates for the Ministry of Industry and Tourism be removed from the standing resources development committee to be considered by the committee of supply.

Motion agreed to.

INTRODUCTION OF BILLS

CHILDREN'S PROBATION ACT

Hon. Mr. Norton moved first reading of Bill 95, An Act to provide probation services to young offenders.

Motion agreed to.

LIQUOR LICENCE AMENDMENT ACT

Hon. Mr. Grossman moved first reading of Bill 96, An Act to amend the Liquor Licence Act, 1975.

Motion agreed to.

Mr. B. Newman: Is that the Mancini bill?

An hon. member: I hope so.

Mr. Rotenberg: Yes, sunset on Mancini.

CITY OF TORONTO ACT

Mr. Rotenberg moved first reading of Bill Pr23, An Act respecting the City of Toronto.

Motion agreed to.

[3:45]

ONTARIO FRENCH LANGUAGE SERVICES ACT

Mr. Roy: Mr. Speaker, you will recall that last week, on May 16, 1978, I introduced Bill 89, An Act respecting French Language Services in Ontario. At that time, I felt I could not introduce the French translation of the bill. I would like to introduce the French version of the bill now and leave it with the Clerk of the House to form part of that bill, as a translation of Bill 89.

Mr. Speaker: Understood.

EMPLOYMENT STANDARDS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 97, An Act to amend the Employment Standards Act, 1974.

Motion agreed to.

Mr. Mackenzie: Mr. Speaker, the purpose of this bill is to require an employer to provide a leave of absence to any employee who has been elected to provincial or municipal office so that the employee may be able to carry out the duties of an elected official.

CONSTRUCTION WORKERS RESIDENCE ACT

Mr. Samis moved first reading of Bill 98, An Act to provide for Residence Requirements for Construction Workers Employed in Ontario.

Motion agreed to.

Mr. Samis: Mr. Speaker, the purpose of this bill is to protect employment opportunities in the construction industry, in areas

of the province designated by the minister, for permanent residents of Ontario. May I add that I introduce this bill reluctantly.

HAMILTON CIVIC HOSPITAL ACT

Mr. M. N. Davison moved first reading of Bill Pr23, An Act to revise the Hamilton Civic Hospital Act, 1961-62.

Motion agreed to.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Welch: Mr. Speaker, before the honors of the day, I wish to table the answers to questions 51 and 52 standing on the notice paper. (See appendix, page 2812.)

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

ONTARIO MINERALS CONSERVATION ACT

Mr. Wildman moved second reading of Bill 88, An Act to conserve the Mineral Resources of Ontario.

Mr. Speaker: The honourable member has up to 20 minutes.

Mr. Wildman: Thank you, Mr. Speaker. I would use a portion of my time now and ask to reserve the rest of it at the end.

At the outset, I want to express my appreciation to Mr. Dave Phillips of the legislative counsel and to Grant Wedge, my parliamentary intern this session, for their hard work in assisting me in the preparation of the minerals conservation bill and my remarks in this debate. Both were most helpful.

I have introduced this bill for debate out of a sincere desire to establish some vehicle for rational planning in the mining industry in order to alleviate the boom-bust cycle that plagues all mining communities in this province. Over the years, towns such as Kirkland Lake, Elliot Lake and Sudbury have experienced rapid expansion as production increases by leaps and bounds, then sudden production cutbacks and massive layoffs and dislocations as market patterns change and the resource is depleted.

The boom-bust cycle has been the inevitable result of Ontario's approach to the development of our resources. This pattern of mineral operations is especially significant in northern Ontario and has resulted in one calamity after another for one community after another. It was the disastrous layoffs at Inco and Falconbridge last fall and winter,

of course, which focused my attention on the need to search for some means to end this vicious cycle, a means that might be acceptable to all members of this House.

The protest from the workers, the community, municipal and business leaders, the emergency debate in this House and the subsequent appointment of the select committee of which I was a member, its hearings and, finally, the lack of response by either senior level of government highlighted this need and emphasized the overall ineffectiveness of the government and of all of us as elected representatives, whatever our political stripe, in controlling the rational development of our resources and economy in general. I came to the conclusion that we needed some mechanism for smoothing the peaks and valleys of production levels, stabilizing employment levels in mining communities and conserving our resources for longterm utilization.

Despite the comments of the Minister of Natural Resources (Mr. F. S. Miller) during the emergency debate last fall—"Companies have learned to try to level their production for the sake of profit and also for the sake of their employment work-force"—I remain convinced that the profit motive will always take precedence over the well-being of the workers and their communities if resource development planning is left solely to the private sector. During the Inco committee hearings the minister's belief proved to be mistaken when it became obvious that the company accepted cyclical production fluctuations as part of the so-called stable employment situation in Sudbury.

Resource export markets are characterized by wide fluctuations in price to which the mining corporations respond with major changes in production, either more rapid depletion or sudden cutbacks, with little regard for the economic and social effects on the community or the province. Most multi-nationals are more concerned with the stability of their own growth, rather than the long-term stability of the communities from which the minerals are extracted. Thus their interests fundamentally conflict with ours as watch-dogs of the public interest.

If the private sector alone is incapable of managing our resources in the best interests of the people of Ontario, then my NDP colleagues and I are convinced that public ownership of our primary industries is essential if there is to be wise management of this sector, which is so central to a planned industrial strategy for the development of our economy. I recognize, though, that I would be more than naive if I supposed that

I could, by means of a private member's bill, persuade Conservatives and Liberals of this House to accept NDP policy. I hope, however, that the members of the assembly will consider legislation to ensure public accountability by the large resource corporations that develop our minerals.

My three New Democratic colleagues and I proposed this approach in our additional comments appended to the February final report of the select committee on the Inco and Falconbridge layoffs. I hope all members will agree that resource corporations must be required to consult with the government agency with regard to planning and development decisions and will support the principle of this bill.

The present system has proved inadequate since it is obvious that Inco did not consult at all with the government prior to the layoffs and even though the Ministry of Natural Resources had predicted production slow-downs as long ago as February or March 1977, no discussions took place between the company and the government.

Before preparing this bill, I consulted with other jurisdictions and discovered that other provincial governments, non-socialist ones I should add, have shown more concern for the conservation and management of their mineral resources than we have in Ontario.

The Thatcher Liberals in Saskatchewan brought in a Mineral Resources Act in 1965 and the Alberta Conservatives established an Energy Resources Conservation Act in 1971. My bill, though somewhat different in approach, has been developed with similar purposes in mind and I hope that Liberals and Conservatives, as well as New Democrats in Ontario will support it.

To effect management that is in the public interests, and to appraise the extent and value of, and the requirements for, our mineral resources, this bill would establish a mineral management board responsible for issuing five-year producing licences for all mining operations in the province. An application for a licence would be accompanied by a proposed mineral management plan, and an agreement would have to be worked out with the board. That is, a public authority would be consulted about the projected stability of the operation. It would ensure that the production levels approved would be consistent with sound principles of conservation and wise management. Companies would be required to make regular reports and could be subject to inspection to ensure that the conditions of their licences were complied with. The board would have the right to review,

revoke or modify producing licences if necessary.

The bill also provides for appeal procedures re decisions of the board and for public input. In this way a public agency would be able to bring an objective, reasoned view on the resource development and production levels, taking into account not only the company's economic position, but also that of the community and the province at large in setting conditions on producing licences. The government would have access to predictions of fluctuations far in advance and then it could make appropriate contingency plans.

The bill, as it's prepared, deals in detail with the composition of the board, how it would operate and how there could be public input. It also provides for the appeals to the board's decision and procedures for that in detail, and establishes a tribunal to which further appeals could be taken. Also, as a final stage, it would allow for appeals to the minister.

I don't think that anyone could accuse me of being too hard on the private sector in this bill. The attempt is simply to provide for a public agency that has some input into the production levels and that would be able to develop and understand the extent of ores in the province and be able to advise the government, as well as the companies, on how those minerals should be developed in the public interest.

As the Treasurer (Mr. McKeough) pointed out in relation to political decisions, in his speech in Vancouver on April 26, 1978—and I trust he would say the same thing here—"Important decisions cannot be made in private, and will only be accepted when they are made and advocated by those who are accountable."

In the words of the Ministry of Natural Resources discussion paper on the mining industry which was published in 1977—as a matter of fact it also predicted the difficult situation in nickel—I quote from page 12:

"Mining policy does not and cannot exist in a vacuum. Even the best mineral policy can only be effective, that is, ensure the continued health of the mineral sector, if there is some measure of co-ordination between it and the policies in other areas of concern. This requires the introduction of the concept of policy accountability of every policy-making unit for the effects of its proposals on the areas of responsibility of the other units. In this way, the inevitable tradeoffs between various conflicting requirements can be made in an intelligent fashion."

That, I'm sure, must apply to the private sector as well as to the public sector.

I think this bill goes some distance towards fulfilling these needs and I hope that it will gain support in this House. Some may view it as undue government intervention or as undue regulation of the private sector. But let's be honest and responsible and recognize that it is simple self-preservation and good sense. I hope all the members will give this bill serious consideration and will take this opportunity to establish a monitoring agency to help stabilize the mining industry in Ontario by supporting this bill in principle.

[4:00]

Mr. Acting Speaker: The member for Algoma has nine minutes left. Do you wish to reserve all nine minutes of your time?

Mr. Havrot: I welcome the opportunity to speak on this bill. This is an area in which I have a keen interest and some understanding.

The member for Algoma and I share some similarities. We both represent ridings in which mining is a large industry. We both sit on the resources development committee in which consideration is being given to this valuable industry. Yet I strongly oppose this bill. Let me give you my reasons, Mr. Speaker.

This bill is both naive and retrogressive. It demonstrates an amazing lack of insight into mining as a whole. This rather surprises me, since mining is such an important factor in the economy of the riding of the member for Algoma. He appears to want to direct the mining processes of tomorrow without knowing what happened yesterday and today to produce the industry as it is now.

The lack of assistance of a mining engineer in the preparation of this bill is also evident. The scope of the bill is impractical. It is impossible to draft universal production policy for the different minerals which are listed in the bill. Gold and silver are not geologically the same as iron or nickel.

Mr. Mackenzie: So?

Mr. Havrot: An attempt to treat the different minerals as if they had the same properties and to require, therefore, the same production techniques for them is foolish.

To ask a prospector—

Mr. Foulds: What kind of nonsense is this?

Mr. Havrot: —to prophesy the amount of gold or silver contained in an area he wishes to mine is impossible.

Mr. Foulds: Have you read the bill?

Mr. Havrot: This brings me to a second area of concern. Yes. Traditionally, it has been the small prospector who has made the mineral finds. Unfortunately, this isn't the case today.

Mr. Mackenzie: What area of concern is "yes"?

Mr. Havrot: The expense required to obtain the sophisticated technical equipment have all but put the task of exploration in mine development out of the reach of most individuals. The few who remain will be frightened off by extra capital demands required to produce engineering and market studies if this legislation is passed. This leaves only two levels with capital and the technology required for exploration and development—government and big business.

In the past, the most effective technique for encouraging exploration in mining expansion has been a co-operative effort between government and industry. At present, it would seem like poor timing and exceedingly bad judgement to legislate mineral inventory assessment and market forecasts when good co-operation already exists here.

Mr. Foulds: I beg your pardon? You have got to be kidding.

Mr. Havrot: The fact that a mine has not come into production in Ontario during the last three years should clearly indicate to all of us that the mining industry is reluctant to invest in the search for new mines because of present government control.

Mr. Foulds: Because of present government lack of management.

Mr. Havrot: The proposed bill would bring mineral exploration to a halt in Ontario and encourage mining companies and prospectors to spend their exploration budgets in other provinces.

On this question of timing, I think I might make one other point. The state of the minerals industry is such right now that it would be highly undesirable to further frustrate industry when the market conditions for mineral products is so unstable. The imposition of a mineral management board would be a very bad move at the moment. With world excesses of copper, zinc, and nickel, the market seems to be controlling itself anyway. We have only to look at the situation in Sudbury to realize the nickel resources we possess are in no danger of being bled dry.

This leads me to my biggest criticism of this bill. The people who constructed this legislation seem to have been suffering from tunnel vision. They have become so absorbed

with the ideals of conservation and management they have blinded themselves to any of the implications that can, and must, follow from such legislation. The irony of the situation is that the implications which will occur are precisely those which the New Democratic Party is so vocal in criticizing.

The New Democratic Party purports to be the protector of the small working man. This legislation would create another barrier to bar the individual prospector from plying his trade.

Mr. Foulds: How?

Mr. Havrot: The financial strains of contracting engineering and market studies before applying for a mining permit would effectively cut off his ability to participate in mining.

The same prerequisites, plus disclosure of confidential information to another unnecessary level of bureaucracy, would further discourage big business from engaging in exploration and development at a time when world market conditions, as pointed out, make them overcautious.

The New Democratic Party is constantly griping about the fact that they feel the big companies are not reinvesting enough of their profits in Ontario.

Mr. Foulds: Right on.

Mr. Havrot: This act probably would effectively perpetuate a situation that they feel pre-exists and they may even reconsider normal expansion plans.

Mr. Foulds: Why haven't they been investing in the past?

Mr. Havrot: Probably the most serious implication of this act, if passed, concerns jobs and the cash flow that employment creates. The New Democrats are continually criticizing the government for inefficient job creation measures.

Mr. Foulds: Right on.

Mr. Havrot: Perhaps they should take time to seriously consider the implications of this act.

Mr. Foulds: You split your infinitive there.

Mr. Havrot: Exploration and expansion in the mineral resource field means employment. This act would effectively stifle the initiative and the ability of an individual or a company to explore and expand. Therefore: no expansion, no new jobs.

Mr. Foulds: That's complete and utter nonsense. You know it.

Mr. Havrot: At a time of high unemployment, we should be trying to stimulate, not frustrate, employment. This act would effec-

tively conserve minerals, but it would equally serve to conserve if not magnify unemployment.

Mr. Foulds: Complete balderdash.

Mr. Havrot: The process does not end here either. The capital generated by job creation would assist not only the miners; the secondary industries that process the minerals would benefit, as would all facets of the economy.

Mr. Foulds: If the market is so bad, where are you going to sell it?

Mr. Havrot: The greater the employment level, the greater the cash flow, believe it or not; the honourable member might not understand that.

Mr. Foulds: No. Explain that to me, will you?

Mr. Havrot: The repercussions of this act would have far-reaching effects. In essence, it would stifle an economy that would recover much more effectively and quickly without this unnecessary interference.

In conclusion, I am intrigued by the prospect of seeing whether the New Democrats as a group will support this bill. If they do, they will be supporting the suppression of incentives for the individual and for industry which may aid in the recovery of the mining industry. They will be supporting a measure that will retain unemployment at a high level.

Mr. Foulds: Nonsense. That's a complete untruth.

Mr. Havrot: They will be retarding the free flow of capital that an improved mining industry would generate for the whole economy, and they would be legislating measures that would discourage rather than encourage large mining companies to re-invest profits in Ontario.

In essence, this bill would effectively create all the situations that the members of the third party have so often verbally deplored in the past. I would blush with shame if I were a New Democrat who supported this bill.

Mr. Foulds: I would blush with shame if you were a New Democrat.

Mr. J. Reed: Mr. Speaker, I believe it was this morning I was listening to the radio and I heard that six new mines have opened in Ontario in the past decade. I do believe that the record prior to that time was about 13 a year. On looking at this bill, I would suggest that if government were ever to introduce a document that would reduce that number to three or four in the next decade, this is probably the perfect medium.

It's interesting too that the explanatory note says, "The purpose of the bill is to ensure the conservation and wise management of mineral resources in Ontario," and yet the member presenting the bill said he was first prompted to draft this bill because of the cycle of layoffs in the mining industry.

Mr. Wildman: That is part of my reason.

Mr. J. Reed: It is a rather inconsistent thing. In terms of the cyclic nature of the mining industry in the marketing of metals, I cannot see anything in this bill that would do anything to level out that problem, which I am sure the member for Algoma must agree is a problem that has a world base; it doesn't have a provincial base. If he feels that the establishment of this board is going to enable the board to order a mine to keep producing regardless and to stockpile or something, then he is naive in the extreme.

Mr. Foulds: So's Larry Grossman's bill to raise the drinking age.

Mr. J. Reed: In terms of the interpretation section of the bill, under subsection (b) he interprets minerals to mean gold, silver, copper, lead, iron, nickel and coal. What about all the other minerals that we mine in Ontario, and why did he include coal? Admittedly, I must say that we do have some lignite in northern Ontario. I suppose that if we interpret that in its broad sense, we can call it coal. But what about aggregates? What about cobalt? What about molybdenum? Admittedly, the control of uranium is federal but surely, with the importance of the uranium industry in Ontario, some mention might be made of uranium.

The member for Algoma was railing at the industry because he felt they were really motivated for the sake of profit.

Mr. Foulds: Alone.

Mr. J. Reed: For the sake of profit alone. Let me submit that profits are one of the best mediums for providing incentive for new exploration. They're one of the best mediums for ensuring employment in northern Ontario. After all, mines need employees. In the technology that's being used in the mining industry at the present time, they need skilled employees. Prompted basically by the profit motive it's in the best interests of the mining industry to maintain the employment level at a high uniform rate, if possible.

I think that we should get over this attitude that the word "profit" is somehow a dirty word, because it's one of the great catalysts that keeps the world turning over and keeps people employed.

Mr. Foulds: That has led us to where we are.

Mr. J. Reed: He talks about a five-year licence. I would like to ask the member for Algoma how he can condone the issuing of a five-year licence when the mining company is probably saddled with a 30-year investment. Why would a mining company make a 30-year investment on the basis of having a five-year licence? I really can't figure that out.

Mr. Foulds: Never had your mortgage come up for renewal?

Mr. J. Reed: I don't think there is anyone in this House who is not concerned with conservation of our resources, especially with the conservation of our non-renewable resources, but I submit that the conservation of those resources is going to find its base line with the consumer of those resources and not with the producers of the resources. We are finding some of that influence taking place right now as we have depressed prices for some of our minerals. So that conservation is rather self-regulating.

An hon. member: No.

Mr. J. Reed: We're all concerned in the House, certainly my party has been very concerned, with the bureaucratization of our province and the fact that we recognize we're over-governed and over-regulated. We're controlled to the point where we very often can't move any more.

The body that is proposed in this bill can, I suppose, be likened to the Niagara Escarpment Commission, or to the conservation authorities—all of which are formed with good intent but run away with the ball when the thing gets into actual practice.

Mr. Foulds: You would like to do away with them all. Sell out the future.

Mr. J. Reed: When we witness the evolution of some of these controlling boards, what we find is that the control and the conservation was much better performed by the private sector before it was put under public control.

Mr. Foulds: Give us an example of that, will you?

Mr. J. Reed: The Niagara Escarpment Commission, if you'd like an example.

Mr. Foulds: No, no. Give us an example of where private control is doing something.

Mr. Acting Speaker: Order.

Mr. J. Reed: All right, I'll tell the member that the farmers on the Niagara Escarpment have done a darn sight better job of preserving the escarpment and the beauties of that area than the commission.

Mr. Foulds: Have they—

Mr. Acting Speaker: Order. I remind the member for Port Arthur this is not question period.

Mr. J. Reed: Thank you, Mr. Speaker. I'd like to know who's going to pay for all these levels of bureaucracy that we're going to create. Naturally, it's going to be the fellow who goes down in the mine; the guy who does the work ends up paying these taxes.

In conclusion, I would suggest that if the mining industry needs anything, it needs some relaxation of regulations; not the imposition of more.

[4:15]

Mr. Germa: I'm propelled to my feet to speak to this legislation because I think it is probably one of the most important pieces of legislation which has come before this House and one which would have a major impact on the riding that I represent, being that of Sudbury.

I think that most people in this House are aware and know that Sudbury is the biggest mining camp in the world. Make no mistake about that. We might try to pass ourselves off as not being a mining camp but we are still today, even though we are 160,000 people, basically a mining camp. Sixty per cent of the mineral wealth of Ontario comes out of the Sudbury basin.

Just so that you get an idea of the magnitude of the mining industry, Mr. Speaker, the wealth that came out of the minerals industry in Ontario in 1977 was \$2,192,775,000. The total for Canada was \$5.6 billion. So we see that Ontario generates almost half of the mineral wealth in the entire country. All of this wealth has been generated without any management whatsoever. Nobody has been minding the store, monitoring our reserves, or calculating what the mining companies are doing to this natural asset which is vested with the government of Ontario and is owned by the people of Ontario.

That is the first thing we have to understand: The ore body that is being exploited is owned by the people of Ontario. Consequently, the government of the day over the past 30 years has abdicated its responsibility in managing this very large asset. This is precisely what the bill would do. It would just bring management to a very important sector in the economy.

Mr. Foulds: Hear, hear.

Mr. Germa: Make no mistake about it. There are a lot of people involved. In 1975 there were 47,196 people in Ontario directly concerned with the mining of metals. There is a spinoff effect to this production of basic

wealth, Mr. Speaker, which you could probably multiply by four or five times; this will give you an idea of the magnitude of dollars and people concerned with the wise exploitation and preservation of this natural resource.

As a longtime resident of the city of Sudbury, I have certainly seen that the present *laissez faire* management of our resource has not been to the best interests of the people in that community or, in fact, the people across Ontario. The management of the resource has been to maximize profits only; profits at any cost—that is the name of the game; and the member for Timiskaming (Mr. Havrot) chooses to ignore what has happened to his own community of Kirkland Lake when the mining barons went in there and ripped out the ore body, then abandoned him and his people to a substandard form of life after generating billions of dollars in gold production.

Under this legislation there would be a monitoring and a wise extraction of the ore body to prolong its life and not have waste. We know that during the Second World War we had such a management board. We had in Canada then, to guarantee metals for our war machines, what we called a metals procurement board. The operation of that metals procurement board was similar to what is envisaged in the legislation; that there will be a reporting by the mining companies and an accounting of what they are doing. I defy anyone in this Legislature or in the province of Ontario to go to any central office and find out what the wealth of our known ore reserves are. There is just no way that these things are all brought together, because of the lack of reporting.

Mr. Foulds: Absolutely.

Mr. Germa: I think that is the prime purpose so that we, as the owners of this ore body, as the people concerned in the province, will know what we have in the bank. Right now, we don't know and the federal government doesn't know, and that is the ironical part of the whole thing.

I know there is somebody in the Sudbury basin, this large mining community of which I am speaking, who knows exactly what is in the bank as far as that vast complex is concerned. Certainly, Inco knows to the last ounce how much nickel, copper, platinum group metals, tellurium, selenium, and cobalt they have. They know all those figures. But will they share them with you and me, Mr. Speaker? They will not share that information because there is no requirement under the present legislation for them to give us that

information so, we as a government, can do some planning.

It even goes further than that. As a member of the city council in the city of Sudbury some 10 years ago, we were constantly in trouble trying to gear the development of the community services such as roads, sewers, water and hydro power lines, to coincide with the development in the mining sector, because it was for the miners we had to provide services. We passed motions and resolutions at the council requesting that the International Nickel Company come to the city council and level with us and give us their labour force estimates over the next 10 years. We asked them to give us their production estimates for the next 10 years so we, as a city council, could do some constructive planning to see the city of Sudbury was ready for this influx of workers when Inco decided to take out a particular ore body.

At no time did this company ever cooperate and provide the city council with information so we could do rational planning. Consequently, we are flying in the dark. At one point in time, we will have too many houses. At the next point in time we don't have enough houses. There is no way a community can function unless we can get the basic information from the mining companies.

Make no mistake about it, the information is there. You don't need a large bureaucracy, as was cited by the member for Halton-Burlington. That is not what we are all about. It is basically a reporting agency and licensing body, and the reporting of the information, I think, is the most important aspect to the whole bill.

There is also evidence—and I don't know why we don't use this more often. We have this great elephant to the south of us, the United States. They have preceded us in exploitation of their natural resources. Make no mistake about it, that country was once very rich in minerals.

When the Mesabi range, that great iron ore range, was discovered south of Lake Superior about 110 years ago, it was the greatest iron ore deposit the world had ever discovered until that time. The Americans, in their typical fashion, said: "We have so much iron that we will never run out of iron. The Mesabi range runs for 300 miles and it is all solid iron. We don't have to worry our heads about iron ore for ever and ever."

So they went to work and they built up this great industrial complex of theirs without any conservation, or monitoring, and lo and behold, within 100 years they had run out of iron ore. Where are they now? They are up

in Labrador. That is why they are up there. They are not up there because they like to go to Labrador; it is because they exploited a resource. They were not concerned with this wealth. There was so much wealth they could throw it away.

That is what I am trying to say, Mr. Speaker. We don't want to stop the extraction of a resource, we want to do it on a rational basis, and get the greatest value for the people of Ontario in the extraction of these vast assets we have.

Mr. G. Taylor: Thank you, Mr. Speaker. I rise to speak on the member for Algoma's legislation this afternoon, Mr. Speaker, and express my opposition to the bill as proposed by the member for Algoma. There are many flaws in the logic which has gone into the constitution of the bill and for the next few moments I would like to focus attention on a few of those flaws in the approach to the mining industry in the province.

The premises outlined and the purpose of the bill are laudable, as they usually are, but again they attempt to over-regulate and legislate an area of our economy that may not allow for that. To effect the conservation and wise management of the mineral resources of Ontario, to provide for the appraisal of the extent and value of the reserves and productive capacity of these mineral resources, to provide for the appraisal of the requirements for mineral resources in Ontario and markets outside in Ontario for mineral resources, are some of those premises he has put forward.

The important fact to note is that these three processes are already being done by the Ministry for Natural Resources. At this point, the bill offers nothing new—possibly something revolutionary, but nothing new.

Mr. Wildman: What? How can they both be the same?

Mr. G. Taylor: What is new is the method proposed to effect the conservation of and wise management of these vast and varied types of minerals that are listed. The member for Algoma apparently feels that a body as large as the Ministry of Natural Resources cannot properly manage the affairs and mineral resources of this province.

Mr. Foulds: They haven't so far.

Mr. G. Taylor: It is somewhat surprising to me that he does feel that a small board can do this job better. Furthermore, he rejects the abilities of the professionals in the mineral resources branch of the ministry in favour of board members who have no specific background in minerals or mining and who may appoint, from time to time, one or more

of their persons having technical or special training.

These suggestions smack of too much simplicity, impracticality, and a duplication of pre-existing services.

Mr. Germa: No. There is nothing.

Mr. G. Taylor: The Ministry of Natural Resources already is involved in the appraisal of mineral resources and the productive capacity through mineral inventory and other studies.

Mr. Germa: No, they don't.

Mr. Foulds: They don't have any.

Mr. McClellan: Absolutely wrong. Who writes this stuff, George? Some ministry hack?

Mr. G. Taylor: From past experience, such work has proved most effective when a co-operative sense has been reached between industry and government.

Mr. Germa: Some faceless bureaucrat?

Mr. G. Taylor: Legislation requiring that such work be done under prescribed conditions can only serve to damage an effective working arrangement which pre-exists between these two bodies.

Mr. Foulds: What two bodies?

Mr. McClellan: Name the bodies.

Mr. G. Taylor: As for the appraisal of the requirements for mineral resources, there are already ongoing commodity studies for such minerals as nickel and zinc and this act would only serve to duplicate services already being given.

Mr. Foulds: What service?

Mr. McClellan: Name the services.

Mr. G. Taylor: Besides the duplication of services mentioned above, there is evidence in many places of a serious lack of understanding of the practical workings of the industry.

Mr. Germa: Come on, I have been doing it for 40 years.

Mr. G. Taylor: The mining industry is a rather unique entity. Long periods of time are required to get an operation functional. It takes eight to 12 years to develop any reasonable mineral deposit—

Mr. Germa: Who told you that?

Mr. G. Taylor:—and a company is generally looking to 20-year operations. In this development context, a five-year licence as suggested in section 5(1) is entirely impractical. The industry's reaction would probably be to entirely stop exploration and development.

Mr. Foulds: They have now.

Mr. G. Taylor: It doesn't take an economist to see the error of this article. We

should be encouraging growth, not retarding it as this piece of legislation may do.

Mr. Foulds: Sell them out. Sell out the riches of the north.

Mr. G. Taylor: Section 5(2) would also anger people in the industry. Sales commitments and contracts are highly confidential information. This information is available to government upon request, possibly, if needed. I see no reason to write legislation which might serve to sour the good working relations which exist between the government and industry at present.

Mr. McClellan: Leo Bernier must have written this.

Mr. G. Taylor: Sections 6(1) and 6(2) are also unnecessary intrusions into the confidentiality of the companies' records.

Mr. Germa: It's our ore body. We own it.

Mr. G. Taylor: There is also an element of creating a paper war whereby the companies are required to compile large amounts of data which is time-consuming and of questionable worth to the government.

Mr. Germa: Who owns the ore bodies?

Mr. McClellan: It's our ore, George.

Mr. G. Taylor: On the practical side, a small board like the one proposed would likely become quickly swamped by these semi-annual reports—

Mr. Germa: It belongs to us. We both own it.

Mr. G. Taylor:—the data likely becoming outdated before it can be assessed.

An added danger in this reporting of confidential data is the possibility of accidental disclosure during the process of transmission or assessment. This again would cause uneasiness in the industrial sector which could be reflected in reduced or curtailed exploration and expansion.

Mr. Foulds: Why is the confidentiality so important to you if they all have to do it?

Mr. McClellan: If you have nothing to hide, why are you hiding it?

[4:30]

Mr. G. Taylor: What we do not need at the present time is an increase in the uncertainty in the minerals market in Ontario.

Section 7(1) allows government to alter or add new terms and conditions at any time. This section also is dangerous because it creates a sense of uncertainty when industry needs the assurance of predictability from government. This legislation will not allow the predictability needed in the minerals and resources section of our economy.

In section 14(1) a mineral production appeal tribunal is proposed. This would merely add another level of bureaucracy through which industry would have to function. Since industry already has access to courts of law, to the ministers, to cabinet and ultimately to the Premier in matters of appeal, this tribunal seems nothing more than superfluous, a duplication of already existing avenues, an increase in red tape and bureaucracy as we have not seen before.

In overview, this bill adds nothing new or useful to the mineral management program already existing in the Ministry of Natural Resources. At its best, it reflects the positive aspects already in practice at the ministry. At its worst, it proposes amendments which run exactly contrary to the current government policies of removing unnecessary regulations.

It would require an increase in the civil service with a complementary need for greater government to implement and enforce it. Perhaps greatest of all, it would create such uncertainty in industry as to discourage formation of new business and capital investment.

The New Democrats constantly cry in one breath for job creation, for regulations that require greater reinvestment of profits in Ontario and, in the next, propose legislation like this which is entirely counterproductive to their own policy.

Mr. Germa: Profit is a four-letter word.

Mr. G. Taylor: The way to help the plight in the minerals industry is to offer them assistance, not resistance.

This bill should be defeated, and the third party should begin to work on proposing methods of creating jobs and helping the economy, issues in which they claim to be passionately interested, rather than proposing bills like this which are both unnecessary and counterproductive.

Mr. Foulds: Who writes that crap for you?

Mr. McClellan: Disclose the author.

Mr. Foulds: Now you are ad libbing and stumbling.

Mr. G. Taylor: The matter of mineral resources greatly concerns the economy of this province. To put them under the strictures allowed for by this bill would put a great burden upon that industry.

We may have come too far. One member suggested that we had such boards during the war, but this is now some number of years later. We had many boards during the war. We had a common purpose, to defeat an enemy—

Mr. McClellan: We even had day care during the war.

Mr. G. Taylor:—and many people worked together. But our society no longer works that way. It has no solid purpose. But maybe we are coming back to that purpose again.

Mr. Makarchuk: It doesn't work—period.

Mr. G. Taylor: When we look at the years when we had that common purpose, we were all willing to sacrifice many things, the industrial sector, the employee sector, the employer sector. We all had a common purpose. But today, the purpose is individual, everybody wants what they can get as soon as they can get it, in industry, employees, employers, governments and all.

Mr. McClellan: Now we are back to free enterprise.

Mr. Swart: That is why we are going down the pipe.

Mr. Foulds: That is what you call free enterprise.

Mr. G. Taylor: And we are being overburdened today with the amount of government intervention in our economy, to the point the economy is probably bogging down.

We have heard from many avenues that we are overgoverned.

Mr. Makarchuk: It is bogging down because it is mismanaged. You guys never knew how to manage the economy.

Mr. G. Taylor: We have heard from many avenues that we are overgoverned. This would be another of those ever-increasing bricks on that avenue, further burdening an economy already overburdened with government intervention.

One has to look at this bill as another one of those intrusions. We would all like to see our resources totally under our control, but that is possibly a thing that should have happened many years ago. It is beyond our ability today, unless we want to bring down entirely the economy of this province and of this country.

Mr. Foulds: So you would sell them all out.

Mr. G. Taylor: There is no way possible we can exploit ourselves by buying back those industries now in the sector of the economy which best can manage them, with as little guidance as possible from the government of this country.

Mr. McClellan: Soon it will be all gone and we will be broke.

Mr. G. Taylor: They should receive guidance, not total regulation and legislation

and takeovers by an indirect method as proposed in this piece of legislation.

Mr. Makarchuk: That is why you have such high unemployment. You guys believe in putting people out of work.

Mr. T. P. Reid: Unfortunately, I must also rise to oppose Bill 88.

I must say I agree with the former speaker's speech writer. I would give the same reasons for opposing the bill.

The principle contained in the bill of having a central collection of information is helpful and is something perhaps that is necessary in Ontario. However, to go as far as this bill and to provide the powers that this bill does to provide yet another board and commission, I just cannot agree to do.

The government, rightly or wrongly, has set up a group of members of that side to look into the number of boards, agencies and commissions that exist in the province of Ontario with the view I thought even my friends on the left agreed with that we already have too many agencies, boards and commissions. We really don't need all we have.

Mr. Makarchuk: You don't have agencies, boards and commissions; you have an Ontario senate, that's what you have.

Mr. T. P. Reid: It really surprises me, Mr. Speaker—well I shouldn't say surprises because, as usual, my socialist friends are out of step with what's going on with the world. My God, the last thing we need to do to the mining industry in the province of Ontario—

Mr. McClellan: You are drowning, Pat. You are drowning.

Mr. T. P. Reid:—is to provide yet another layer of regulation on top of what they already have. I would have found it easy to support a bill that would have suggested—

Mr. Foulds: The poor things.

Mr. T. P. Reid:—better provincial-federal co-operation in the way of looking at the taxation structure on the mining business in the province of Ontario. I would have looked with favour on a bill that would rescind, if possible, C. 32 of the Ontario Securities Act which has destroyed junior mining, its development and exploration, in the province of Ontario. I would have looked with favour on some bill that might have rationalized all the problems in the mining industry and which would say, "Here are the guidelines under which you must operate, but these are guidelines and we're not going to be looking over your shoulder every minute of every day."

As we know, the mining business in Ontario and across Canada is in trouble. One of the reasons for that, Mr. Speaker, is the fact the Third World countries and South America are heavily subsidizing their mining industry as a tool and weapon of industrial development. They are, therefore, providing massive subsidies and exporting their minerals at a loss to their country to provide some kind of strategy of economic development within their own particular country.

The result of that, of course, is it increases the supply of metal on the market. The other result is because of the world economic situation, the demand has not risen to suck up that extra supply with the result that in many cases Canada and Ontario are at a disadvantage in competing on world markets. So it seems to me we, in this House, should be looking for methods to improve the level of competition that can be provided by Ontario mining, rather than yet putting another restriction and layer of regulation on it.

I have a number of mines in my riding. I have Steep Rock Iron Mines, and Caland Ore iron mines, located at Atikokan, which have announced well in advance—

Mr. Foulds: Not for long.

Mr. T. P. Reid:—they will be shutting down in late 1979 and 1980. It's going to put approximately 1,000 men out of work, which won't mean the end of that particular community because it has the best spirit of any community, I think, in northwestern Ontario. It is causing severe problems.

Mr. Foulds: Wait until the people at Fort Frances hear that, Pat.

Mr. T. P. Reid: Rainy River, Ignace, wherever they like, I say Atikokan—and not just because I was raised there—has a tremendous spirit and vitality. I would hope, I'm sure in my own mind—

Mr. Foulds: Probably in spite of it.

Mr. T. P. Reid:—that that town and community are going to continue, but we have serious problems there. I'm not sure this bill goes any way to help solve them.

I do want to say to my friend from Algoma I agree with the central idea of the registry, of the collection of data, of the catalogue of what is here and the plans, and what the markets are, as far as they can be known. I think that's a function, and a very important function, that should be carried out under the Minister of Natural Resources and the mining branch under him. We tend sometimes to think that civil servants are not as professional as others, or that they don't have the competence. But I think there is a great deal of competence in those two ministries

to deal with these problems. The trouble is that they don't get the direction from above, that is, from the minister and the government as a whole.

There are other people who wish to speak. I just want to reiterate that I cannot in conscience support this bill which I think would impose more regulation on the mining industry at a time when we need less. I agree with the central supposition of it but I can't support the concept of a board; certainly not one with the wide-ranging powers that the board would have under this bill.

Mr. Speaker: The member for Algoma has reserved nine minutes. There are about 10 minutes left now. Is there any agreement as to whether or not he would wish to share any of that with the member for Port Arthur?

Mr. Wildman: Yes.

Mr. Foulds: I'll take about three minutes, if that's agreeable to the member for Algoma.

I think the debate has been an interesting and enlightening one. I suppose it comes down to the fundamental question of who owns the ore. We in this party say the people of Ontario own the ore in this province. That it should be mined and exploited for the benefit of all the people of this province. Whether we do that in a mixed economy; whether we do that under some public ownership; whether we do it through mechanisms which the member has outlined, that is the basic principle we see.

We see, in looking over the history of this province, that the mining that has taken place in this province has been done with the idea of exploitation only. To use a phrase used by the member for Rainy River about some of the Third World countries, we have failed to use in the past our mineral riches to develop an industrial strategy for the province as a whole.

Mr. T. P. Reid: I would agree with that.

Mr. Foulds: This bill is an attempt to try to recoup before it is too late.

The example the member for Rainy River uses is a good one. He tells us that two mines in his riding are going to be defunct in a couple of years. What he does not tell us, and what is important in the situation at Atikokan, is that the Bending Lake development is not now going ahead. It is not now going ahead because CP Investments, that controls the mine, has decided it won't. It has told us that it is uneconomic to proceed with the mine at the present time, given the richness of the ore body. We have no agency, such as the one proposed by my colleague, to verify that. If we had the agency—

Mr. T. P. Reid: There are also 10 million tons of ore in that north angle, as well, that are easily got at. That is one of the reasons.

Mr. Foulds: That is the kind of information that should be available to the public and to the government on demand, and the agency that my friend is proposing would get that to us.

I just want to conclude by saying that this is a careful and thoughtful bill. It is modelled after legislation that is in place in the western provinces. It is workable and has not developed enormous bureaucracies either in Saskatchewan or in Alberta. If the members who talk about bureaucracy are really concerned about that, I would be glad to sacrifice half of the present boards, agencies and commissions that this Tory government has established in the last 34 years for one good effective agency, such as the one proposed here.

Some of the members who have spoken previously have said that profit is an incentive to development. I say that we cannot afford to have profits at any price. That is what we have had in the past. We have had profit at the price of mining safety in some cases. We have had profit at the price of high-grading. We have had profit at the price of shipping out jobs because we have not used mining, as I said previously, as part of our industrial strategy to create manufacturing jobs not only in the province, but especially in the north.

[4:45]

Mr. Wildman: I want to thank the members for their comments. I'm disappointed so many members disagreed with the bill. I just want to reply to some of the comments that were made.

First, the member for Timiskaming (Mr. Havrot) indicated he strongly opposed the bill and considered it naive. He couldn't understand why I, as a member from northern Ontario, would introduce such a bill when mining is as important to my area as it is to his. He then went on to say the present system is working well. There is good co-operation between government, big business and the companies now operating. Considering the history of Kirkland Lake in his own riding, he must be very naive if he can say the present system is working well in the interests of the mining communities of northern Ontario.

He did raise some problems in that he thought this legislation would make it impossible for the individual prospector to become involved in mining and to bring mines into production. He then went on to discuss,

as did other members, the lack of new mines coming into production in the last few years.

The reason for lack of new mines coming into production would not be exacerbated by this bill. There is nothing at all to prevent prospecting from taking place. As a matter of fact, one of the provisions of the bill is to encourage exploration and to monitor exploration. One of the stipulations for a licence would be that the company be engaged in further exploration. Frankly, we must monitor exploration. One of the best measures of the weakness of the mining industry in this province is the lack of exploration. When we see exploration going down we know there are problems and we must prepare for them.

That member is a prisoner of the biases of the government and of business and the corporate elite. This bill is not directed just at conservation, which will provide for more unemployment as he suggests, but is a management bill, a bill that is determined to have fair management and good management which would mean longer term employment, not short-term employment.

The member for Simcoe Centre (Mr. G. Taylor) indicated this is a redundant bill because all the functions suggested by the board have already been carried out by the Ministry of Natural Resources. Look at the history of Sudbury. If those functions have been carried out by the Ministry of Natural Resources they were not carried out very well.

It's a fact that almost a year prior to the announcement of the layoffs in Sudbury the MNR did know and did predict slowdowns in production in nickel, but nothing was done by the government. If there is a good working relationship between the government and the mining industry as the member suggests, then that relationship is exemplified by cosy agreements which benefit the companies to the detriment of the mining communities in northern Ontario. It's not something I would want to perpetuate. He suggested our society has no solid or common purpose. Well, if that's the case, it's hardly something my bill can be expected to rectify.

He suggested companies need as little guidance as possible and that this bill is an indirect takeover. How he can consider this indirect takeover, I don't know. This would not prevent the companies from making a profit. The companies would continue to operate, and would be encouraged to operate in a longterm utilization of our resources and the development of those resources. He suggested at the same time, that the bill is nothing new but is revolutionary and then

criticized me for flaws in logic. I suggest that that is quite a flaw in logic in itself.

The member for Halton-Burlington (Mr. J. Reed) suggested that the industry is cyclical. It is indeed. He wondered why a company that is going to have a longterm investment would be interested in a five-year licence. The reason for the five-year situation is simply because the industry itself has indicated that, certainly as far as nickel is concerned, the market seems to operate in cycles of four to six years. That's the reason for the five years. I should emphasize that licences under the bill would be renewable. There is nothing to stop longterm development of a resource at all.

To suggest conservation should be part of a self-regulation of the industry is ridiculous, frankly, because the reason it may conserve minerals now is there is a slowdown in the market. As soon as the markets turn up again there will be tremendous increases in production. We can see again what happened in Kirkland Lake.

Lastly, I am gratified the member for Rainy River (Mr. T. P. Reid) thinks the central idea of the bill is a good one. Unfortunately, I can't agree with him that it goes too far. There is legislation in other provinces. A Liberal government in Saskatchewan has brought in similar legislation and a Conservative government in Alberta, that is really concerned with its energy resources, brought in similar legislation. I just wish and hope the Liberal and Conservative members in this House will be as concerned with their resources as the Liberals and Conservatives in those provinces.

CHILDREN'S RIGHTS ACT

Mr. Elgie moved second reading of Bill 57, An Act respecting Proceedings on behalf of Children who are Maltreated.

Mr. Speaker: The honourable member has up to 20 minutes.

Mr. Elgie: I'm pleased to speak on behalf of Bill 57, An Act respecting Proceedings on behalf of Children who are Maltreated. As a neurosurgeon dealing with brain and spinal cord injuries I have, unfortunately, during my practice been exposed to some of the most horrifying examples of child abuse.

It's incredible, for example, to believe an abusive parent could go to the point of actually breaking a child's back over his knee, but that and even worse things do happen. We, as legislators, must continue to upgrade and revise the laws dealing with child abuse to attempt to control and prevent these

tragedies. Our efforts, and the efforts of society in general, must be aimed not only at crisis intervention, but at early identification and prevention, objectives which I know the Minister of Community and Social Services (Mr. Norton) shares with all of us.

As a parent of loving and loved children, I find, as I know we all do, that the whole problem of child abuse is abhorrent and incomprehensible. Kahlil Gibran has written that "children are not your children. They come through you, but not from you, and they are with you, yet they belong not to you." Still, the centuries old concept of children as chattels lingers on in the subconscious, and sometimes not so subconscious.

Mr. McClellan: Sometimes even in the green papers.

Mr. Elgie: You're commending the minister for the efforts in the green paper?

Mr. McClellan: I am agreeing with you.

Hon. Mr. Baetz: That's good.

Mr. Elgie: That's surely an unusual event in this House, we should have a drink over that.

Mr. T. P. Reid: I would worry about that. I just changed my vote.

Mr. Elgie: You may not support it

Hon. Mr. Baetz: It's okay, Bob; he recognizes greatness when he sees it.

Mr. McClellan: Oh yes, he'd be a superior minister.

Mr. Speaker: Order. The member for York East has the floor.

Mr. Elgie: We can look back in dismay today at early Roman law, for instance, which gave a father absolute authority over his children, even to the point of allowing him to inflict capital punishment. Even early English law, not too many years ago, still gave a father complete control over his children, without regard to their welfare. Fortunately, this situation has gradually changed over the years so now parental authority does have some legal limits.

However, the mere statement in references I'm sure all of us read from time to time, that parental authority has legal limits tells a bit of a story in itself. Children still do not have well established legal rights as individuals, a situation which is presently being addressed by the Canadian Council on Children and Youth in their recent report entitled *The Child as a Citizen*. It is a study that will reportedly go far beyond the question of legal rights of children before the courts. It has been said by one

reporter: "It will upset our smug assumptions that children in Canada never had it so good and will challenge our very preconceptions about the nature of childhood."

Mr. Speaker, Bill 57, the bill before us today is entitled, an Act respecting Proceedings on behalf of Children who are Maltreated. At the outset, let me make it very clear that it is not intended that his bill will in any way deal with or resolve the problem of child abuse. Legislation regarding the reporting and management of child abuse already exists, and as members know, it is anticipated that revisions will be placed on that legislation before this House in the near future.

Bill 57 concerns itself with the rights of abused children and civil law. In other words, the right to be compensated for injury, a right that exists for all other citizens. By emphasizing the existence of this right, it is my sincere belief and hope that awareness of child abuse by society and abusers will be heightened and the incidents thereby reduced. In other words, I hope that heightened awareness of the civil rights of children will help produce a deterrent effect. I believe many people would desist from battering their children if they were more aware of the rights children should have.

It seems incredible that children who have been battered by their parents in the past have not been able to sue in tort. Had they been injured by anyone other than a parent, there is little doubt that civil legal action would have ensued. The reasons for this deficiency are interesting and have been reviewed by Prosser in his handbook on the law of torts. Prosser is a reknowned American jurist who has stated, and I quote: "The chief reason offered is that domestic tranquility and parental discipline and control would be disturbed by the action, on the theory that an uncompensated tort makes for peace in the family and respect for the parent, even though it be a rape, a brutal beating, and even though the relationship itself may have been terminated by death before the suit."

Another American lawyer, Muriel Crawford, has added the following comments, which I think are of interest: "Moreover, none of these arguments have been used to bar suits by children against parents for a tort against property, nor to bar personal injury suits between siblings, even though the arguments should be equally applicable in all of these instances".

With the passing of the Family Law Reform Act in this province in 1975, this government and this Legislature made very clear

its position regarding the right of the child to bring an action against the parent. Chapter 4, section 3, states that "no person shall be disentitled from bringing an action or other proceeding against another by reason only that they stand in the relationship of parent and child." The principle is clear; in practice, however, there are some problems.

Firstly, civil actions in court by children are brought on by what is called a next friend and this next friend is usually the parent. For example, if my child was struck down today by a motor vehicle or injured by another person, as the parent of the child I would commence an action as next friend on his or her behalf against the person who caused the injury. Since the majority of child abusers are the parents, this first step becomes a hurdle usually not overcome unless the official guardian happens to be made aware of the situation.

[5:00]

Secondly, there is no legal requirement that those who are aware of an abuse must notify the official guardian, although in practice they sometimes, and indeed often, do.

Thirdly, there is no legal requirement that the official guardian must be the next friend, since the present Judicature Act requires that he do so only in accordance with any act, rule or order of a court or judge. There is no such act in existence and, therefore, it depends on a rule or order of a court or judge. There is, therefore, no well defined responsibility to report abuse and no well defined requirement that action take place as a result of that report.

Bill 57 is an omnibus bill which proposes amendments to both the Judicature Act and the Child Welfare Act. The main changes contemplated by the bill are as follows:

Firstly, under the existing Child Welfare Act, section 4(1), reports of child abuse "shall be rendered to the children's aid society or crown attorney." Bill 57 requires that such a children's aid society or crown attorney that has reasonable and probable cause to believe that a child has been abused emotionally or physically "shall report the information to the official guardian." The official guardian thus becomes aware of the situation in a more formal reporting setting.

Secondly, the existing Child Welfare Act refers to physical ill-treatment. Bill 57 would propose substituting the term "physical or emotional maltreatment" to broaden and to expand the concept of child abuse.

Finally, the Judicature Act would be amended to require that "where the official guardian is of the opinion that an infant has a cause of action"—thus there have been two

checks, keep that in mind; there was a probable belief in abuse by the children's aid or crown attorney, and now the official guardian has to feel there is a cause of action—"against one or more person, or another right of recovery by reason of physical or emotional maltreatment inflicted upon the infant, the official guardian shall institute and conduct a proceeding as next friend for the recovery of damages or other compensation in respect of injuries sustained by the infant, unless,"—and this is the key phrase—"in the circumstances such a proceeding would not be in the best interests of the infant." There's no question of whether it's in the best interests of anybody else. It's a question of whether it's in the best interests of the infant.

Some of these changes proposed in the Child Welfare Act may, of course, have to be reviewed and revised once the proposed children's legislation has been presented to this House. In the meantime, the requirement that a children's aid society or a crown attorney report to the official guardian seems to me to be a pretty straightforward approach. I did not specifically insert a requirement that various professionals must report, nor did I insert a penalty for such failure. It is my belief that such a section will be included in the proposed children's legislation package, and if it isn't perhaps such a section should be added to this bill.

The substitution of physical or emotional maltreatment for the existing physical ill-treatment phrase is, to my mind, an important one. It is true, and we all know this, that physical abuse is more easily defined and more easily recognized: the child's behaviour, repeated unexplained bruises, repetitive visits to doctors or emergency departments with odd injuries, strange fractures showing up on x-rays and other similar criteria help observers reach conclusions regarding physical abuse. It seems clear that neglect, emotional abuse and sexual abuse are as prevalent, or indeed more prevalent, and can have equally devastating consequences.

Dr. Bates, who is director of the child abuse clinic at the Hospital for Sick Children, has even gone so far as to state: "Emotional deprivation or neglect can be far more devastating than physical abuse to the child at an early age." Another pediatrician in Metropolitan Toronto, Dr. Ray LaForest, suggested at a recent child abuse conference that physical abuse constitutes less than five per cent of abuse. Certainly it's impossible to get a good handle on the extent of emotional abuse, since it really presents great problems, not only in definition but in identification. However, there is literature on the subject. For

example, a book entitled *Emotional Neglect of Children* by Robert M. Fulford of the children's division of the American Humane Association offers several definitions of emotional abuse. It is my feeling that we should not ignore this aspect of abuse simply because it is difficult to define. What constitutes emotional abuse would, of course, be settled in common law jurisdiction such as this by the first legal precedent.

But in any event, I recognize that it is a difficult problem and I would sincerely value comments from members of this House about this difficult definition problem. The revision of the Judicature Act requires that the official guardian, if he is of the opinion that an infant has a cause of action, shall commence such action or proceeding. It is my hope that this section will also allow the official guardian to bring an application before the criminal injuries compensation board in appropriate cases.

The Criminal Injuries Compensation Board Act, interestingly enough, under section 1(1)(d) defines injury as actual bodily harm and includes pregnancy, mental or nervous shock. So the concept of some emotional elements is there.

Under section 5 it is stated that "where any person is injured or killed by any act or omission in Ontario by any other person occurring in or resulting from, the commission of violence . . ." and so forth and so on ". . . there shall be the right to recover." So I believe the legal machinery is there to allow such a recovery from the Criminal Injuries Compensation Board in cases where there has been a criminal conviction.

The final proviso of that revision of the Judicature Act is that the official guardian may decide not to bring such action or application if, in his opinion, such a proceeding would not be in the best interest of the infant. The feeling here is that the decision would be based upon the interests of the infant, and it contemplates situations where families have recognized the problem and have clearly demonstrated a change in attitude and behaviour.

In conclusion, may I say that I recognize the futility of many civil actions against parents, we all do; but does that mean that children should be deprived of that basic right? I think not, and I look forward to hearing members' views on those various matters.

Thank you, Mr. Speaker.

Mr. Acting Speaker: Does the member for York East wish to reserve time at the end?

Mr. Elgie: Yes, if there is any.

Mrs. Campbell: Mr. Speaker, I rise to support this bill with every part of me involved, because it is a long time in coming before this House. The principle of the bill surely is one that has to have unanimous support. I recall some years ago when, as a member of the Metropolitan Children's Aid Society, we engaged in seminars on the subject, trying to wrestle with the best way to approach child abuse.

At that point we had some very fine speakers from the United States, who I must say rather frightened me a little in this approach. At that point they stated they found that where you had mandatory reporting, there seemed to be an increase in the loss of the child completely. I bore that in mind in approaching this particular bill. Certainly if it has that effect, then we have to rethink it.

But there has to be a method of reporting child abuse cases. As I have seen them in the courts, I don't think there is anything that so appals a judge as facing a case with evidence of child abuse. At this point, I'm speaking largely of physical abuse, of course. But we did see other areas where we were unable to bring any kind of assistance to the child because the evidence wasn't clear enough as to the emotional effects of a parental attitude.

One of the problems I envisage with this bill is that we may find we have, as I had in one case, a mother who so overwhelmed her son that he became, in a very bizarre fashion, very much a part of that mother. It's hard to approach that problem, because that mother had no comprehension of what she was doing to that child. But the child's rights simply have to be protected.

One of the problems I have with the bill is that, as the mover of the bill has suggested, we have to go into the whole area of prevention. This bill does not do that. For years, ever since I came into this House, and through a series of ministers, starting with the member for Cochrane North (Mr. Brunelle) and moving through his successors, we have begged for this government to take some action on the prevention of this sort of maltreatment. We have not succeeded, and that's why I have not been so impressed with the will of this government in that area.

We begged that financing would be put in place for the Sick Children's Hospital so that they could enlarge the Denver Module which they were using and which seemed, at the time at least, to be one of the most successful areas of prevention which we knew at that point. Instead of that, money was frittered away—a little bit here to this single-parent group, or a little bit

there to somebody else—and obviously the total effect of the money was not seen to be used in the most efficient fashion.

The question of compensation is, of course, a very difficult one. I had the opportunity of speaking with the member about my concerns with the wording of this bill in the compensation area, and I'm delighted that he has clarified for the House the fact that one might proceed either by way of a tort action for damages, or certainly in the alternative, where it is indicated, through the Criminal Injuries Compensation Board. It's interesting that I have had some discussions with Mr. Allan Crossman with reference to this very matter. I would hope that together we might move.

One of the problems again is, the reporting. There really isn't a good system by which abuse, be it physical or anything else, is properly reported. I feel that the children's aid societies would welcome the kind of direction which this bill gives, because in many cases the parents are not brutal and horrible. This sounds dreadful, but they're not.

[5:15]

I can think of a mother whose one child died and the other one was before me. She said to me: "You don't understand. I love my child." We have to understand the whole context of this kind of situation.

Certainly, with the children's aid trying desperately to retain some kind of relationship, I think that society needs this kind of direction. I know they would surely welcome it, so their role might be very clear and very precise, and leave to others the opportunity to bring about some kind of conciliation, if that's possible in some of these cases.

Without question, children must have recognized rights in our society. When they are damaged, they must certainly have the opportunity to be heard. I gave some thought to the question of the role of the official guardian in such a matter, and while I am not certain that is the best road to go, at the moment it certainly is better than what we have.

Even though we now have a mother entitled to be a next friend of her children—we've come a long way, baby, now a mother can be a next friend—it certainly puts her in a desperate situation if the damage to the child has resulted from actions of the father. To have someone in the role of an official guardian able to move into the scene is of tremendous importance in these areas.

I would want to see this bill go to committee because I think it can be improved as we discuss it. I would hope, perhaps we might be able to build into it in some form, not just the action indicated here but also including the element of prevention.

I would like to see, in some place, someone undertaking a really educational role. In some cases, a parent coming to this country is coming into a new culture, a different approach, and doesn't quite understand how we view the question—

Mr. Acting Speaker: The member's time has expired.

Mrs. Campbell: —of parent and child.

Thank you, Mr. Speaker. I am supporting this bill with everything I have.

Mr. McClellan: I am rising, also, to support the bill—

Hon. Mr. Baetz: Great.

Mr. McClellan: —the member will be pleased to know. I don't support it with the same degree of enthusiasm, if I'm not being unfair, as the member for St. George. I will support it on second reading, but unless the bill was changed substantially in committee, and I'll try to deal with my concerns, we would have to vote against it on third reading. I want to try to explain why.

Because of the time constraints, let me try to deal with four points.

The question of the extension of civil rights to children is a useful reform. I'm not sure I can say too much more than that, because I do not believe the matter of child abuse is dealt with in any substantial way through the reform. It is a reform, and it is worth supporting because it is a reform, but I'm not sure you can say a whole lot more than that. I'm not sure it's a significant measure. I don't think, quite frankly, there are many people to whom the reform would apply. The fact that there are some makes it supportable.

Mrs. Campbell: A lot.

Mr. McClellan: Those who have more experience with the courts, and perhaps even the member himself because of his background as a doctor, would have better knowledge than myself with respect to how many people would be affected by this particular measure. My own feeling is there aren't many who would have the financial resources to compensate a battered child for the injury sustained. If the intent is to try to redress that injury through the use of the personal financial resources of the battering parent, I say again I'm not sure how useful that is. I suspect the compensation can only come from public sources.

The second point I want to make is with respect to the definition of abuse in section 2 of the bill. While I applaud the extension of the definition of abuse to include emotional maltreatment, I would be unable to support a final bill that didn't have complete definitions attached both to the notion of physical abuse and to the notion of emotional abuse.

Addressing firstly the question of physical abuse, there is a certain ambiguity even within government circles concerning physical abuse. The member for York East began by setting out a very good statement with respect to the need to move away from the traditional concept of children as chattels, to move away from the traditional notion of the pre-eminent right of the natural parent. I applaud him for those sentiments and agree with him, but when we look at the green paper, the consultation paper on short-term legislative amendments, we find the ministry position really entrenches and reiterates very traditional concepts of the rights of the natural parent with respect to the child. We see that concept of natural rights pushed to an absurd extreme in the bizarre sections on adoption within the green paper. I think that's been withdrawn, but it illustrates the point that there is a lack of consensus within government circles. I hope the view of the member for York East prevails in the discussion. Pardon?

Hon. Mr. Norton: You don't know what a green paper is.

Mr. McClellan: Oh, I do know what a green paper is; and I know what the minister's green paper is all about. I know what the minister's advisers think and I know he has been forced to reject a lot of that advice. Even within the green paper the definition of physical abuse is quite inadequate.

Hon. Mr. Norton: You think if it looks white it is not a green paper.

Where do you get all this incorrect knowledge that you purport to—

Mr. Lupusella: Mr. Speaker, can you keep the minister in order?

Mr. McClellan: It is inadequate in that it defines physical abuse in terms of serious physical harm or sexual molestation. In other words, a child has to suffer severely before the protection of the child abuse laws can be applied to the child, and I don't think that's good enough. I wouldn't support legislation which left physical abuse undefined and I would not support legislation which left emotional maltreatment or emotional abuse undefined.

I am not prepared to leave it to the courts; that is a real copout. It's a bad way of pass-

ing law; and I say this to the member with respect. It is our duty to say what we mean when we pass law, and if we can't say what we mean we shouldn't pass the law, we should not leave it to the courts—

Hon. Mr. Norton: That is because you don't understand the tradition of the courts in a free, democratic country.

Mr. McClellan: —to interpret a question as crucial as what is physical abuse or what is emotional abuse. We have to define it. We can't just say physical abuse and leave it undefined.

The third point I want to address is the reporting provisions of the bill. As the minister knows, we are strongly in favour of the reporting provision and penalties because we don't feel that a reporting provision without a penalty is an effective reporting provision. If there is no penalty, I am afraid there will be no reporting. I would not be prepared to support a bill on third reading that had a section dealing with obligations to report child abuse but which didn't have penalties attached to it, because I think in some ways that's a step backwards. I expect the ministry to do what it said it would do in the estimates debate last year and bring in legislation that will have substantial penalties attached to the reporting provisions.

The final point that I wish to make, very briefly—and we'll have lots of opportunities to debate this both in the estimates and on the legislative reform packages—is the matter of prevention of child abuse and this government's commitment to the notion of prevention. Prevention is not a matter of law, I don't believe, prevention is a matter of services; and until there is a network of services in place in this province which can shore up the needs of families under stress, and provide real and concrete help to families under stress before child abuse begins to occur, or to become significant, then we're not doing anything at all in the area of prevention. Out of, I think, a budget of some \$80 million in child welfare last year, there was something in the order of \$300,000 allocated specifically to preventive child welfare services; that's simply absurd.

Hon. Mr. Norton: Plus \$25 million. Get your facts straight.

Mr. McClellan: Visiting homemaker services, for example, have been severely cut by this government. There is no more effective preventive social service to deal with the problem of child abuse than visiting homemaker's services, and yet that is an area where there have been major cuts by this government since 1975.

Hon. Mrs. Birch: That is not true.

Mr. McClellan: Until we see services in place and until we see resources going into preventive social services in the child welfare field, all of the lawyers' reforms under the sun are not going to address themselves to the problem of child abuse.

Mr. Acting Speaker: The member's time has expired.

Mr. McClellan: We will simply continue with the present crisis orientation. We will continue this in the estimates and on the reform package.

Mr. Jones: I rise today, recognizing the importance of this piece of legislation that's before us, and I compliment the member for York East. I know we all sense the very real sincerity with which he has presented it to us for our consideration.

Mr. Conway: He is a lonely progressive over there, I can tell you, a lonely progressive.

Mr. McClellan: Elgie for minister.

Mr. Jones: However, as we look at this legislation he did invite us to give our comments towards it, to give our full thoughts and deliberation, and I'm happy to have the opportunity to do so.

I think all of us, of course, were, in a very real way, shocked as he opened his introduction to the bill by giving us a first-hand insight into a very severe situation in which a parent, a mother, broke her child's back over her leg. That has to shock all of us. I'm certain that no language is too strong when it comes to the maltreatment of children and the righteous indignation that it stirs in us as legislators, and indeed as members of this society.

[5:30]

Mr. Bradley: Does that mean there is no guillotine this week?

Mr. Jones: I have an opportunity of working in a particular section of this government, the youth secretariat where we deal with ages that go down to youngsters in this category and today we are concerned that young people all have equal opportunity and not have scars as they come in to take their rightful role in society. We turn our thoughts to a host of things. These young people that I have the pleasure of working with, I assure the House when they are called upon, that generation will be capable of managing the affairs of Ontario and dealing with the current issues, as we are this day.

As I work with these young people in such programs as venture capital and I see their unbridled optimism and enthusiasm, it

gives one reason to be encouraged and to be protective towards those types of backgrounds that they would have and those stumbling blocks that might hinder them in making their full progress.

The Minister of Consumer and Commercial Relations (Mr. Grossman) announced this afternoon, a number of components of that package of alcohol—

Mr. McClellan: This has nothing to do with the bill. Have you read the bill?

Mr. Jones: I would think we would be wrong not to take a look at the studies available where they have identified alcohol as being a factor in some of the issues that have resulted in child abuse and the other types of mistreatment of youngsters. So I was happy to see the government coming forward with a very responsible attitude towards alcohol, calling on society as a whole—

Mr. McClellan: You haven't even read the bill.

Mr. Bradley: Dragged in, kicking and screaming.

Mr. Jones:—and making a lot of specific changes in that direction, because the maltreated and abused child is an aberration of our society. We must do everything in our power to see that abuse of children, both physically and emotionally, is purged from Ontario. However, I agree with what the Minister of Community and Social Services said on April 19: "We, of course, do not have the right to legislate the family experience." That reply was a comment he made to someone making a specific inquiry.

I feel that the bill before us presents the threat of a very real intrusion into the affairs of the family in Ontario. There are a couple of highlights, as I see them, and I would like to express them this afternoon.

Mr. McClellan: Here comes the schizophrenia.

Mr. Jones: The family in Ontario is in a transition and the Provincial Secretary for Social Development, as the members know, has posed the question of how the social policy of Ontario can best support the family. The theme that the provincial secretary has taken is that the government recognize the importance of dealing with the family as a unit rather than a group of individuals when we design or evaluate our social programs.

The legislation that the member for York East has introduced says "one member of a family"—and I am questioning this—"one member of a family could perhaps be set against or at odds with another." Perhaps the reconciliation would better serve the interests of the child. We as a government have recog-

nized that there is no way any agency can fulfil the needs that the family can provide. I think we can all agree on that. Perhaps this is due to the seemingly unbreakable bond between parent and child. Admittedly, it is difficult to convey the nature of family bond in words, because it is a bond based on emotions. This difficulty appears also in Bill 57.

What can we define as emotional abuse? Other speakers before me have referred to this, and indeed the member introducing the bill has admitted the problem. At what point does parental discipline become abuse? Is the child who is forced against his or her will to take piano lessons, say, abused? If so, we would probably have no pianists. The point that I mean to convey is that all relationships between family members are developed without thought or pretense and all parental discipline is based on emotion. Is this emotional harm? That is the question. I think not.

We must place more emphasis on the parents to teach a respect for authority. With this, perhaps, we would see fewer instances, for example, of youth in conflict with the law and some of the other negative things they see themselves confronted with in today's society.

Mr. McClellan: This is Ontario's youth policy?

Mr. Jones: I believe the dispensing of parental discipline, in the vast majority of cases, is judicious and responsible. In the majority of cases, the attitude that "this hurts me more than it hurts you" is true. Hopefully, parental discipline has a shared effect that strengthens the bonds of the family in the long term.

A problem I have with this bill is that it leaves the observer to report the incidence of emotional abuse. I believe this imposes the values of the observer on the family unit.

Mr. Cooke: They don't make the judgement.

Mr. Jones: This is a weakening of the individuality of the fundamental unit of our society. The children's aid society—and this has been mentioned by earlier speakers, including the member for St. George and, indeed the mover of this bill—has the authority now to investigate and act on cases of maltreatment of children. This bill proposes to establish a parallel body within the legal guardian's office to determine whether civil action for damages ought to be brought.

Mr. McClellan: What confusion within the social development field over there. This is really nuts.

Mr. Jones: I cannot reconcile this duplication for reason of costs during a period of constraint—

Mr. McClellan: Do you guys ever meet?

Mr. Jones: —or for the reason of the conflict that might occur between the agencies.

This is private members' business and I am expressing my private opinion on this.

Mr. McClellan: You are the youth secretary.

Mr. Bradley: The member for York East is making a face when you're saying that.

Mr. Elgie: A smiling face.

Mr. Jones: Imagine the children's aid society encouraging therapy in order to keep the family together while concurrently, the legal guardian proposes to bring charges against the parents on behalf of the child.

Mr. McClellan: This is the youth secretariat of the province.

Mr. Jones: It seems to me that, while I support the bill in principle, these are parts of this bill that, indeed, will have to be examined as it goes forward to committee.

Mr. Mancini: Is it going to go forward like my bill?

Mr. Jones: As I said earlier, I appreciate what the member for York East is saying as he refers, perhaps, to the welfare of children in the sense of parents who do not fit that norm I referred to earlier. Hopefully, the present therapeutic and counselling bodies of the province are capable of dealing with them.

My conception of our civil justice system is it is a last resort to be utilized when all other negotiations and reconciliations fail. To implement this bill as proposed would, however, encourage the use of the courts before all other negotiations and proceedings are exhausted—

Mr. McClellan: You haven't even read the bill; you are totally confused.

Mr. Jones: —partially because the crown and not the injured party would be empowered to initiate the proceedings. That is in the bill.

Mr. McClellan: You are going to get heckled from behind in a minute.

Mr. Jones: While I support the bill, in principle, I have some very real problems with the specifics. The final reason I am opposed is that—

Mr. McClellan: It's time for Barry Goldwater to come out.

Mr. Jones: —any awards made would be limited, in practice, by the parents' ability to pay.

Mr. Speaker: The honourable member's time has expired.

Mr. Jones: I would close by saying most of the parents who come into mind in the incidents, and this is borne out by the report, are not necessarily people from those income brackets where this would be a factor.

Mr. Bradley: Who said Attila is dead?

Mr. Sweeney: I rise to support this bill with no qualifications and with no reservations.

Hon. Mr. Baetz: That's great.

Mr. Sweeney: I say that for two reasons. The first is, I find myself in general philosophical agreement so frequently with the member for York East I feel he must be in the wrong party.

Hon. Mr. Baetz: Come on over.

Hon. Mr. Norton: You are welcome, John. Two of your colleagues have already offered to come across today.

Mr. Sweeney: As my colleague from Renfrew indicated earlier, if the member for York East must be in that party, surely it's because of the "Progressive," not because of the "Conservative."

Secondly, I appreciate that what we're dealing with at this particular point in time is the principle of the bill and we will have opportunity in committee later on to amend it, to fine tune it and to take into consideration some of the reservations to which several of the previous speakers have alluded.

I support this bill, as I say, because of the principles involved. I would like to touch on a couple of those. The first is that parents don't have absolute chattel rights over their children, they may not do whatever they choose to do with them. I say that as a parent. I say that as a father in a family—and I say "in" not "of," in a family, as a member of that family. I don't believe that I have those kinds of total, unlimited rights over my children; I think we have to say very carefully that we don't believe that other parents do. I also say, in reference to the immediate past future, that I don't want to see any unnecessary intrusion into family life in this province.

In most cases the families are able to look after themselves. But it is clearly evident, not only from the incidents that were brought to our attention by the mover of this bill but others that many of us are aware of, that there are some horrendous and unforgivable things happening to some children in some families in this province. We must surely stand forward and be a protector for them.

Therefore, the second principle of the bill which is enunciated, is that we say defenceless children and infants in this province have a right to a protector. It has often been said that the quality of any civilization is the degree to which it protects its defenceless—whether children, the aged, or the handicapped. That principle I see in this bill.

The third principle that I strongly support is the use of "shall" in reporting—not "may," not "should," but "shall." If there is one thing that has held so many people back, it is the natural human fear of reprisal in some form; reprisal, in that maybe they might be wrong, reprisal of suit, reprisal of ridicule, whatever it happens to be.

I would sincerely hope that the implementation of this bill, or some other bill like it—maybe at this point I could strongly suggest to the minister that maybe even a stronger bill coming from him or his parliamentary assistant is what we need.

Surely we need to say "shall." We need to give people who would want to report the assurance that they are doing the right thing, that they will be supported and that we don't expect them to be absolutely perfect or that they can't make a mistake.

I was pleased to hear the member for York East make a couple of references. He said, for example, that what we needed to be concerned with is the best interest of the infant or child, not somebody else's best interest.

He also pointed out that in ancient times—I believe he was referring to Rome—that a father had absolute authority over his child, even to the extent of capital punishment and being able to destroy that child. We know that in ancient Sparta a father would have the right to take a defective child out in the mountains and leave it there to the elements to die.

Mr. Foulds: Down with Sparta.

Mr. Sweeney: People in this day and age think that that kind of practice is barbarous; but the member for York East may remember that only a year ago in the summer of 1977 a church committee in this country recommended that defective babies be allowed to die. There was a wave of revulsion and horror sweeping this country. Yet what many people don't realize is that that precise practice has been going on for years. As a matter of fact, the December, 1974, edition of the *Journal of Paediatric Medicine* clearly identified that of the last 50 infants who were taken to the Hospital for Sick Children and who had an intestinal obstruction which would not permit them to accept food and who also just happened to have Down's

syndrome—in other words they were retarded—of those 50, 27 were not operated on at the decision of the parents. Those 27 infants, without anyone else to protect them, were stuck in a corner of that hospital and allowed to starve to death. We need protection for that too.

[5:45]

The member for York East referred to maltreatment. I would hope that eventually this bill would also include lack of treatment. There is enough evidence that there are children who are being refused treatment. There are enough children who are being maltreated, either physically or emotionally, who need assistance.

In closing, I want to support the contention of the member for Bellwoods (Mr. McClellan) that legislation like this has really no weight if we are not prepared to go one further step. That is to provide as much assistance and support as we possibly can to the family units of this province that require it.

It is hypocritical of us to say to members of family units, "you shall not do this," and "you shall not do that," even as we recognize the terrible internal pressures which are driving many of these families to do things they would never do under normal circumstances; driving them to abuse their own children against their own deepest instincts. Yet the pressures on some families do exist. Surely, therefore, either within this bill or in companion legislation, we must make provision for such eventualities, and also, as the member for York East said, prevent what could happen. If we don't do that, then we are being hypocritical, even with an excellent bill like this.

Mr. Elgie: In the very short time remaining I want to extend my thanks to members who have supported the bill in principle and to those who have supported it in more than principle.

I wish the honourable member for St. George were here. She mentioned the difficulty she had with a troublesome case of emotional abuse, and I'd like to tell her this story.

Last week, the son of a friend of mine, who is a social worker, told me the trouble he was having. He was advised of a case of emotional abuse and went to visit the home. He was greeted at the door by a mother who said: "Okay, I knew you were coming. Look at the kid. You won't find a mark on him. I feed him three meals a day; but I hate him." That's emotional abuse, I say to the member for St. George, and that's not hard to identify.

Mrs. Campbell: You're right.

Mr. Elgie: The problem is the definition, and we all know that; but I appreciate her remarks very much.

I won't take time to go over all of the comments of the member for Bellwoods, but I do appreciate them, and also his criticism. I take it all in the way he intended, assuming it was well intended.

Mr. McClellan: Absolutely.

Mr. Lawlor: You don't like emotional abuse?

Mr. Elgie: I'm not as obsessed as he is with the need for an exact definition, because I like to feel that the courts have a pretty good capability for making a good determination on issues such as this. However, I did mention earlier that it was a problem we had to face and could face in committee.

Finally, with regard to the comments of the member for Mississauga North I wish to say that no one could object to his view that we shouldn't intrude into the life of the family. But I would like to quote to him a study entitled: *Protecting the Battered Child*, which states it has been well established that 90 per cent of the families involved already have serious social problems; we're not intruding into a healthy situation.

The member also made a comment about the income level of such families. The interesting thing about this study is that financial difficulty was a problem in only 22 per cent of the lengthy series reported in *Protecting the Battered Child*. I would submit to you that child abuse is not the domain of any one socio-economic group.

Mr. Speaker: We have about a minute and a half. Would the member for Windsor-Riverside like to make a brief comment?

Mr. Cooke: Sure.

I had prepared a more lengthy talk on this bill, but maybe I can make just one point, coming from the children's aid society as an employee before being elected. I'd like to mention to the sponsor of this bill some of the problems being faced with this problem of child abuse.

This is the problem of prevention versus protection. The problem in children's aid societies right now is that the workers in the societies don't know what their role is. The Child Welfare Act provides for both protection and prevention. The workers go out, do investigations; and then their role becomes prevention—preventing the child coming into care.

The end result is that crown wardship or some type of temporary wardship seems to be viewed as a failure. Children are being returned to parents, being returned to their

families, and then we have these tragic cases that have taken place and received a fair amount of publicity and attention in this House over the last few months.

The government has to come to grips with the two jobs of children's aid societies, they have to be separated. We have to have an agency or someone in charge of being an advocate for the children to make sure that someone is looking after their interests, not an agency's interests and not their own personal interests. We have to have someone out there who will take the case to court, will fight it, and will appeal it too.

When cases go to court under the Child Welfare Act, children's aid societies very seldom appeal the case if they lose. That's another aspect, and it's a very important one.

Mr. Speaker: Order, please.

MINERAL RESOURCES OF ONTARIO CONSERVATION ACT

Sufficient members having objected by rising, a vote was not taken on Bill 88.

CHILDREN'S RIGHTS ACT

Mr. Speaker: Mr. Elgie has moved second reading of Bill 57.

Motion agreed to.

Ordered for standing committee.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, may I take the few remaining moments to indicate the order of business for the balance of this week and next week?

Tonight, at 8 p.m. sharp—

Mr. Foulds: With a full quorum.

Mr. Conway: Larry did it so well.

Hon. Mr. Welch:—and we do have some reserved seats left; here, at 8 p.m., the budget debate; the budget debate from 8 to 10:30 tonight—at what time those of you who are here may have a preview of the Montreal victory tonight as well.

Mr. Conway: What does Sidney think about that?

Mr. Handleman: Those are my kind of Canadians.

Mr. Roy: You like winners, don't you?

Hon. Mr. Welch: Friday morning, that's tomorrow morning, the House will be in committee of supply and will continue its consideration of the estimates of the Ministry of Northern Affairs.

The business schedule for the week of May 29 is as follows: On Monday, the House

in committee of supply considering the estimates of the Ministry of Northern Affairs; Tuesday, in the afternoon, we will take into consideration legislation, the following bills in this order: Bills 35, 90, 91, 80, 81, 82, 83, 84; in the evening, the following bills in this order—

Mr. Nixon: Oh, Lord.

Hon. Mr. Welch: —85, 92; following which we will continue with any of the bills which we have set out for the afternoon which were not completed in the afternoon, that is any of the bills between 80 and 84.

Wednesday, the general government committee, resources development committee and the justice committee may meet in the morning.

Thursday afternoon, the private members'

public business will be Bill 89 standing in the name of the member for Ottawa East (Mr. Roy); and ballot 24, being a resolution standing in the name of the member for Beaches-Woodbine (Ms. Bryden). In the evening on Thursday we will continue with legislation not concluded on Tuesday, following which we will then call the 21st order, as it's recorded on today's order paper, being the adjourned debate on the report of the standing members' services committee. On Friday the House will be in committee of supply, again considering the estimates of the Ministry of Northern Affairs.

If there are no further questions on that, may I call, then, for the evening attraction, the third order?

The House recessed at 6 p.m.

APPENDIX

(See page 2789)

ANSWERS TO QUESTIONS ON
NOTICE PAPER

HURONIA REGIONAL CENTRE

51. Mr. R. Mackenzie (Hamilton East): Would the Minister of Community and Social Services please provide the following information concerning the Huronia Regional Centre: One, how many people have been hired to date for 1978 summer employment at the centre; two, how many of those hired were taking community college or university courses in mental retardation; three, how many were from other courses; four, how many of those hired were from Orillia; five, how many from other parts of the province; six, how many of those hired had previously worked at the centre, voluntarily or on payroll; seven, how many who had previously worked at the centre, voluntarily or otherwise, who had applied for this year, were not hired; eight, how many of those in number seven were from Orillia. [Tabled May 10, 1978.]

Hon. K. Norton (Minister of Community and Social Services): I have attached on the following page information responding to the eight questions raised by Mr. Mackenzie in question 51, order paper 51. For your information, the ministry operates three summer employment programs at the Huronia Regional Centre, namely: SSPR for high school students; task-based summer employment for university or college students; and Experience '78. Mr. Mackenzie's questions would appear to be directed primarily towards the task-based summer program, which was the subject of some local controversy.

	(a) SSPR	(b) Task- based	(c) Exp. '78	
1.	78	168	20	266
2.	N/A	58	0	58
3.	N/A	110	20	130
4.	74	135	16	225
5.	4	33	4	41
6.	48	82	7	137
7.	16	21	0	37
8.	16	0	0	16

(a) SSPR (high school students): (i) Re number five, this program did not have the specific criteria of preference to local high school students. However, all 78 positions were offered to local students who performed well on the criteria established for selection. Four students declined the positions and the next

four who met the criteria were from outside the immediate hiring area.

(b) Task-based summer program (university and college students or grade 13 students accepted into college): (i) Local hiring area defined in terms of Orillia, Barrie, Midland and Gravenhurst; (ii) Re number five, includes 21 MRC students from Cambrian College who were given first priority along with Georgian College MRC students. The remaining twelve (33-21) in number five were recruited from outside the area because their specific training was not available locally.

(c) Experience '78 (experience-based university student program): (i) Re number five, four students were recruited from outside the immediate area because of their specific expertise and experience; (ii) This program did not attract very many applicants, probably because of the low pay scale in relation to university students' needs.

WORKS PROJECTS FOR
INMATES OF INSTITUTIONS

52. Mr. E. Ziemba (High Park-Swansea): Will the Minister of Correctional Services list the works projects undertaken or projected for convicts. Which of these tasks were performed by the public or private sector in the past. [Tabled May 11, 1978.]

Hon. F. Drea (Minister of Correctional Services): The attached is a list of work projects which have been undertaken by or are planned for inmates of the Ontario correctional system. A basic condition placed on each project before its inception is that no wage-paying jobs in the community may be replaced due to these projects. Most of the listed projects simply augment and enhance ongoing programs of the relevant municipality, ministry or organization. The remainder of the projects are new initiatives. In summary, since the listed projects either augment established programs or may be viewed as new initiatives, they were not in the past performed by the public or private sector.

Community work projects, September, 1977, to May, 1978; central region:

Mimico Correctional Centre: Lakeshore Psychiatric Hospital, seven inmates as volunteers assist with patient care, ongoing; HMCS Haida, restoration of interior and exterior, eight inmates, ongoing; Canadian Red Cross, telephoning blood donors, four inmates, ongoing; Day Assessment and Rehabilitation of

Etobicoke, assist with arts and crafts, seven inmates, ongoing; Madeira House, general renovation, five inmates, completed; Stanford House, painting and general cleanup, two inmates, completed; Wycliffe College, general maintenance and restoration, eight inmates, ongoing; Providence Villa, assist in preparation for Spring Festival, eight inmates, seasonal; Mississauga Parks and Recreation, beach cleanup, five inmates, seasonal; *Joe's Job Referrals, snow shoveling, six inmates, seasonal; Stother's Child Care Centre, general maintenance, repairing toys, one inmate, completed; *Borough of Scarborough, snow shoveling, 37 inmates, seasonal; *Etobicoke YMCA, spring cleanup, six inmates, completed; *St. Richard's Anglican Church, spring cleanup, six inmates, completed; *Silent Voice, relocation and decoration of headquarters, 40 inmates, completed; (*also utilize intermittent inmates).

Niagara Detention Centre: City of Thorold, planting trees in cemetery, four inmates, ongoing; Adult Rehabilitation Centre, St. Catharines, one inmate, ongoing.

Maplehurst Correctional Centre: Halton Regional Conservation Authority, reforestation, road and rail construction, 24 inmates, ongoing; Milton Parks and Recreation Department, general cleanup, 16 inmates, ongoing; Ontario Rail Association, railway right-of-way clearance, 16 inmates, proposed; Milton Lion's Club, bus shelter renovation, proposed; North Halton Association for the Mentally Retarded, grounds keeping, painting and decorating, six inmates, ongoing; town of Milton, Santa Claus parade float construction, six inmates, completed; Canadian Cerebral Palsy Association, assisting handicapped child with exercise program, three inmates weekly, ongoing; Milton Chamber of Commerce, historical site, grounds-keeping, eight inmates weekly, ongoing; St. John's Ambulance, first aid trailer renovation, four inmates, ongoing; Ontario Agricultural Museum, antique farm implement restoration, grounds-keeping, five inmates, ongoing; Milton Fire Department, grounds-keeping, six inmates, ongoing; Halton Centennial Manor, snow shoveling and grounds maintenance, six inmates weekly, ongoing; Optimists Club, grounds-keeping, proposed; Milton District High School, tape recording for perceptually handicapped, two inmates, ongoing; Ministry of Natural Resources, forestation work, 20 inmates, proposed.

Barrie Jail (Camp Hillsdale): City of Barrie, development of Barrie Winter Carnival site, several inmates, completed; city of Barrie, snow shoveling around bus stops, several inmates, seasonal; Hockstone Museum, prepar-

ing old machinery for exhibit, 19 to 24 inmates, ongoing; Ministry of Natural Resources, forestation work, 12 inmates, ongoing; city of Orillia, Stephen Leacock Home, general cleanup, seven inmates, ongoing; town of Midland, Bayberry Estates, general cleanup, eight inmates, completed; village of Coldwater, Woodrow Homestead, spring cleanup, six inmates, seasonal; Slos township, Orr Lake Park, spring cleanup, eight inmates, seasonal; Tiny township, cleaning brush, 12 inmates, seasonal.

Northern region:

Monteith Correctional Centre: Wood waste program with Ministry of Natural Resources, provision of firewood for the elderly, 20 inmates, ongoing; Monteith, snow shoveling seasonal; Iroquois Falls, assisted at both Fall Fair and the Winter Carnival, 16 inmates, completed; South Centennial Manor, assist with senior citizens, several inmates, ongoing; firefighting, several inmates, on as necessary basis, seasonal.

Thunder Bay Correctional Centre: Twin Haven, assist with retarded students, six inmates, ongoing; swimming program, assist handicapped and disabled senior citizens while swimming, 10 inmates weekly, ongoing; Li'l Beavers, plan and conduct activities at Indian Friendship Centre, five inmates weekly, ongoing; pee-wee hockey, assist by refereeing and time-keeping, several inmates, seasonal; Harbour Boys Club, renovation of old school, 10 inmates, completed.

Sudbury Jail: Sudbury Nursing Home, assistance with patients, two inmates, ongoing; Extenda Care, one inmate, ongoing; Sudbury regional government, clear debris from roadsides, painting water towers and fences, sweep asphalt medians and tidy up garbage dumps, four to 10 inmates, projected.

Sault Ste. Marie Jail: Ministry of Government Services, general cleanup, five to six inmates, ongoing; church group, general cleanup, five to six inmates, ongoing.

Parry Sound Jail: CNIB Camp, general assistance, several inmates, projected.

North Bay Jail: Home for the aged, general cleanup, several inmates, projected.

Kenora Jail: Kenora Fellowship Centre, general cleanup, several inmates, completed; firewood cut and sold, money going to local community centres, completed.

Thunder Bay Jail: Psychiatric hospital, clearing 62 acres of brush, 10 to 20 inmates, projected; Hymers Fall Fair, general assistance, eight to 12 inmates, projected.

Haileybury Jail: Cobalt fire cleanup, several inmates, completed; Haileybury Curling Club, renovations, completed; search party for lost

hunter and child, several inmates; Legion canteen, maintain grounds, ongoing.

Eastern region:

Quinte Detention Centre: Lennox Addington General Hospital, general landscaping, two inmates, ongoing; Salvation Army church, painting, three inmates, ongoing; senior citizens home, cleaning, painting and landscaping, four inmates, ongoing; town of Napanee, general cleanup, four inmates, ongoing; Christmas toy drive, assisting Lions Club, completed; Santa Claus Parade, float construction, completed.

Rideau Correctional Centre: Rideau Regional Centre, 10 inmates daily as volunteers, ongoing; Brockville Psychiatric Hospital, 10 inmates daily as volunteers, ongoing; Montague township fire hall, 16 inmates daily, construction completed; Boy Scout camp trail building program, seven inmates, construction completed; cemetery restoration for the Wolford Historical Society, projected; Smiths Falls Legion hall, construction of new building, projected.

Millbrook Correctional Centre: Town of Millbrook, clearing snow, seven to nine inmates, ongoing; town of Millbrook, assist at sewage treatment plant, completed.

Ottawa-Carleton Detention Centre: Gloucester township, parks and recreation department, general cleanup, five inmates, ongoing.

Lindsay Jail: Ministry of Natural Resources, painting picnic tables and general maintenance, three to four inmates, projected.

L'Original Jail: Community cleanup, five inmates, projected.

Cobourg Jail: Ganaraska Conservation Authority, trimming brush, six inmates, projected; Newcastle Board of Education, playground cleanup, four inmates, projected; Cobourg, bus stop cleanup, two inmates, projected.

Brockville Jail: Ministry of Natural Resources, cleaning fence lines, three to five inmates, projected.

Whitby Jail: Central Lake Ontario Conservation Authority, general cleanup, six inmates, ongoing; town of Pickering, general cleanup, three to five inmates, ongoing; town of Ajax, general cleanup, three inmates, ongoing.

Perth Jail: Town of Perth, general cleanup, four inmates, ongoing.

Pembroke Jail: Salvation Army, assembly of canvasser kits, several inmates, completed.

Western Region:

Brampton Adult Training Centre: Brampton Parks and Recreation Department, general cleanup, one inmate, ongoing.

Burtch Correctional Centre: Brantford General Hospital, assist physically handicapped, two inmates daily, ongoing; St. Joseph's Hospital, assist geriatric patients, two inmates daily, ongoing; local churches, spring cleanup, seasonal; city of Brantford, Kirby Islands, general cleanup, 9 inmates, ongoing; Ministry of Natural Resources, general cleanup around fish hatchery, two inmates, projected.

Guelph Correctional Centre (Camp Dufferin): Senior citizens buildings, snow removal, seasonal; city of Guelph, clearing brush, 10 inmates, ongoing; Ministry of Natural Resources, clearing brush, 10 to 15 inmates, ongoing; Grand River Conservation Authority, building campsites, 8 to 10 inmates, ongoing; local communities, cemetery maintenance, eight inmates, ongoing; Honeywood and Creemore arenas, maintenance work, eight inmates, projected; town of Mansfield, maintenance of ballpark, eight inmates, seasonal.

Vanier Centre for Women: YMCA Kids' swim, assisting, one inmate, ongoing; Peel Association of Handicapped Adults, assisting, six to eight inmates, ongoing; YWCA Brampton, babysitting service, one inmate, ongoing; adult rehabilitation centre, assisting, one inmate, ongoing; blood donor clinic, assisting throughout the year, ongoing; Chinguacousy Parks and Recreation Commission, assisting at zoo exhibit, one inmate, ongoing; Tiny Times Daycare Nursery School, assisting with retarded youngsters, several inmates, ongoing; day-care program at St. Luke's Episcopal Church, several inmates, ongoing; Brampton Board of Education, teaching assistants with learning handicapped, five inmates, three months.

Sarnia Jail: Goodwill services, assistance with heavy lifting, two inmates, as required.

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Thursday, May 25, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, MAY 25, 1978

The House resumed at 8 p.m.

CORRECTION OF PRESS REPORTS

Mr. Handleman: Mr. Speaker, I rise on a point of privilege, and I want to say, I do so reluctantly. This is the first time in my six and a half years in this Legislature I have felt constrained to correct a press report.

Shortly after the routine proceedings this afternoon, the four-star edition of the Toronto Star came to my attention in which there is an article dealing with a speech I made in St. Catharines last night. I want to say the reporter is known to me as a normally conscientious, accurate and competent reporter, but unfortunately in this case there is an impression left that I was criticizing what has happened to the Ministry of Consumer and Commercial Relations since I left it.

Mr. Laughren: Heaven forbid. You wouldn't do that, Sid.

Mr. Handleman: I want to make it quite clear that the statements in my speech referred to the situation in the ministry—and I referred to the date when it was formed—in 1972. If I may, Mr. Speaker, I would like to correct the record by reading a very short portion of that speech.

I said, "The government of Canada and all of the provinces have established vast bureaucracies to develop and administer the rapidly expanding body of legislation designed to improve consumer rights. What we now have are bureaucratic mazes, like Ontario's Ministry of Consumer and Commercial Relations. It was created in 1972 out of a number of regulatory bodies." I want to make it clear that I was referring to what I consider to be the situation of the ministry since its formation and while some may disagree with my description as a bureaucratic maze, I stand by that description.

While I am on my feet, I also would like to draw attention to what may be perpetuated as a misconception of the position I took earlier this week. The same reporter says I had criticized the Premier (Mr. Davis) for holding a reception for the Premier of

Quebec. I want to make it quite clear—and it was corrected later on in the Sun—that I said that the Premier did what the Premier should do, act as a courteous host to a visiting premier, but that I did not feel constrained to attend. I think that there is a great difference between criticizing the Premier for holding the reception, which I did not do, and myself refusing to attend, which I did do and that is well known.

Mr. Warner: Boycotting it.

BUDGET DEBATE

(continued)

Resumption of the adjourned debate on the amendment to the motion that this House approves in general the budgetary policy of the government.

Mr. Warner: Mr. Speaker, obviously not all the members of the assembly were aware that I would be speaking this evening—

Mr. Handleman: I wouldn't have been here.

Mr. J. Reed: If I had known, I wouldn't be here.

Mr. Warner: —otherwise we would have filled the benches immediately.

There is a very important matter which I wish to address myself to but before I begin I can't help but comment upon the boycott by the member for Carleton of the—

Mr. Handleman: That is your word, not mine.

Mr. Warner: Yes it's my word, but it's a very sad commentary when a member of the Legislative Assembly of Ontario will not attend a very important official function to welcome the premier of another province into our midst. Although it got buried somewhere in the pages of our local papers, members must remember it was up-front news in Quebec.

Mr. Handleman: Show me where. Which paper?

Mr. Warner: That kind of action does nothing but deteriorate the situation between Ontario and Quebec.

Mr. Handleman: Tell me one paper it was in.

Mr. Warner: It weakens the opportunities for us to try to reach out to those people in Quebec who are federalists and say to them that it is important for Quebec to remain as a member of this Confederation.

Mr. Handleman: It certainly is.

Mr. Warner: Surely, it behoves every member of this assembly to make every effort to try and save Confederation and that includes extending the courtesies to the Premier of Quebec when he comes to visit here in Toronto.

Mr. Handleman: You do it your way, I'll do it mine.

Mr. Warner: I put the boycott of the member for Carleton in the same category as those bigots who booed at the CNE when our national anthem was sung in our two official languages. A very sad comment.

Earlier today, I found it necessary to take what I believe to be a unique approach to the assembly in petitioning the government on behalf of another member of the assembly. I did so in the long-standing tradition which dates back to 1669 in the Petition of Rights in the British House of Commons. It was on the basis, as stated in 1669, that it is the inherent right of every commoner in England to prepare and present petitions to the House of Commons in case of grievance, and incumbent on the House of Commons to receive the same.

Further, as stated by Sir Valentine Blake on August 30, 1841; Sir James Graham, April 30, 1846; and Fergus O'Connor, July 9, 1850; "A peer or member may petition the House to which he belongs; but if a member desires to have a petition from himself presented to the House, he should entrust it to some other member, as he will not be permitted to present it himself."

I petitioned the assembly today because of the block that took place yesterday by both the Liberal and Tory members in the rent review committee when they rose to block my motion to have an extension of the present rent review system, due to the pending legal problem which will face both tenants and landlords as of September 30.

Mr. Haggerty: You are premature.

Mr. Warner: Particularly for the edification of the Liberal members who happen to stumble upon the House this evening, I would bring to their attention that—

Mr. J. Reed: Speak for yourself.

Mr. Warner:—the rent review committee is directed to report back to the House no later than June 15. It is anticipated that the assembly will rise on June 23 and will not sit

again until October. That means that in keeping with the legal restriction of September 30 for new legislation the government must then take the committee's report on the 15th, digest it, have adequate discussion of their drafted legislation, have it fully debated in the assembly and out in committee, where the public can take part, and have it passed within eight days.

Mr. Speaker, I can readily appreciate that that is not likely to be physically possible and, therefore, when we reach September 30, at which time the House will not likely be sitting, we have reached a very serious legal problem for both landlords and tenants in the province of Ontario because of the 90-day provision of the Landlord and Tenant Act and of the parallel feature in the rent review act—

Mr. Kerrio: It's all your fault.

Mr. Warner:—which is to expire on December 31. So therefore my motion yesterday was a very reasonable one—

Mr. Hodgson: I think it was a terrible motion.

Mr. Warner:—that while the government is considering its legislation, whatever that is going to be, they simply extend the present legislation for a period of up to six months, during which time they can obviously introduce whatever legislation they deem to be fit and necessary. A perfectly reasonable motion. The Liberals joined with the Tories to block that motion—

Mr. Hodgson: It's a good job common sense prevailed.

Mr. Warner:—and obviously the only comment that can be made is that they care not about the tenants of Ontario. That's a very sad comment. In fact, Mr. Speaker, I guess you could say that they care not about the landlords of Ontario either, since they will be equally affected by the legal impediment which would be placed upon them on September 30.

Mr. Kerrio: We care not about the socialists of Ontario.

Mr. Warner: In questioning today in the House, Mr. Speaker, you will recall that the minister of corporate protection indicated that he was not ready to extend the rent review legislation, but what he was considering was shortening the length of time that is included in the rent review legislation for due and proper notice to the tenants. And that must signal a warning to the tenants of Ontario that while this government remains in power the security of tenure for the tenants of Ontario is in jeopardy.

Yesterday I also had the pleasure, along with my colleagues, to place before the committee a proposal, a lengthy proposal, an in-depth proposal containing at least 30 major points on the future operation of rental protection for the tenants of Ontario. And I think what is important to note is that there is a basic fundamental difference with respect to our position and that of the other two parties. And it is included in the very first sentence of our proposal which reads, and I quote: "That the recognition of decent and affordable housing as a social right in Ontario is long overdue." The essence of it being that decent, affordable housing should be in fact a social right and not some sort of privilege granted to those who happen to earn a sizeable sum of money. And that point, that very basic philosophy, is the point of departure between the New Democratic Party of Ontario and the other two parties in this assembly, both of them of course sharing a different kind of philosophy—if we indeed raise the Liberal party to that high elevation of having a philosophy—but both of them are in opposition to the basic philosophy which I've enunciated. That was brought in a dramatic way to the committee yesterday afternoon when they rose to block that.

[8:15]

They also indicated they didn't appreciate having a position put in front of them. In fact, I was accused by a Conservative member of making this a political issue.

Mr. Hodgson: He was so right, wasn't he? He was so right.

An hon. member: Horrendous.

Mr. Warner: Making it a political issue? Mr. Speaker, can you think of any other issue in the last three years which has not been so political as this one?

Mr. Hodgson: That's all you use the rent committee for, political purposes.

Mr. Warner: The tenants of Ontario cried for protection in 1974 and 1975, and the government denied them protection.

Mr. Kerrio: Come up with a plan.

Mr. Hodgson: You haven't got a plan, you haven't got a policy.

Mr. Kerrio: You haven't got a plan; you make a lot of noise.

Mr. Warner: The tenants were exploited during those years with skyrocketing rents, and in response the government said nothing and did nothing. It was only when it was fully developed as a political issue during the election of 1975 that it got resolved in a political way, with the government brought

screaming and kicking into a rent review program.

Mr. Hodgson: Tough, David; tough, tough; you teachers have it so tough.

Mr. Warner: A member of that government had the nerve yesterday to say I was making this into a political issue. I don't know what kind of a gentlemen's debating society he thinks this place is, but this happens to be a political arena and this happens to be a place where political issues are brought before the representatives of the people to be debated in a very open and forthright way, but in a political way.

Mr. J. Reed: Oh, wonderful revelation.

Mr. Kerrio: Open, yes; forthright, I don't know.

Mr. Warner: I don't know what the government of Ontario intends to do with respect to the rights and privileges of people in this province who happen to be tenants, I have no idea.

Mr. Haggerty: Keep them guessing, Bill. Keep them guessing, it will confuse them more.

Mr. Warner: I do know a committee sits right now and it discusses items. It rarely debates issues, but it discusses items.

Mr. Hodgson: Got to get a quorum call in; time!

Mr. Warner: It will complete its work no later than June 15, as per the direction of the assembly, and it will report back here. Then the matter rests squarely with the government, because as we all know, there is no obligation upon the government to adopt any report. The government is certainly free to bring in any legislation it cares to, and it doesn't have to be in accordance with a report.

Mr. Worton: Mr. Speaker, may I interrupt the speaker? Now we've lost one more member, could we have a quorum call?

Clerk of the House: There is not a quorum, Mr. Speaker.

Mr. Acting Speaker called for the quorum bells.

On resumption:

Mr. Acting Speaker: The member for Scarborough-Ellesmere may proceed.

Mr. Warner: Thank you, Mr. Speaker. We still don't have 125, but we are working on it.

Mr. Kerrio: Be nice, don't drive everybody out again.

Mr. Sweeney: That did it.

Mr. Warner: Before I continue, I would like to relate an interesting little anecdote which the member for Sudbury (Mr. Germa) was sharing with me while the bell was ringing and which the member for Carleton (Mr. Handleman) may be interested in.

Just prior to the official visit here at the assembly by the Premier of Quebec, my good colleague the member for Sudbury (Mr. Germa) encountered the Premier of Quebec in the Yorkville area, north of Bloor Street, and stopped to chat with him. He mentioned casually that he would be seeing the Premier later on down here at the assembly, to which the Premier responded, "Oh, you are not boycotting me?" The news had travelled so fast.

An hon. member: He is boycotting the speaker.

Mr. Warner: My good colleague responded that of course he wouldn't be boycotting him; the Premier of Quebec would receive a good reception, at least from the NDP members of the House, who are always delighted to have a visitor from another province come to be with us at Queen's Park.

Mr. Foulds: Even if it was Peter Lougheed.

Mr. Warner: So the boycott rumours had spread pretty quickly.

I have a feeling that the member for Carleton didn't realize at the time that his singular act was such a loud alarm throughout quite a portion of Ontario and Quebec, and his inappropriate action was causing concern—

Mr. Handleman: I didn't know that anybody had heard about it.

Mr. Warner: —in that it wouldn't just be him; it signalled an attitude of the government of Ontario, perhaps even of Ontario itself, with respect to a visit from the Premier of Quebec. A very sad thing.

Mr. Kerrio: That's like inviting to dinner the guy who's going to break up your marriage.

Mr. Warner: Perhaps, if we are lucky, the member for Carleton will apologize at some point to the Premier of Quebec and to this assembly for his actions. I certainly hope so—

Mr. Handleman: Don't hold your breath.

Mr. Samis: You are a great Canadian, Sidney.

Mr. Warner: —because his efforts weaken Confederation, not strengthen it.

In fact, Mr. Speaker, I would be quite happy to yield temporarily if the member for Carleton is ready to apologize to the House.

Mr. Handleman: I have no intention whatsoever.

Mr. Warner: The member has no intention to apologize?

Mr. Foulds: You and Jack Horner. Since Stevens had more grace than you have.

Mr. Samis: You're a great Canadian, Sidney.

Mr. Germa: You probably boo at the ball park too. Do you boo at the ball park?

Mr. Handleman: Yes I do.

Mr. Warner: Yes he does. I hope that Hansard picks that up. The member for Carleton—

Mr. Handleman: I go to the ball park.

Mr. Warner: The member goes to the ball park.

Mr. Breaugh: What do you do when you are there?

Mr. Warner: And when our national anthem is sung in both official languages, the member boos when it's sung in French, is that correct?

Mr. Handleman: Mr. Speaker, on a point of order.

Mr. Acting Speaker: Order, please.

Mr. Handleman: I would like the honourable member to withdraw that accusation. I do not boo. I disagree with those who boo. I think they're boorish, that they shouldn't do it, but I don't think you just leave it at that. You find out why they do it. But I do not boo, Mr. Speaker, and I want the member to withdraw that comment.

Mr. Germa: Mr. Speaker, on a point of order.

Mr. Acting Speaker: Order, please. That is not a point of order. Would the member for Scarborough-Ellesmere continue, please?

Mr. Germa: It was not a point of order?

Mr. Warner: Yes, I asked a question. It was not an accusation.

Mr. Acting Speaker: It was not a point of order.

Mr. Germa: Oh, good. I think he was a boor by boycotting the Premier of Quebec anyway.

Mr. Warner: The member for Carleton missed it. I asked a question. I did not make an accusation. That is not the way in which I do things.

Mr. Hall: Back to the budget, David.

Mr. Warner: I think the really important part of the budget is our response to the Confederation crisis. Mr. Speaker, as I was saying prior to the ringing of the bells—

Mr. Hodgson: There goes the member for Oshawa. He is not going to listen to you any more.

Mr. Warner: I think it should be on the record, as I indicated earlier today, that I certainly welcome the overnight change by the Liberal Party with respect to their position on rent review.

Mr. Kerrio: Baseball? What are you talking about?

Mr. Warner: Mind you, that was today's position. Who knows what bright things tomorrow holds.

Mr. Foulds: Or even this evening.

Mr. Warner: Or even this evening. Yesterday's position was repudiated by the leader of the Liberal Party today. We don't know, of course, how deep the rift goes in that party with respect to rent review. We do know that not all of the members are in favour of rent protection for the tenants of Ontario. We do know that the Liberal Party does not have a position on the subject—

Mr. Hall: Back to the budget, David.

Mr. Warner:—nor do they feel compelled to even discuss it. However, I'm sure that all of that will sort itself out, as it must before June 15. It should also be noted that one of the suggestions which came out of the Liberal Party—

Mr. J. Reed: Of all the members of the House you are the one that should talk.

Mr. Sweeney: Not necessarily from you, David.

Mr. Hall: You don't know much about the committee system do you, David?

Mr. Foulds: Mr. Speaker, would you bring this House to order?

Mr. Warner:—was that rent review might be valuable for Metro Toronto but no other location in Ontario.

Mr. M. Davidson: That is the Liberal position.

Mr. Warner: That seems to be rather strange. Those of us who live in this area and understand the nature of the urban centre, knowing that it encompasses areas to the east, Pickering, Durham, Oshawa and Mississauga to the west, know that we have developed a large urban complex that goes beyond the political boundaries of Metropolitan Toronto. We know there are a great number of people who reside in those communities but work within Metro Toronto, and they commute daily.

Mr. Hodgson: That is where they get all the work.

Mr. Warner: If there was rent review simply for Metro Toronto and no other locality you would see a shift in the problem out to those outlying areas which now are experiencing an increase in their population and an increase in the building of apartment buildings. We don't know, of course, whether or not that is the Liberal position because no position has been stated. But rumour has it that is what they're looking for.

Mrs. Campbell: Mr. Speaker, on a point of privilege.

Mr. Germa: Come on, Margaret.

Mrs. Campbell: A statement has been made that the Liberal Party has no position. It is quite a different point of view. We will be announcing a position after we have heard from everyone. We do not believe that we should issue a report before we have the deliberations of a committee of this House. But it certainly can't be said that we don't have a position.

Mr. Acting Speaker: Order, please.

Mr. Warner: Mr. Speaker, I appreciate that. The Liberal Party will now run out and formulate a position.

[8:30]

Mrs. Campbell: Oh, come on.

Mr. Kerrio: When is the NDP going to start formulating its?

Mr. Warner: One of the things that certainly has troubled me over the last little while, certainly prior to the inception of rent review and through the rent review procedure—

Mrs. Campbell: Who introduced rent review? Not the NDP.

Mr. Warner:—is that somehow the government—

Mr. Haggerty: Take it easy, Maggie. He's only an overnight guest.

Mr. Warner: One down, 31 to go.

Mr. Foulds: Has the member for St. George gone out to formulate a position?

Mr. Warner: One of the things that has troubled me for some time over the business of rent review, certainly through the years of 1973, 1974 and 1975, and during the present time of the rent review process, was that somehow the government divorced the rent review procedure, protection of rents, from the housing situation, and have pretended that if they imposed rent review it would somehow have an effect on the housing market. What's interesting is that in Metro Toronto, the housing starts and the vacancy rates were down prior to the inception of rent review and haven't altered significantly during the

period of time in which rent review has been invoked. Further, what we have discovered in the committee—

Mr. Hodgson: Tell us, though, before you start—which are you, a tenant or a landlord?

Mr. Samis: What are you, Bill?

Mr. Hodgson: Neither one.

Mr. Warner:—by way of a consultant and his investigation is that rent review has had no visible effect on the construction of new housing. That's not just from this party which always believed that. That's from the consultants who have studied the positions and the information put forward by the Ministry of Consumer and Commercial Relations, the Ministry of the Attorney General, the Ministry of Housing, the Conservative Party, the Liberal Party, the New Democratic Party and the public hearings which we held around the province.

The consultants have drawn the conclusion from all of their information that the rent review procedure does not have any discernible effect upon the housing situation and the production of new housing.

You will find this interesting, Mr. Speaker, as it gets a little closer to your home turf. When we were in Thunder Bay we had a presentation made to us—

Mr. Cureatz: That's a thousand miles away.

Mr. Foulds: That's to the left of Sudbury.

Mr. Warner: To the left and a bit to the right.

Mr. Cureatz: You're all wet.

Mr. Foulds: Sam, just be quiet and sign those first-time home buyer grants, will you?

Mr. Warner: It's interesting that the member for Durham East talks about being all wet, climbing out of his home-buyer-grant pool.

Mr. J. Reed: You're driving everybody away.

Mr. Warner: When we were in Thunder Bay the presentation made to us was to the effect that since the inception of rent review some new buildings—

Mr. Haggerty: You've lost all your audience now.

Mr. Warner:—had been constructed. They were about to be completed. They had begun after 1975 and they're now about to be completed. The people who were responsible for that—

Mr. M. Davidson: Good job.

Mr. Warner: As Acting Speaker the member for Nickel Belt has performed his duties as usual in an excellent fashion.

Mr. M. Davidson: As all New Democrats do.

Mr. Warner: What we were informed of was that the production of rental housing in the city of Thunder Bay had not been affected in one way or another by the rent review procedure. The problem which appears to exist in Thunder Bay is that there are a large number of small units, a sixplex, perhaps buildings with 10 units or less, where maintenance is a problem, and where it's not possible for the tenant to get the owner to make the necessary repairs. Maintenance is a passthrough cost in the rent review procedure and there is no reason why the landlord should not make the repairs. It's not costing him anything, and yet despite that, there was a difficulty for the tenants in Thunder Bay to get those repairs made.

What we discovered was there are approximately 15,000 families in Thunder Bay who live in rental accommodation. In one year, the number of complaints received by the rent review officer who testified before us, and the city social services department which operates a landlord-tenant bureau, totalled more than 4,000 complaints in a year, out of a total of 15,000 families. It seems to me there is a pretty severe problem in Thunder Bay with respect to the maintenance difficulties, the rights of tenants and other related matters. The tenants are unable to do much about it because they're not organized. They live in small buildings, there aren't many of them in a building and so they are not able to be organized.

Mr. Haggerty: Your former leader found it cheaper to rent than to own a home.

Mr. Warner: The plea was quite clear and quite desperate: If you leave, if you abandon rent review, the tenants will be abandoned.

Mr. M. Davidson: Can you justify that in Fort Erie?

Mr. Warner: I think the member for Fort Erie can appreciate if you abandon rent review, you abandon the tenants of Ontario. What will happen is we will see skyrocketing rents as we saw in 1973 and 1974. The gouging by the landlords will take place as it did in 1973 and 1974 and early in 1975. There won't be any protection for the tenants. I think it's important here, Mr. Speaker, to point out the basic differences as we now see them emerging. The Conservative Party, through its green paper, in the red cover, indicates it wishes somehow to slide out of rent review.

Mr. M. Davidson: End it, end it.

Mr. Warner: Decontrol is the little word, the term that is used quite often. What that means, in more understandable language, is cut off the protection for tenants—

Mr. M. Davidson: Sid knows all about it.

Mr. Warner: —and let them be the victims of the so-called free market.

Mr. M. Davidson: Sid Handleman knows all about that.

Mr. Warner: I think the ex-minister of corporate protection understands that quite well. He didn't want to administer the program. One of the reasons he didn't want to administer it is, of course, because he didn't believe in it. He believed in the viciousness of the so-called free market. Let the tenants be at the mercy of those landlords who charge whatever they want to charge with no accountability. That's what the member for Carleton believed in. I give him credit for it, at least he stood up and said, "That's what I believe and therefore I don't think I should be operating the program." I give him credit for that. It's pretty straightforward. His views may be wrong, misguided, but at least he was straightforward about it. I appreciate that.

Mr. Handleman: Thank heaven for small mercies.

Mr. Warner: I like to be fair and reasonable about things. I give you credit.

Mr. Handleman: It's very much appreciated.

Mr. Samis: You must feel uncomfortable sitting with the Tories.

Mr. Warner: You know by what that has been replaced. The member for Carleton at least dealt with it in a straightforward manner. There is some slippery language in that green paper, a sleight of hand, Mr. Speaker, because while some alternatives are provided, the message runs like a thread through the entire paper and the end line is "get rid of rent review." That's the bottom line for the Tory Party, get rid of rent review

Mr. M. Davidson: Well, it was Sid's policy.

Mr. Warner: This party has clearly stated, not only on previous occasions, but again yesterday in a comprehensive paper filed with the committee and its adoption moved, that the tenants need protection. They need better protection than what they've got now, but we've got to find some ways to clean up the bureaucratic problems. That's why we suggested you take all the landlord and tenant matters, the rent matters, the housing standards matters and put them under one umbrella.

Deal with them with a tenancy commission and make sure you have all the hearings for one building held on an annual date. Once a year you're going to determine the problems in the rents, et cetera, for all the units in one particular building. That, in itself, would cut down on the bureaucratic problems which have plagued the rent review offices over the last couple of years and cut down on the cost that's involved, since we're conscious of the cost-saving effort which is needed. It's been our position, a very strong one, a very forthright one.

Now we come to the Liberal Party.

Mr. J. Reed: Hurray.

Mr. M. Davidson: Spare us.

Mr. Warner: I've now discussed their policy.

Mr. Speaker, it's clear that before we can make any meaningful progress on the rent review problem and the protection of tenants with respect to the Landlord and Tenant Act by way of legislation in this assembly, a statement of principle should be made. That is, that housing—decent, affordable housing—is a social right. That's the place from which to start. That's the base. From that base, you look at the rental and ownership policies.

How are we going to solve the problem of not having an adequate supply of affordable housing? This government throws up its hands and says it can't do anything. It's all up to the private market, which up to now has not been able to supply decent, affordable housing in an adequate amount. This government doesn't have the leadership, doesn't have the programs or the policies. For example, I look at one extremely important segment I recall raising in the 1976 estimates of the Ministry of Housing, where they supposedly had allocated, it said so in their budget, a sum of money for the support and the development of non-profit co-operative housing. I'd like to know where it is. I'd like to know where all these units of non-profit co-operative housing have been developed.

Aside from the units developed by the city of Metro Toronto and a few other scattered units around the province of Ontario, there is no evidence of government leadership in that field, none whatsoever. One of the reasons the same problem is not so acute in Sweden is that approximately 40 per cent of their housing stock is in co-operative non-profit. They've had government leadership. The people are able to obtain homes at a reasonable cost and in line with their salaries. It doesn't happen here. We view it as some sort of privilege.

If I could digress a moment, the part I know best is my own early life. I grew up in a duplex and my parents had the opportunity later to purchase a small five-room bungalow. There are no five-room bungalows any more. They've disappeared. That was a house developed for a specific market, working people and veterans from the Second World War. Those people could afford to move into the bungalow.

[8:45]

Not only is the bungalow gone now, but the people can't afford to buy the replacement for the bungalow, which has been the larger house and the townhouse. In Metro Toronto the cheapest townhouse you are going to find, that is decent, is somewhere around \$36,000 to \$39,000—and with a high mortgage, because the government doesn't even have the leadership to guarantee low mortgages. That is incredible, absolutely incredible.

The government fully realizes that the credit union league of this province made a proposal to handle housing mortgages at eight per cent and a bookkeeping charge of perhaps a quarter of one per cent; to turn over money which this government is able to get on the market in New York or other places at eight per cent, sometimes a little less, sometimes a little more, but around the eight per cent mark—and the credit unions in Ontario were quite willing to handle that money and put it out as mortgage money for houses.

This government is not interested. Of course, they are not interested because their corporate friends are in the established banks, the national banks, the established ones. Without a federal government committed to low mortgages for housing, nothing is going to be done. Contrast that with the United States, where even in that extreme capitalist country, the federal government guarantees seven and three quarters per cent for housing. They even go so far as to deduct that mortgage interest payment from the income tax.

This province shrugs its shoulders and says: "Well, if you can accumulate enough wealth, go ahead and buy yourself a house." A single-family detached home in Metro Toronto: a new one is going to cost you somewhere around \$70,000; a used one something like, I suppose, at least \$55,000. Working people don't have that kind of money. They can't afford the down payment, they can't afford the carrying charges, they can't afford the high interest rates, they can't afford this government. That goes on unabated; there is no change.

What bothers me is that when the report comes in from the committee about rent

review, and the government then comes back with its legislation, we are still not likely to see any initiative in housing. We are not going to see any commitment to land banking, making sure that land is available at a reasonable cost. That is part of the route; the government was told that more than 20 years ago: that the government should land bank, hold on to the land, release it as it is needed for the development of housing, at cost, so as to reduce the overall price of the home. But their faith in the corporate sharks wouldn't allow them to embark on a program of land banking.

The only major effort was in the Malvern area. You know, if we wanted to spend the rest of the night talking about it—and two or three days—we could try to unravel the mess that was created in Malvern, starting with the hassle between the federal government, the provincial government and the municipality over who should pay the taxes on the vacant land before it was developed. That went on for several years.

Then we reached phase one of Malvern where some people had the bright idea that you land bank, allow people to move in and then sell it on speculation. That is incredible. That is not a commitment to housing; that is a commitment to personal greed. If it was a commitment to housing, they would have guaranteed that there wasn't going to be a speculation and they would also have protected those first-time buyers from having to meet a new interest rate and cost of land at the five-year level. They didn't do that.

Some of those new buyers then got stuck at five years when the mortgage opened and went to the bank rate; then they had to make up for lost time and lost money. It created real financial pressures. The Malvern project could have been extremely successful. It has not accomplished what it should have. And that was the so-called flagship of the Tory housing policy, as I could see it, and they have no other successful housing project in large scale which they can point to.

If that isn't enough, this government has decided to get rid of its Ontario Housing Corporation stock. It starts in an insidious way by turning the projects over to Royal Trust, allowing Royal Trust to manage what is really their responsibility, the government's responsibility; and making sure that no more units are built in Metro Toronto. We have a waiting list right now of more than 10,000 people in Metro Toronto who qualify for Ontario Housing and are waiting—10,000.

Many of those desperate problems come in to my office and into the offices of other

members of this caucus who are in Metro Toronto. Their situations are desperate. All I can say is: "I will do the best I can for you but the present government is not building any units. They are trying to get out of their housing responsibilities. They have a very serious responsibility for housing and they are trying to get rid of it."

The government was given, a few years ago, an excellent plan. It was suggested to them that instead of building ghettos as they had done in some areas—and the former Minister of Housing, Mr. Rhodes, would be aware of the 400 McCowan area which was developed as a ghetto; there's no other way to describe it—they should embark on subsidizing the rents of some tenants in a building. Maybe they would take a building and 10 per cent of the tenants would have their rent subsidized. That would be preferable to building ghettos. Well, that kind of a program takes a lot of initiative; it takes a lot of good planning and it takes some dedication. Housing is the responsibility of this government and it is a social right for people in the province. But no such commitment exists. So that program of subsidization lags far behind the pace that it should be going at.

Meanwhile, no more housing is being built by Ontario Housing Corporation. They are turning over their responsibility to Royal Trust and, I assume, other trust companies as well. I don't know how the government has the conscience to live with that, knowing that there are at least 10,000 people in Metro who need housing and can't get it. Many of those senior citizens, obviously, many of those single-parent families, people who are disabled. It's an incredible mess. This government is responsible for it. I don't see any leadership to clean it up.

I guess what I am saying is that the housing situation in Ontario is indeed a very complex one. There are many components to it, the rental being part of it; the construction of new housing being part of it; the reconstruction of urban centres being a part of it; the first-time ownership of resales being a part of it.

I would digress there for a moment, Mr. Speaker: I don't understand why the federal program—and, of course, that program being plugged into by the provincial government—was just for new homes for first-time buyers. Young couples who are looking for their first home would be quite happy with a resale but the advantage lies in purchasing the new home—or did before they started terminating the program—not in purchasing a resale.

Surely the advantage should have been towards the resale, for several reasons.

In Scarborough, where we are having a decline in the school population, we are getting an increase, obviously in older citizens who don't have children in school, and that is an area where the older homes are. If the government had an active program whereby young couples would have some advantage in purchasing resales, they would be moving into those older areas. Instead of having to close out a school, as we're now having to do, the schools would still have their population of children in that area. But that's not happening in Scarborough. We're closing out schools in the south part of the borough and building brand new ones in the north part. In some small measure, the housing policies with respect to assistance on first-time buying is helping that process along. It could have done the reverse.

So there are many aspects. Unfortunately, what the government has chosen to do is fragment the housing policy into several little areas and not co-ordinate them in any way, not have any overall plan for them, and somehow think they can deal with rent review in isolation. They do that, and then blame the lack of housing on the rent review program. That kind of nonsense just won't be bought by almost anyone. It just won't sell. It's not true. You can't look at rent review in isolation, just as you can't look at the development of single-family dwellings in isolation. It's a complex package and you have to look at every aspect of the housing market, every single one.

I will terminate where I began. We won't make any progress in this province until the government acknowledges that decent, affordable housing is a social right and not some sort of privilege for the rich.

Mr. Handleman: Mr. Speaker, there are really only two times during the session when a private member may address this assembly on matters of urgent concern to him and his constituents. One of them, of course, is the debate on the speech from the throne. I was able to participate in that and—

Mr. Philip: Going to help the separatist cause here tonight?

Mr. Handleman: —I am very pleased to take this second opportunity, because there are some matters of great concern to me and to my constituents. I intend to deal with that particular topic tonight. I hope to do it systematically, without rambling. I had hoped to do it last Thursday prior to the meeting between the two Premiers. My col-

league from Oriole (Mr. Williams) had some important statements to make that night—

Mr. Samis: Important!

Mr. Handleman: —and I deferred to him. I make my comments tonight, first of all, because Mr. Hoy in his column last Sunday in the Sun said I had made them and I certainly wouldn't want Mr. Hoy to be guilty of a misstatement. I'm making them after he has written about them.

For many years, the people of eastern Ontario have felt victimized by the Quebec government in a variety of ways. Since the Quebec election of November 15, 1976, people in my area have spoken out with increasing frequency of their concern about this feeling of discrimination and the feeling that they have been abandoned by the Ontario government.

Mr. Samis: That's right.

Mr. Handleman: I don't suggest for a moment those feelings are well-founded, but there is that feeling and it must be dealt with.

The situation has been described by me as the Quebec-Ontario interface. It has been described by other people in the media as the Quebec curtain. Some people have demanded certain actions, and the member for Cornwall today reluctantly introduced, and I agree with his reluctance, legislation which I think reflects that feeling.

All too often those feelings have been met by people in the media, and some politicians who are sheltered in their little suburban ghettos in Scarborough, with the plea to exercise moderation in the interests of national unity, because if we criticize that government we are destroying the country.

Mr. Warner: I didn't say that. I said it was your boycott.

Mr. Handleman: I have to come to the conclusion that emotional cause of national unity is being misused. It's being thrown around carelessly when a logical argument cannot be developed to defend the actions of the government of Quebec. "Be nice to them. We don't understand why they're doing that, but for goodness sakes, don't criticize them, because our country may come to a halt."

Mr. Samis: He didn't say that.

Mr. Warner: I didn't say that and you know it. It was your boycott I was upset about.

Mr. Handleman: The actions I speak of tonight have nothing to do with language; they have nothing to do with culture; they

have nothing to do with constitutional reform.

Mr. Kerrio: I like the way Sid says it.

Mr. Handleman: They are entirely in the area of economics, employment and the quality of life for the people I represent.
[9:00]

Mr. Samis: That is still no reason for boycott.

Mr. Handleman: The genuine concern of Canadians for the future of our country can result in the overuse of the words "national unity" and can become a buzz word without meaning.

Mr. Laughren: You are not kidding.

Mr. Handleman: I deplore that tendency to keep using it in spurious causes.

Mr. Samis: Do you remember the last election?

Mr. Handleman: Yes, and shortly after the last election I urged the Premier at that time—

Mr. Samis: Remember those ads on TV, Sidney?

Mr. Laughren: What about your ads?

Mr. Handleman: I urged the Premier at that time to meet with Premier Levesque.

Mr. Laughren: Tell us about your ads.

An hon. member: Disgraceful.

Mr. Warner: Disgusting.

Mr. Handleman: Well, Mr. Speaker, I would defer to the member from the Lakehead and ask if he would quote ads that I used in the last election dealing with national unity. I deny it categorically. If he can find one, I will be glad to apologize to him.

Mr. Samis: I am not referring to you.

Mr. Kerrio: You're like Sinclair Stevens, you don't have any evidence.

Mr. Handleman: The list of actions by the Quebec government which have impacted adversely on the people of eastern Ontario is very long. Many of my colleagues from eastern Ontario are fully familiar with them and I want to put them on the record. Each of the items on the list would provide material for at least a half-hour speech so I have no intention of dealing with each of them at that length.

Mr. Philip: You could have talked to Levesque himself. You are responsible.

Mr. Handleman: Following the Premier's meeting with Mr. Levesque this week, I should put forward at least a short list of

those problems which the people of eastern Ontario want solved as quickly as possible.

Mr. Samis: You could have done it directly.

Mr. Handleman: Having read the communique, Mr. Speaker, I find we are not that much closer to solutions today than we were on Tuesday.

Mr. Warner: You won't even talk to him.

Mr. Handleman: Mr. Speaker, I have asked the Premier to meet with Mr. Levesque. He has done so. I have asked him to put these items on the agenda. He has done so. I really feel that we must continue to talk to the people of Quebec and their government. That doesn't mean we have to fraternize with them, and there is a great difference.

Mr. Samis: Ah, get off the pot.

Mr. Handleman: There is the question of the effect of the new automobile insurance legislation which I am sure my friends in the New Democratic Party completely endorse. However, the people in eastern Ontario are concerned about the effect of that legislation on them because they do not have equal rights in Quebec with Quebec drivers, and something must be done about it.

I have drawn these problems to the attention of the Minister of Consumer and Commercial Relations (Mr. Grossman). It is in the communique. The minister has promised to take it up with his counterpart in Quebec. I must say that I found his counterpart in Quebec to be most non-cooperative in dealing with these matters.

Mr. Warner: The member for Cornwall raised that too.

Mr. Philip: She's a heck of a lot better minister than you were.

Mr. Samis: Madame Payette is more constructive than you are.

Mr. Handleman: I hope he will have more co-operation from her than I have.

I would just like to read the communique on the question of automobile insurance: "The Premier has noted that officials of both provinces have met recently to consider possible ways of resolving this problem." Having participated in the drafting of communiques, it isn't difficult to interpret that to mean that no progress was made.

They noted that they had met and they hoped the ministers would make an early recommendation to resolve the situation. Well, I hope so too, because there may be a very tragic incident involving an Ontario

driver in Quebec very shortly and then perhaps our friend Jonathan Manthorpe won't consider these matters to be trivia. They are quite important. They are not trivial, and I hope that matter is resolved. I must say that I am not very confident they will be resolved, but certainly hope they are.

All members in this House are aware of the actions that were taken several months ago by the Quebec government in collecting gasoline taxes from Ontario-based commercial vehicles. The information from the Ministry of Revenue that I have been able to obtain is that the activity has slowed down or even ceased, but I still receive complaints of harassment from my constituents, from Ontario businesses who receive demands for payments of these gasoline taxes.

Calls for reciprocal arrangements do not appear to have been responded to with any sympathy by Quebec officials, other than to say they really don't consider it to be a major problem and they don't have a police force watching for Ontario drivers on Quebec highways. I must accept that as their word. However, we still keep getting complaints about activities in this area.

We are aware of the problem involving transport licensing and the Minister of Transportation and Communications (Mr. Snow) in this House announced a few weeks ago that he had reached a reciprocal agreement. However, the minister said there were a number of items of concern to him which still remained unresolved: The very fact that an offender from Ontario is still subject to be thrown into jail and held for ransom while a Quebec driver who offends our legislation is issued with a summons.

Mr. Philips: That isn't true. He loses his plates now under the new legislation. Why don't you read your own legislation? He can have his plates taken away.

Mr. Handleman: The new legislation has not yet taken effect.

Mr. Speaker, I asked the Minister of Transportation and Communications to come to grips with this matter forthwith and the first time this ever happens again I suggest that our minister let them know that we won't stand for it, and it's been reported widely in the press.

Mr. Philip: Why don't you learn the facts?

Mr. Warner: You should join the diplomatic corps. You would be a smashing success.

Mr. Handleman: At one time, Mr. Speaker, in order to protect Ontario residents against the sale of uninspected vacation properties in Quebec, it was necessary for this province

to send inspectors into that province and, ironically, it was done under the authority of the foreign land sales legislation. That really is ironic when we're trying to keep Quebec non-foreign and yet we use foreign land sales legislation in order to provide some protection to land buyers in Ontario.

Mr. Warner: Maybe you can get posted in the Paris office.

Mr. Handleman: At that time, the Quebec minister refused even to certify that the properties were in accordance with certain standards. He could very easily have stopped this nonsense about going into Quebec to inspect properties, the inspection being required under our act.

It is not unknown for the Quebec government to retaliate against actions taken by the Ontario government which they consider not to be in their interests. As many members know, the Quebec liquor commission has opened a massive bottling plant in Montreal where they import European wines and bottle them under their own labels.

At one time, they asked the Liquor Control Board of Ontario to list those house brands. It has been the policy of this province not to list house brands at all, regardless of where they come from. It had nothing to do with Quebec. The standard is that the vintner's label must appear on the bottle. However, when this policy was conveyed to the liquor commission in Quebec, very coincidentally and very shortly thereafter, the products of two Ontario wineries were delisted in Quebec.

It was coincidental, of course, that both those wineries happened to be the wineries that do not have plants in the province of Quebec. They're not about to make a public complaint and I'm not about to identify them because their view is they don't want to invite further retaliation.

The dairy farmers of eastern Ontario are up in arms. I'm sure many of my colleagues are more knowledgeable in this area than I am. They're concerned about the sales of Quebec powdered milk in eastern Ontario. I've never been a strong supporter of marketing boards or supply management and I don't want anybody to get—

Mr. Warner: It's a free market.

Mr. Handleman: I'm sure that message is quite clear.

Mr. Warner: It is clear.

Mr. Handleman: But there is an agreement designed to bring orderly marketing to a particular industry and that agreement is being unilaterally ignored by one component of the industry at the expense of another. I expect our government to take action in such

a way as to protect the residents of this province. I'm sure that other members from eastern Ontario who, again, are more knowledgeable and have a much larger dairy farming constituency, will continue to bring our constituents' complaints to the attention of the Minister of Agriculture and Food (Mr. W. Newman) with the expectation that he will forcefully carry their message in discussions with both the federal and Quebec authorities.

For quite some time we have had a contract wall between our provinces. Small businesses in Ontario cannot look forward with any degree of confidence to obtaining contracts from school boards, municipal governments, or any activity at all in the province of Quebec which is supported in any way by provincial funding.

I ran across a very short newspaper clipping which reflects this in a short and concise way. It is dealing with the matter involving the Hull Catholic school board which, like school boards everywhere, is mindful of dollars and cents in education. They did what they thought was best for their rate-payers and awarded a lunch milk contract to the lowest bidder. It happened to be Sealtest Dairies of Ottawa. "Oh, no," said the PQ government types in Quebec City. "Have our kids drink foreign milk? Never." They overruled the school board and awarded the bulk of the contract to Chateau Dairy of Buckingham which buys milk from Quebec farmers.

It's the kind of thing that we have. It's insidious, Mr. Speaker. We have complaints from a variety of businesses in eastern Ontario. I'd like to quote briefly from a letter which was sent to the then Minister of Industry and Tourism by Fentiman and Sons Limited, a window contractor well known in the Ottawa area., having been there for many years. Their letter reads in part:

"Approximately three months ago we were invited by CEGEPs, which is the equivalent to our community colleges, in Hull to submit a price for changing over certain windows in a building under their jurisdiction. Prices were submitted and after many hours of discussion with the people from CEGEPs responsible for this project, it was decided by them to cancel the project. The project was cancelled, not because it was over budgeted or for any other reason, but because the low bidder, F. Fentiman and Sons Limited, did not have their head office in the province of Quebec." They went on further to say:

"Our company must now follow their new hiring practices in regards to all construction workers," because, being in the window business, they're considered to be in the construction industry, "which means that people we have trained over the years will probably never be allowed to work in Quebec because they will not have sufficient hours to qualify?" It goes on in that vein.

There are many other instances of this type of thing. It was interesting to note that the Premiers dealt with this problem in their communique as well. I would like to talk just very briefly about it. It's under heading "A-2—government purchasing policy. The Premiers discussed the government sector purchasing policies of their respective provinces, the economic impact of these policies and the way they are perceived by the general public and the private sector."

I don't think there's any mistake in the way they're perceived. They're perceived that there happens to be a loss on the inside door facing Quebec in terms of contracts. You can go through it one way but you can't go through it the other way. That's hardly reciprocity.

The items I've listed indicate quite clearly, to me, anyway, perhaps not to others—that our sense of nationhood, our feeling of togetherness, is being destroyed systematically and continuously and very successfully while we continue in the cause of national unity to deal politely with our friends in Quebec.

Mr. T. P. Reid: But do you feel that pushing from the other side is going to solve anything, Sid?

Mr. Handleman: I think it has to be made clear to our people in eastern Ontario that we disapprove of these actions. We should say that we would very reluctantly take the action which was taken today in the private member's bill introduced by the member for Cornwall. I certainly feel that if we lock the door from our side we will have achieved a de facto separation. I have been criticized—all the members from my area have been criticized—for not speaking out strongly and voicing the views of our constituents in this matter.

When a man is out of a job and he sees somebody from outside taking his job while he has no opportunity to go over and take a job in the other jurisdiction, national unity descends in his list of priorities. I deplore that tendency. I don't think it's right. But it's pretty difficult to tell a man out of work that he should put national unity ahead of putting bread on the table for his family.

I have always felt that one of the tests of a nation is that a resident, whether he's a citizen or a landed immigrant, should be able to get anywhere in that country to seek employment—anywhere. A Newfoundlander should be able to go to Quebec City and seek employment without any bar.

Once that free flow of labour is destroyed, you've destroyed one of the bases of nationhood. That's what's happening in this country today. I think we have to speak out against it. Let the people of Quebec know that we feel this way, that we want them to stay with us—

Mr. T. P. Reid: And they are fair people. It is the government that is doing it.

Mr. Handleman: Exactly. But we have to let them know that their government is systematically doing this with intent. I don't want to be paranoid but there's nothing—

Mr. Samis: They had the same problems with the Liberals.

Mr. Handleman: —accidental about this program that's being undertaken by the Quebec government. I have warned all my colleagues—

Mr. Samis: And the Union Nationale.

Mr. Handleman: —that when Claude Ryan takes over, as he will, I hope, in the very near future, he's going to be tougher to deal with than Mr. Levesque.

Mr. Levesque doesn't want to deal with us. He wants us to get mad. He wants the English separatists in eastern Ontario to say "Go, Quebec. Who cares?" That's what I find frightening; he's being very successful.

Mr. Samis: Your boycott helped his cause, Sidney.

Mr. Handleman: There is one issue discussed by the two Premiers and which was brought up in this House on May 11—

Mr. Germa: You are playing into his hands—redneck Sidney.

Mr. Handleman: —and if it wasn't so tragic it would be comical. That is the long history of pollution treatment on the Ottawa River.

I often wonder how our friends in the media can talk so sincerely about the English and Wabigoon problem which affects a few hundred people, even a few thousand, when what we have are half a million people in eastern Ontario whose quality of life, whose very essence of life, their drinking water, is in danger. That's not trivial. If Mr. Manthorpe thinks so I'm prepared to take him on any day in an argument. That is important: it is critical and it is crucial.

Mr. Warner: Why don't you boycott him too?

Mr. Handleman: Before I came to this Legislature, before I had any thought of coming here, I was somewhat involved in local affairs. I recall in the late 1960s, around 1967 when Mr. Pearson was still the Prime Minister, reading Mr. Robarts on the occasion of his signing a tripartite agreement with Mr. Johnson, the then premier of Quebec, and the Right Honourable Lester Pearson to clean up the Ottawa River.

Four years later, in 1971, the terms of reference were eventually finalized. They are now in written form. Since then we have spent hundreds of millions of dollars in an attempt to clean up half a river. That's quite a trick, if you can do it. In the meantime, 98 per cent of the effluent into the Quebec side of the Ottawa River is raw, untreated sewage. [9:15]

Every time this is brought up in a provincial conference, the minister responsible, whoever he may be—and I'm talking about Victor Goldbloom and on—has said, "Yes, we've got to join in on this," but they haven't got any money. There are other priorities, Expo and quite a few other things that took place. They can't treat the river, one of the great rivers of the world, not a little creek—

Mr. Samis: No better than the St. Lawrence, Sidney.

Mr. Handleman: Your part of the St. Lawrence is looked after.

Mr. Samis: You mean the Quebec side.

Mr. Handleman: Yes. We have this problem and we've got this long history of negotiations. I thought I might take a few clippings of very recent vintage from the two Ottawa papers, because just the reading of the headlines is almost hysterical.

This is from the Citizen of May 3, 1978, "Sewage Treatment a Political Football." From the Citizen on April 22, "Sewage Treatment Plant Delayed Again." On May 9, 1978, "Sewage Plant OK'd." The Ottawa Citizen, editorial: "A scandalous disgrace. That harbinger of spring, the annual bad news about pollution in the Ottawa River has arrived." There we see it again.

May 12, "ORC"—that's Outaouais regional council—"Expects Sewage Plant Start in the Fall." May 12, 1978, by Dan Kearns, a Citizen staff writer, "Sewage Plant Delay Looms." As well the Ottawa Journal, "Pollution's Murky Politics." The citizens on both sides of the Ottawa River did not need to be told what was wrong by a committee

of public servants representing three governments. The Ottawa Citizen on May 9, 1978, "Sewage Plants Urged for Ottawa River"—after Mr. Johnson, Mr. Robarts and Mr. Pearson in 1967 agreed that we needed some sewage disposal plants.

On May 11, by Mr. Kearns again, a good reporter who seems to have specialized in this, and it might be a lifetime career for him: "Sewage Treatment Approval Postponed."

Then the report of the tripartite committee, "Quebec Singled out in Report on Ottawa River." Of course, at the request of the government of Quebec, certain deletions were made and questions were asked in this Legislature.

I have received a response from the Minister of the Environment (Mr. McCague) which I will read verbatim, because it is in reply to a question that was asked in this Legislature: "The report originally included a full outline of the terms of reference for the federal-provincial working group." Those were the terms of reference that were finalized in 1971. "In view of the fact the report only deals with the first term of reference, namely an update of pollution control along the Ottawa River, Quebec was reluctant and in fact insisted on deleting reference to the remaining four terms of reference." These are the minister's words. "It appears that the province of Quebec is not prepared to commit itself at this point in time to any additional triparty"—probably meaning tripartite—"review of the Ottawa River."

He goes on to say: "In the summary of findings as well as in the text of the report, Quebec requested deletion of specific dates by which requirements for waste control of the pulp and paper industry are to be met—1978 and 1980 for non-sulphite and sulphite mills respectively. Quebec requested this change in light of the fact that a parliamentary committee had been formed which is in the process of reviewing these dates." These are dates that had been agreed upon.

I suppose the most scary headline of all, on May 10 in the Ottawa Journal, is, "Ottawa River Drinking Water Potential Hazard." I live on the Ottawa River and I was one of those who praised the first ministers for coming to the agreement. It took them four years to finalize the terms of reference. I still held out hope. But when my drinking water and the drinking water of half a million people on the Ontario side of the river is a potential hazard because of lack of action on the part of Quebec, then I say it is time to do more than what the commu-

niqué says, which is that the ministers will meet again and discuss this matter.

Mr. Warner: Sure helps to boycott them.

Mr. Handleman: I have suggested, and I suggest again here tonight, that this has got beyond a joke. We can no longer continue to negotiate this kind of thing. I suggest that since we have no jurisdiction in the province of Quebec, the federal government can build that plant. They can let that contract to an Ontario contractor who was turned down by the Quebec government because he happened to be in Ontario, the low bidder. They can award it to him immediately and deduct the Quebec share of the cost from funds owing to Quebec. If it requires legislation—

Mr. T. P. Reid: What do we do with the Great Lakes, which the Americans are polluting?

Mr. Handleman: My friend can deal with that. I'm talking about my river; the one I live on, the one my constituents live on. Whatever he feels like doing with the United States is his problem.

Mr. Warner: If you think it is your river, go live in it.

Mr. Handleman: If the federal government does not wish to do that, then obviously there is no early solution to the problem. But at the very least—and I know how long these things take—we should launch a civil action against the government of Quebec for damages on the principle, which I think my friends agree with, that the polluter shall pay. There's no question about who's polluting the Ottawa River; it is the government of Quebec.

Mr. Warner: You're a great help to Canadian unity.

Mr. Handleman: Mr. Speaker, I've dealt with these points not at great length; I thought I might take longer than that. But before I concluded I did want to tell the member for Scarborough-Ellesmere that I see no need to apologize either to the members of this assembly, who I don't think were offended—

Mr. Germa: I do.

An hon. member: Who was offended?

Mr. Handleman: On many occasions I have been invited to functions and on many occasions I have turned down the invitation, sometimes because I didn't want to go and sometimes because I was otherwise occupied. I think I've generally told the truth about why I haven't gone, and in this case I told the truth why I wasn't going to go. Despite the statement made by the member for Scarborough-Ellesmere, and I have searched for

it, I don't think it even created a ripple in Quebec. If he can show me one Quebec paper that featured my actions of last Tuesday, I would be prepared to apologize to him for saying that there wasn't any such reaction in Quebec.

Mr. Warner: Oh, you would?

Mr. Handleman: They don't care, and it's about time you found out down there in Scarborough-Ellesmere. We live close to the problem—

Mr. Warner: Baloney! You don't understand Quebec and you don't understand how deep the problem is.

Mr. Handleman: I haven't seen it. They don't care.

Mr. Warner: You don't think they care.

Mr. Acting Speaker: Order.

Mr. Haggerty: The member for Scarborough-Ellesmere has become an expert overnight.

Mr. Handleman: Mr. Levesque himself said many of the things that we dispute here are irrelevant in terms of the national unity debate, and to that extent I think he's right.

I just want to tell you, Mr. Speaker, that I think I speak for my constituents. The member for Scarborough-Ellesmere may be speaking for his. I suggest he discuss it with them.

Mr. Kerrio: No, he is not. He's speaking for himself.

Mr. Handleman: I want to read a very short portion of a letter I received which I think reflects some of the feeling in my area. It's quite articulate and very well put. It's from a man who is dedicated to the cause of national unity. He says this:

"However much one would wish, one cannot be friends with muggers on the national scene. Those who would clobber the whole country for their own short-run provincial or quasi-national ends, as the Quebec separatists would court us to do. Surely now is the time to spell all this out to the Laurins, the Levesques and all of their kind. Let them all know that we know exactly what they're doing and how they're doing it."

We aren't being taken in by it, Mr. Speaker. I'm not being taken in by it, my constituents aren't, and I hope that the members of this assembly aren't being taken in by the hand of friendship while at the same time they're seeking to destroy this country.

Mr. Warner: You want a new Plains of Abraham. We beat them once; we'll beat them again. Shameful.

Mr. J. Reed: Mr. Speaker, I first of all have to express a debt of gratitude to the nine or

10 members who were courageous enough to stay here and wait.

Mr. Germa: I have been waiting all night for you.

Mr. J. Reed: I realize that the previous speech was most scintillating and energizing, either in a pro or con way, depending on how one viewed the remarks that were made. I will try to follow on without putting too much of a priority on what I know is going on on television tonight and driving members there as the more interesting alternative.

If I may, I would like to deal, in this reply to the budget, on perhaps a little broader base than that of the member for Carleton, who spoke about his own constituency and the people from eastern Ontario; and rightly so, of course, because he is elected by them and serves that constituency.

I would rather spend the time in my capacity as the Energy critic for my party and perhaps try to take the House through what I view as a basic economic issue that we're facing in Ontario; that is, the subject of energy, our energy state at the present time and our energy future. As time has gone on, I've come to believe more and more that one of the links in the chain of our economy in Ontario is our energy—the way we use it and the way we supply it to ourselves. It has been stated many times before that in terms of traditional energy forms the province is quite devoid except for a limited amount of hydraulic power and a certain amount of nuclear power. It has been stated that there is a little bit of lignite in northern Ontario but in the long term that does not represent a very large amount of energy supply. In fact the people of Ontario now import about 80 per cent of their requirements from outside the borders of their province.

What this does is give us a deficit budget position of about \$5 billion every year, and it is a tremendous challenge. It is a challenge I believe we have to meet if Ontario is going to maintain its very important part in the industrial life of this country, and I believe it is a challenge that we can meet. There are all sorts of purveyors of doom and gloom in the energy picture. From week to week, we find ourselves dealing with a new challenge and a new revelation and it is very difficult sometimes for those of us who are keenly interested in the subject to get a handle on exactly what is happening. But there are some fundamentals I think we can understand and some directions we can take the province that will provide us with a healthier economy that is going to result in fuller employment and a better life for the people of Ontario.

There are some questions that somehow or other in this new era that has come upon us since 1973—since the Yom Kippur War and the oil embargo and so on—we still haven't asked ourselves in this province to any deep degree. I think that if we ask ourselves the questions and ponder where the answers can come from, it might give us a base or a springboard to start from.

The first question would be what kind of energy do we actually need in Ontario. One of the big mistakes I think we tend to make is that we say a Btu is a Btu is a Btu. It is like a rose is a rose is a rose. It is interesting to point out that in terms of energy consumption that is not the case. The kinds of energy that we utilize go to a different end use and they come from a different source. Each of those has its own translation in terms of the kind of lifestyle it gives us and the kind of utilization we have of it in a different way.

Another question would be who actually requires the energy in Ontario and how much. We know that the householder seems to require a certain amount, and industry requires a certain amount, and so on; but when we stop to think of it, we really haven't rationalized just how much each of us require and who will require what, for what purpose and to what end use.

We are using electricity at the present time to heat homes, to turn wheels and so on. We use natural gas to make electricity. We use all sorts of things and we have never stopped to ask ourselves for what purpose are we using this particular energy? We should ask ourselves for how long we need a particular kind of energy and in the end how much. Our domestic consumption of energy in Ontario has doubled since the late 1960s and yet it has not resulted in any increase in our standard of living. It hasn't improved our economic position. Indeed, the only accomplishment that has been made with it is it has required we pay a larger percentage of our income for energy as the years go on.

[9:30]

We have adopted, in the province of Ontario, a consumptive—perhaps one should use the word “consumption”—philosophy. It is really a consumptive philosophy, because it is a self-defeating kind of thing. We toy with the philosophy that all we have to do is continue to expand our energy systems and they will meet our needs. We continue to believe that what we are consuming we need.

There are some old fallacies which have given us, in the province of Ontario, the dubious record of being the highest per

capita consumers of energy in the whole world. It is a very interesting observation. The fallacies go something like this; using less energy is going to mean we are going to suffer from a lower standard of living. That's a philosophy that I think has been ingrained into every one of us. In other words, we parallel a lower standard of living, possibly, with driving in an automobile with a more efficient engine which will get us from point A to point B on half of the Btu's.

Another of the fallacies we deal with would be the huge, capital-intensive projects we are engaged in at the present time in Ontario relieve unemployment. This is a fallacy the Minister of Energy (Mr. Baetz) has alluded to in recent months. It has been his excuse for continuing on an expansion program in Ontario Hydro that is related to the kind of growth that took place in the utility up until about 1974 or 1975, by projecting backwards because that was really the only way a load forecast could be predicted. What we said was and I think the ad is still on television from time to time, it may even be on tonight, traditionally our utility has grown at the rate of seven per cent per year.

Yet when we look at what actually happened in the last year and at the beginning of this year, we find some very startling changes. The growth rate has dropped. It has dropped to a rather startling degree; last year 2.2 per cent in total growth in the system, and this year a real growth of one per cent so far. On a temperature-corrected basis—that is if you consider the fact we had a very cold spring and so on—you could actually say the growth of consumption in the utility had fallen to zero. Yet the government has continued with these capital-intensive, large, centralized projects, because it is said if we don't have them we won't have the employment. What I hope to do tonight is to try to establish, that in my own view, the development of large, centralized energy-producing utility sources in the province of Ontario is not, indeed, employment-producing at all but on the other hand is employment negative.

There is another fallacy we have come to live with regarding our energy consumption. That is when some of us say we should be developing renewable energy resources with at least the equal of the interest, both from a financial viewpoint and in terms of brain-power input and so on, that we have shown in the nuclear program in the past years. The fallacy is that renewable energy technology is not well enough developed. Two years ago, or a year and a half ago, sitting

on the select committee on Hydro one heard predictions that renewable energy technology, if applied beginning now, could account for no more than two per cent of the energy requirements of this country, or of North America if you like, by the turn of the century. Another one of the great fallacies.

Let's look at some of these fallacies and these concepts and find out, if we can, or get a bit of an insight, into just what we're dealing with in the province of Ontario; what the potentials are and what challenges lie ahead.

One of the fallacies I alluded to is that renewable energy is not well enough developed and we have to continue to expand this present system. What are renewable energies? We have all heard the term solar energy, and some of us tend to think about solar panels on top of the roof and the retrofit in buildings and so on. But when we take stock of just what we have available to us in terms of what I like to call, instead of solar energy or renewable energy, energy income, it covers a much broader base.

For instance, we have growing in our province a potential from biomass—that's one of the buzz words we learn when we get interested in the subject—which far exceeds the demand for heat that is required by the population of this province, on a renewable basis and on a perpetual basis. There are some who criticize, for instance, the use of forest products or forest waste, or even I suppose the growing of agricultural crops for the use of energy in the future. We've heard some naturalists criticize this concept because they believe we would advocate denuding the province of its forests. Nothing, of course, could be further from the truth. All we're doing is recognizing that the growth caused by the process of photosynthesis, and the sunlight falling on our great province, gives us a certain potential from that area which can be of great benefit.

If we look at it just a little more deeply, without passing on to other areas just yet, we find something else that is very significant in terms of the utilization of biomass. First of all, the competitive nature of the end products of biomass—that is wood, alcohol and so on that can be used as very adaptable, storable energy forms—have as their base a very employment-intensive industry. The harvesting of the product, whatever it is, whether we are going to grow a special crop on the farm and harvest it or whether we're going to take it out of the forest; or whether it becomes part of the mill waste in our lumbering industry—and each of these, of

course, has a contribution to make—we find they are labour-intensive.

Another thing we discover about this kind of technology is that while it may be sophisticated to a certain extent, it doesn't have the demand of sophistication that the nuclear program has in Ontario. That means, then, that the opportunity for employment is spread among a much larger body of people. I certainly am not, and most of us certainly are not, nuclear physicists or whatever, nor are we trained to operate the great atomic engines in Ontario, but we can all learn and have the ability to harvest wood products or grow agricultural crops or participate in that kind of thing.

If you look at the economics of that biomass energy, methanol—and I'm glad the Minister of Transportation and Communications has come in on his duty-time tonight, taken time from the the hockey game to come in.

Hon. Mr. Snow: I heard you were speaking. I tried to stay away.

Mr. J. Reed: What we're finding right now is that the cost of production of some of these fuels is on a line which is very close to being competitive with the price of petroleum-based motive power. When we reach that point, we know then that Ontario has an incredibly interesting transportation fuel available to it where the money spent can be turned over inside the borders of the province; and that can amount over a period of time to many billions of dollars.

Of course, we have the direct use of biomass energy which many of us grew up with when we were young people, and that's the burning of wood directly. I had the pleasure of being up in Bobcaygeon a week ago, in the fair riding of Victoria-Haliburton with my colleague the member for Victoria-Haliburton (Mr. Eakins), and we visited a wood-stove manufacturer—

Hon. Mr. Snow: There's a lot of biomass from there.

Mr. J. Reed: —who is not manufacturing the kind of wood stoves that we thought of in the old days, the thing that we had to stoke up every three or four hours or it would go out, and whose heat rose and fell depending on how we managed the draft.

Hon. Mr. Snow: It used to get damn cold in the morning.

Mr. J. Reed: Well these stoves don't get cold in the morning, I must inform the minister, because wood-burning technology has taken on a whole new significance.

The interesting part of it is that the markets for these wood-burning products are widespread across North America now. We have a whole new technology developing in the use of that biomass.

As the years go by, within the next eight or 10 years, with or without the help from any government, that is going to take over, perhaps a small but certainly a significant amount of our low-temperature requirement in the rural areas.

On that trip I was also intrigued to see the first really competitive solar-heated greenhouse industry in North America.

Mr. Gaunt: It makes the waste heat concept obsolete, doesn't it?

Mr. J. Reed: It not only makes the waste heat concept for use in greenhouses obsolete, but it makes the whole business of greenhouse growing so much more flexible than it has ever been before and it means that these greenhouses are consuming only about five per cent of the added energy of the traditional greenhouse.

The frustrating part for the manufacturer, of course, is that the government of Ontario does not see fit to help with the research and development of this great industry.

Mr. Cureatz: What about Durham East?

Mr. J. Reed: If we talk about the employment potential in energy, we have to look at the employment potential for the manufacturer of this new technology in greenhouse development as one example.

If we were to relate the comparative energy consumption between the traditional greenhouse that we have at the present time and, say a province or a continent of North America that would gradually convert to this kind of technology, the impact on our energy consumption suddenly becomes enormous and it is a very significant breakthrough.

I might add that Victoria-Haliburton, Lindsay and Ontario can be proud that this technology is well ahead of any of its competitors, certainly across North America. So we know that from an employment point of view, renewable energy really does have a place.

[9:45]

It is also interesting to know, when we do the numbers on the cost, that the time is quickly approaching when Ontario will be in a position to be able to raise all of its own vegetable products on a year-round basis and they will be competitive with products we import, as we do at the present time, from California and Mexico and so on. It also will enable us to grow some of these vegetable

products in the mid-north and in the farther north because, as many of us know, while we don't have as high an ambient temperature up there we do have much more sunlight in some areas than we do here. The sunlight, the insolation if you like, is greater in northern Ontario than it is in southern Ontario.

Hon. Mr. Snow: There are pretty long nights up there.

Mr. Eakins: Great nights in Lindsay.

Mr. J. Reed: There's another area that we pay very little attention to and—

Hon. Mr. Snow: I didn't know that Lindsay was in the north.

Mr. J. Reed: —that is what I suppose I like to call end-use conservation.

As the members know, there are two kinds of conservation when it comes to energy consumption. One is the conservation of quantity. That's where we use less; where the little dog on television says turn it off, and so on—the message from your Hydro. That's quantitative conservation and that's the kind all of us can practice very easily in Ontario, because we have so much to practice with, being the biggest wasters of energy in the world.

It's perhaps no wonder that our utility growth has slowed down naturally, as a result of a number of factors; the economic downturn in the province, perhaps a certain downturn in the growth in population, but also the fact that by simply becoming a little more conscious of energy conservation we have had a significant impact on the growth of our utility.

But there's another kind of conservation. This is the end-use conservation, or if you like the qualitative conservation, Mr. Speaker. It's the kind of conservation that has probably more potential for realization, more potential for actual reduction in energy consumption than the other kind of conservation.

When I think of it I think of the fact that Ontario Hydro, for instance, is now about 70 per cent a thermal system. That is, about 70 per cent of the power generated is generated by the production of heat and the conversion of heat into steam. What happens during that conversion is that two thirds of the energy that is put into the system is simply delivered into the biosphere, or into our environment, without doing any work. In the process we call it cooling water and—

Hon. Mr. Snow: I thought it was the troposphere.

Mr. J. Reed: It's the biosphere, and perhaps the minister might make himself familiar with some of these terms as we go along.

Hon. Mr. Snow: The troposphere goes up to 39,000 feet.

Mr. J. Reed: This is an educational speech as well as for the record and I'm trying to do my best for the minister.

Mr. Eakins: An excellent speech.

Hon. Mr. Snow: Everything under 39,000 feet is the troposphere.

Mr. J. Reed: But with that 70 per cent that is converted thermally, our utility puts two thirds of the energy that it consumes in the production of that electricity into the biosphere as waste water.

Hon. Mr. Snow: I think it's the troposphere.

Mr. J. Reed: That means for every 10,000 Btu—or let's say to make it simpler, for every three shovelful of coal that goes into the furnace, the equivalent of only one shovelful comes down the line in the form of electricity and the heat from the other two shovelful goes into the Great Lakes.

In my mind, that is a potential for tremendous conservation. The challenge is, how do we accomplish it? Do we accomplish it by using the waste heat? That's perhaps one way. But one of the other ways of accomplishing that conservation is not by using that kind of utility at all.

I wonder if any of us has considered that if we just used electricity to its highest end use, and applied the other available energy forms for those end uses for which electricity was not needed, what the outcome would be.

Some of the most prominent people in the world who have studied this subject have told us that electricity used to turn a wheel or to turn a motor is a very high end use. They've told us that electricity is necessary in electronics. Electricity in lighting is a very high end use. Electricity to produce high temperature heat is also, surprising to me, a very high end use; but nonetheless, it is.

Where do we use a lot of our electrical energy? A tremendous amount is used to produce low-temperature heat. That is one of the worst end uses to which we can put this high-grade form of energy. As a matter of fact, Amery B. Lovans has told us that if we used electricity exclusively to its highest end use and chose the other forms to their highest end use, our consumption of electricity would drop by 90 per cent. It's quite an interesting observation. We know that in the real world and in the practical world that bottom line is probably not possible. But we know it's a goal we can strive towards; and we know that considering where we are and where we can go, the opportunities are tremendous.

When we go back and ask to what end use are we going to put these energies, it be-

comes very interesting when we reconsider the potential for the soft technologies. I mentioned one of them, the biomass. We have mentioned solar energy. We can mention, probably, the potential for the remaining small potential for hydraulic power that is available in the province of Ontario. I know I've been accused by certain people of wanting to dam up every stream and extract power from heads as low as three feet. The truth is that the application of small hydraulic power and its conversion to that great form of energy is a very important contribution in the province of Ontario.

If we accept that, if we know that if we're going to become self-sufficient in energy in Ontario we've got to go in that direction, if we know that is the ultimate down the line; the challenge then becomes how to undergo the transition. I would submit to this House that one of the things we do not need to do, that we should no longer be doing, is simply trying to amplify our existing hard energy systems.

In terms of our electrical utilities, we're well overbuilt. As of right now, our thermal system is overbuilt about 49 per cent. At the rate construction is going, our overbuilding, if the growth continues on a pattern similar to what it has been in the last few years, we will have an overbuild of about 60 per cent or so by 1985. One wonders if the people who pay for that electricity can stand the gaff. One also wonders if we're not committing ourselves to one of the great dinosaurs of our age.

The challenge is what do we do in terms of the transition; how do we get from here to there if we accept the fact that there is the place we have to be? I think even the Minister of Energy has accepted the fact that we are going to leave the era of hard technology and probably move toward the era of soft technology, but he projects it over a period of half a century.

One wonders why the ministry and all the brains behind the ministry would take such a very narrow and protracted view of the future, first of all, in order to convert a megawatt of consumption from one form to another form—for instance, from the hard nuclear form to a solar form in terms of a solar greenhouse and so on—is very much more quickly done in the soft energy term. It takes us now about 15 years to build a nuclear power plant from the time of conception to when the system is on line.

I would submit that 3,000 or 4,000 megawatts of equivalent power could be produced through soft paths in a very few years—in two, three, four or perhaps five years. When

one does the costing of the relative expense and considers the capital demand and when the interest clock begins to go around and so on, it seems to me to be rather obvious that we must proceed down that path as thoroughly and as quickly as possible.

There are some very interesting side effects that can occur when we go down that path. First of all, we raise the potential for employment very markedly by transferring capital out of a potential nuclear growth or a large centralized growth into a more decentralized soft energy path. Indeed, it has been stated, and I think it's reasonably correct, that a job can be produced with about 10 per cent of the investment on a soft energy path as it can on the nuclear program; it works out to something like \$25,000 per job versus about \$250,000 per job in the nuclear area.

We can start with a program of very simple things. For instance, the potential of insulation alone in Ontario equates to roughly 4,000 megawatts of consumption. Another fallacy is that to undertake an insulation program is somehow our response to freezing in the dark as an alternative. That's a lot of nonsense. As a matter of fact, insulation programs are so successful that many of the American utilities, which have to operate at a profit and pay stockholders, and which pay taxes and so on, are undertaking insulation programs as part of their operations because they darn well make more money for the utility. There is more money in insulating a megawatt of electricity than there is in building a megawatt of generating capacity.

The actual capital requirement for insulating a megawatt of electricity, according to the provincial Ministry of Energy in its book *Turn on the Sun*, is roughly 50 per cent of that for building a megawatt of generating capacity. That means we have the potential in Ontario, with a concerted insulation program, of saving the equivalent of 25 per cent more than one Darlington at about half of the capital cost.

The other side effect is that we diversify our energy load demand in such a way that we don't rely as much anymore on the large centralized utility. The same can be said, I think, for virtually every kind of soft energy path. If we build a greenhouse, which we have the technology to do, that will use only fifteen per cent of the energy that was required prior, that means our reliance on the utility becomes markedly less. This in turn has an effect on improving our energy and employment security in this province and makes us much freer of and

much less dependent on Big Brother. I hope by that to explain that I believe the transition can be accomplished more quickly than even the building of large-scale centralized nuclear plants.

[10:00]

Of course, as we go into the technology more deeply and as we begin the transition, we find that we develop more rapidly.

As a result I have in the last few months placed on the order paper a number of resolutions that I would like to read into the record tonight. They all relate to what I believe is that kind of transitional period we should get on with as quickly as possible.

Mr. Deans: Why don't you read Conway's as well?

Mr. J. Reed: The first one is that all of Hydro's future thermal expansion be tied to the utilization of cooling water. What that means—and I think it has some rather broad ramifications—is that in order for the cooling water to be utilized from the utility, it's going to mean that the utility will have to locate its facility in proximity to the point of utilization of that cooling water.

Mr. Gaunt: The government is just trying to bail out some of those defeated Tory candidates.

Mr. J. Reed: It seems rather ludicrous to me that the government would choose a site like Bruce, for instance, to build, already in the works, 6,000 megawatts—

Mr. Hodgson: Don't agree with you on that.

Mr. J. Reed: —of nuclear power where it is, incidentally, potentially spewing 12,000 megawatts into Lake Huron and not really being able to utilize that cooling water.

It's also interesting that if a resolution like this follows through, it would mean that the technology and the design of that nuclear reactor should be such that there would be a higher temperature discharge than there is at the present time; although I do know that by the use of heat pumps, or whatever, we can recover it, it could be done for much less cost.

There's nothing new or radical about that kind of idea. It's being used in Europe and has been used in those countries for many years, countries that have had to come to terms with the thermal problem from the beginning of their generating careers. We've had the Rolls-Royce of electric power generating in Ontario with our hydraulic power; we've gone on since then and tried to treat the thermal generation of that power in the same way that we treated the hydraulic, and

they just don't compare. We've got to learn to use as much of the energy we put into the system as possible.

The second resolution I put in was that all homes in Ontario should be energy rated. When we first considered this as something to raise the consciousness of each individual consumer of electricity, I really thought of it as being something that was perhaps complicated and involved. I can't take the credit for this as being anything new. I understand Prince Edward Island has been doing it quite successfully for a couple of years. It's simply based on the Btu consumption that each individual home has had over the prior three years.

That does give the incentive to the home owner, in terms of the value of his home, to upgrade or reduce the amount of consumption per cubic foot, and that energy rating can then be tied to a listing if one is selling one's house. It can also be used by the purchaser when they're deciding how much they're going to pay for it. I think it's a rather valid resolution.

The third resolution we brought in was that in the opinion of this House time-of-day pricing should be incorporated into any rate structure changes by Ontario Hydro. As most of us here know, electric power is not purchased on a straight line. It's purchased through two peak periods that occur every day. We know now that every percentage point we can take off the consumption peak can save the people of Ontario \$200 million in capital costs.

One of the ways that we can reduce the peak—I really have to say this is only one of the ways—is by incentive pricing. If we can provide enough incentive during those peak times so that people will see that it is to their advantage to store their energy over those times, whether it is through larger hot water heaters that are controlled to go off and on and so on, or whether it is home heating with built-in storage, I think it is immaterial. The fact is that if we can provide that kind of incentive, it will certainly happen.

We have presented a resolution that says the government should attach at least equal importance to the development of renewable resource technology in Ontario as it has to the development of nuclear power. The salesmen of nuclear power tell us that it is the only way to go. We have been getting quite a bit of it, especially if one is an energy critic or involved in debate with those people who are involved directly in nuclear technology.

It seems to me—perhaps I said this before in the House—that if the province had attached as much importance to renewable energy technology as it has to nuclear technology the nuclear debate would be academic. We would probably have some of it—it would take its rightful place in the province—but it would be in no danger of becoming Ontario's sole energy destiny.

We have to be very careful in this regard that the pressures to continue to expand and develop and participate in this nuclear proliferation do not overcome what we know, in the long run, is going to be the ultimate destiny of Ontario and for the world so far as that goes. That is the utilization of our energy income rather than our energy capital.

I brought in this next resolution because I felt that it was time the government undertake to lead the way. One of the very frustrating things about being down here is to see that the government talks a good line a lot of the time but never seems to follow through. We have great, grandiose statements from time to time connected with all sorts of things, I think it was the Minister of the Environment some years ago, the new Minister of Agriculture and Food (Mr. W. Newman), who talked about resource recovery systems for Ontario. I think that was 1973, yet there isn't one now operating in an Ontario municipality successfully that I know of. So there is a good line talked.

We talk about the necessity to conserve energy and yet our building here doesn't have a storm window on it. If you look at the size of the windows—I haven't undertaken to calculate the kind of losses that take place every winter here, but it would be interesting to know just what could be saved if there were storm windows at Queen's Park. If you have an answer, Mr. Speaker, I would appreciate it.

Mr. Ruston: The hot air has to get out though.

Mr. J. Reed: My colleague talks about the hot air getting out, but one of the things we can do at Queen's Park is to save the hot air, we just might be able to heat the whole place. Thus this resolution calls for the installation of storm windows at Queen's Park so when anyone comes here and visits this building they will know the government is serious about energy conservation.

When I was in Winnipeg two years ago I was interested to see that the provincial government was installing solar water heaters on legislative buildings simply for the purpose of letting people know that they were interested in the subject. They were doing text

work with it; it wasn't just a publicity stunt. It was, I thought, a very positive thing.

I went on to suggest in this resolution that the government also carefully examine all the costs in heating and cooling public buildings by solar means, and that a timetable be set to build all new buildings with solar orientation and to retrofit present structures for solar energy as it becomes economically feasible.

My colleague is just showing me a copy of the Toronto Sun which shows two beautiful ladies on the front page making very good use of solar energy—of course, this is the time of year for it. But the kind that I am advocating is also useful in the middle of winter.

We think that this kind of thrust on the part of the government could be an example to the rest of the citizens—to people who design homes, who design buildings—to get on with the job. Because the numbers are there. All we need is a little punch in the right direction.

The final part of my resolution deals with the obvious outcome of these kinds of initiatives; and that is, if you are going to utilize the sun you've got to have access to it, Mr. Speaker. So the resolution calls for the government to proceed immediately with the right legislation. The sun right, or the right to sunshine and sunlight, is traditional in British law. It was part of our law here in the city of Toronto until I believe 1885, when I suppose the pressures of the day and the high-rises of the day seemed to necessitate that sun-right laws be abandoned, or obliterated from the books.

If one goes to Tokyo and some other places around the world, one finds that even tall buildings have incorporated into their design shapes that allow the sun to shine on the fellow next door, so that he will have access to sunlight, too. The importance of having that access is accepted in most parts of the world. As usual, of course, especially with the modern-day government, Ontario may be the last to take up these challenges and deal with them. But we have to start in this direction.

The reason I injected this subject matter into the budget debate tonight is because I do believe that the development of our energy future in Ontario can have its base in economics; and if we do it in the proper way and in the proper direction it can be a very economically sound experience. It can result in much fuller employment than we have at the present time. It can result in a much wiser use of the energy resources at our disposal now. It can also give us the capability and the technology to take our rightful place in the world in terms of the ultimate use of

energy income devices, and give Ontario its share of that kind of potential market.

As you know Mr. Speaker, the market in Ontario is dependent very much on export. We've depended on it since Ontario first became an industrial province and this is one way, through our energy utilization, that we can—

[10:15]

Mr. Haggerty: Export our natural resources, export our energy and export jobs.

Mr. J. Reed:—export our renewable resources and take our place and be recognized as being in the lead in renewable resource development around the world.

Mr. Foulds: I move the adjournment of the debate, Mr. Speaker.

Mr. Speaker: If there are no other speakers—

Mr. J. Reed: Jack is going to speak.

Mr. Johnson: I'm sorry to hold the members up tonight. I realize they want to see the rest of the hockey game, but the score is four to one.

Mr. Kerrio: In no way are you holding us up.

Mr. Ruston: We're here to work.

Mr. Kerrio: We're here to listen. As long as you give us the score.

Mr. Foulds: It's okay. We'll just call a quorum, Jack.

Mr. Johnson: I had quite a few pages here tonight that I'll delete due to the lateness of the hour. I would like to mention a few things briefly and one point in detail. I did want to discuss our unemployment problem, the confrontation that seems to exist between business, labour and government, the reassessment of our expectations for youth and the tremendous need to improve our apprenticeship program, the need to preserve our agricultural community and the proposition that farmers deserve a fair return on the goods they produce.

Mr. Ziembra: Where do you stand on all those positions?

Mr. Johnson: I'll forgo that tonight and possibly speak about it at some future date, but I would like to dwell on one program. I would urge the government to consider it. It's an expansion of the farm vacation program.

The government's current involvement in this program consists of the distribution of some 1,000 pamphlets. The program has two purposes. First, it provides the urban dweller with an opportunity to vacation in rural communities and to acquaint himself and his

family with life on the farm. Secondly, it provides an additional revenue to the farmer. This type of program is currently being carried on in Prince Edward Island where some 90 farmers participate in it. There was an article in the Saturday edition of the Toronto Star two weeks ago explaining the program, and it mentioned that was attracting guests from Europe, the United States, Japan and Indonesia. Similar results might be achieved if the government, on an experimental basis, provided long-term, low-interest loans for building accommodation for farmers wanting to participate in this program. This would benefit the farming community in two ways.

First, it would provide the farmer with an additional income on the farm rather than having him work in urban centres. If he needs an additional income, this would be one way of achieving it without his leaving the farm. Secondly, it would provide another market for the goods sold in the smaller communities. In addition to these factors, a week or two of vacation on the farm would help urban families understand the challenges that face the rural communities and, I might add, the joy of rural life.

I would also add that the purpose of the program would not be to turn a farm away from agriculture. As a matter of fact, it's the reverse. Its primary purpose is to provide an opportunity for urban families to gain an understanding of farming as a day-to-day business. In addition, I would emphasize again that the purpose of the program is to supplement the farm income, not to replace it.

Any time there is a question of priority between agriculture and recreation, we would surely all agree that we have more land suitable for recreation than for agriculture. Therefore, the priority must go to agriculture. I'm not promoting a farm vacation program at the expense of agricultural land, but indeed the opposite. It would be my hope that the young farmers and farmers on marginal land or operating on a very tight budget would be able to make extra income, thus making their farming operations more viable.

At the present time, if the farmer does not have sufficient resources to buy more land to enlarge his holdings, to buy better equipment, to improve his operation, to buy more stock to increase his profits, he is forced to take a second job and work off the farm. Under this farm vacation program, that meant to improve his operation, to buy more or three small cottages or cabins, a maximum of possibly five, depending on the location

and his potential ability to handle the operation. In five or six years he could sell or transfer his operation to another farmer and the cycle could start again.

We have a type of farm vacation program in existence in Ontario today but there are fewer than 30 farmers in the program. They operate on a very modest budget and receive very little recognition or encouragement. They receive some support from both the federal and provincial governments but not enough from either.

In 1976 I was in Prince Edward Island and met with the Minister of Tourism; we discussed that province's program and I was told that several years ago it was not meeting with much success. They decided on a drastic policy. They prepared a questionnaire and asked farmers and tourists why the program was not working. The answer came back that the people involved, both the farmers and the tourists, wished to have some privacy. In many cases they did not feel comfortable sharing the same home.

Therefore, Prince Edward Island came up with the idea of separate, small cottages or cabins adjacent or close to the farmer's home. This worked and the program is now extremely successful. That is why I propose small, self-contained one- or two-bedroom portable cabins or cottages. They would have a Franklin stove or fireplace, heating and cooking facilities and be geared to family vacations. They must be portable so they can be moved from one farm to another or sold to private individuals to recoup the cost. They must be winterized so that the program can be extended beyond the summer months. There are many families who would like inexpensive winter vacations as well as summer vacations in Ontario if accommodations were available.

These cottages or cabins would be constructed on an assembly-line basis, identical one- or two-bedroom units. They could be tendered out to private enterprise or, better still, they could be built in our Correctional Services institutions; for example, the Guelph training centre.

I am sure the Minister of Correctional Services (Mr. Drea) could make use of such a program. In fact, I discussed it with the minister today and he offered his fullest support to the province.

This would create a job training program for these unfortunate young men. They would receive beneficial training as carpenters, a trade they might continue to pursue in the future. They would provide inexpensive units that could be purchased by the Ministry of Industry and Tourism and

leased to the farmers engaged in this program.

Mr. Foulds: Undercutting free enterprise.

Mr. Kerrio: I thought you were a free-enterpriser?

Mr. Johnson: I am.

Mr. Kerrio: But you're going to have the state build everything.

Mr. Johnson: It would be hoped that after the first successful year's operation the farmer would purchase the units and perhaps add one or two more. The farmer's wife could provide some meals, if not all, sell some made-at-home produce, and provide employment for some of their neighbours, thus contributing to the general prosperity of the operation.

Mr. Foulds: Sounds like a socialist scheme to me.

Mr. Johnson: To be successful it would have to be an operating farm—naturally not a specialized operation like a dairy farm, but nevertheless an operating farm.

I would propose that my riding of Wellington-Dufferin-Peel be used as a pilot project. My riding is nearly as large geographically and in population as Prince Edward Island and could support 40 or 50 farm vacation businesses.

Within a two-hour drive, 100 miles, there are nearly four million people living in large urban areas in Ontario plus another 1.5 million in Buffalo.

Within one day's drive, 400 miles, there are approximately 20 million living in large urban centres; and this does not include Chicago, Cincinnati, Philadelphia, New York or Boston, which are not far outside this range—a potential 50 million customers for this farm vacation program.

When Canada faces a deficit of between \$1 billion and \$2 billion in tourist trade, any tourist vacation program deserves a trial period. The federal government asked people not to vacation in the south this winter and will likely try to entice the tourists not to travel to Europe this summer, but many will; and this is quite understandable.

But how about providing an alternative, especially for the young families with limited incomes and small children? Why not a family-plan vacation in Ontario, in Wellington-Dufferin-Peel? We're only an hour from the beaches of Georgian Bay, Lake Huron or Lake Ontario, an hour from the major Ontario settings, with dozens of arenas, curling clubs, swimming pools, golf courses, tennis courts, ball parks. We have the headwaters of several major trout streams and many small fishing

lakes. We have the scenery that will match any in Ontario, the Elora Gorge, the Luther Marsh, the Caledon Hills, beautiful towns and villages and the friendliest people in the world. Come back to the land, back to the farm, back to rural Ontario and visit us in God's country.

Perhaps I'm a dreamer. Perhaps it won't work. Perhaps this farm vacation program is not feasible, but surely it has merit enough for us to pursue it, to investigate the possibilities and, indeed, to set up a pilot project. If it is successful in my riding it could be successful in many ridings across our fair province. Perhaps we can experiment in other ridings as well. I would encourage them to participate.

The Minister of Industry and Tourism (Mr. Rhodes) has indicated his interest in this program. His ministry has been most co-operative, but to make this program a success we need the assistance, the advice and the co-operation of all members in all parties in the House. I hope the members would at least give serious consideration to these proposals.

Finally, Mr. Speaker, in my speech tonight I had intended to emphasize the need for business, labour and government to co-operate with one another to resolve our economic difficulties. I intended to emphasize the need for these sectors of the public to re-evaluate

their expectations in terms of what they expect from one another and from society as a whole.

Expectations are a very precarious commodity. We all want a comfortable and prosperous life within the communities in which we live. But the time has come to establish priorities for ourselves as individuals and for society as a whole. Our expectations must be based on a careful assessment of what we want and what we can afford.

If we want a community free from crime and tension, for instance, then we must be prepared to support the fine efforts of our police departments who contribute so much to our society. All too often we expect perfection from our law enforcement agencies and when we find a flaw we dwell on it. Instead, we should remember their efforts and the dangers they face to protect us from those who threaten our property, families and way of life. Thus, our expectations must be realistic, whether it be in what we expect from the police, from government, business and labour or from society and the economy as a whole.

On motion by Mr. Johnson, the debate was adjourned.

On motion by Hon. Mr. Brunelle, the House adjourned at 10:20 p.m.

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Second Session, 31st Parliament

Friday, May 26, 1978

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

FRIDAY, MAY 26, 1978

The House met at 10:02 a.m.

Prayers.

STATEMENT BY THE MINISTRY SCULPTURE CONFERENCE

Hon. Mr. Welch: Mr. Speaker, I am pleased to inform the honourable members that the 10th International Sculpture Conference is to be held at York University from May 31 to June 3. This year, 1978, is the biennial year of this major art congress, whose honorary chairman is Henry Moore. I am delighted that Toronto has been chosen as the host city, doubly so as this is the first time that the conference has been held in Canada.

The theme of the conference is Sculpture Today. Since preparations for it began two years ago, members of my ministry and its agencies have been extensively involved in the planning and co-ordination of a rich variety of international programs and exhibitions. The four-day conference will bring together over 1,200 sculptors and related experts from Canada, the United States, and 34 foreign countries to explore the full spectrum of sculpture today in a program of workshops, panel discussions and seminars to be conducted by over 150 world-renowned experts.

As part of the planned city-wide celebrations, the works of Canadian and international artists will be on display at the Art Gallery of Ontario, York University Galleries, the Toronto-Dominion Centre, the Ontario College of Art, Harbourfront and McMichael Gallery at Kleinburg as well as private galleries throughout the city.

Of special interest to the honourable members will be an exhibition of the works of 75 Canadian sculptors at the Macdonald Gallery here at Queen's Park. This show is sponsored by the Sculptor's Society of Canada in honour of their 50th anniversary. The cities of Dundas, Hamilton, Kingston and Ottawa are also participating with special shows and events.

The conference has the endorsement of the three levels of government, with funding by the Ministry of Culture and Recreation through a Wintario grant, Ontario Arts Council, Canada Council and Metropolitan Toronto. I know that the honourable members

and indeed all the people of the province will join with me in extending a warm and hospitable welcome to this world community of artists, and that everyone will enjoy the aesthetic pleasures and educational values of this multinational celebration of sculpture and sculpture.

ORAL QUESTIONS

WASTE DISPOSAL

Mr. S. Smith: I have a question for the Minister of the Environment. This has to do with the report that the ministry will be turning down the proposed Nanticoke waste disposal site for liquid industrial wastes. I trust the report is true because we don't think that's the proper place for the waste.

Can the minister say, given the rejection of this scheme, what policy is now going to be followed at long last by his ministry to deal with the enormous problem of liquid industrial waste in Ontario? Are we merely to save it in gallon containers? Are we merely to hope that unscrupulous people don't dump it down the sewer? What policy is going to be followed from now on with regard to liquid industrial waste?

Hon. Mr. McCague: First, there was an announcement that the director of environmental approvals had turned down the Nanticoke site. I think the Leader of the Opposition is aware of that. We are hoping that municipalities and industry will solve some of these liquid industrial waste problems.

Mrs. Campbell: That's right.

Hon. Mr. McCague: As the honourable member knows, we are having a hearing on the burning of PCB-contaminated materials at St. Lawrence Cement which we are satisfied, as a ministry, is a sensible way of disposing of them. There is solidification at the Ottawa Street site in Hamilton. We will be looking at deep-well disposal. There are a couple of areas in the province where it is felt that that can be done successfully, based on information we have and the results of a couple of sites in the United States.

Mr. S. Smith: Dealing first of all with the Nanticoke matter itself; is the article in the

newspaper correct, to the minister's knowledge, that Mr. Drew and the Nanticoke company spent \$125,000 on various fees and so forth? If so, did that money come from the Ontario Development Corporation loan of \$500,000 which was made to the Nanticoke company? If so, can we be told whether the minister has any understanding of what security there is for that loan since I gather it was originally going to be a second mortgage, and I would like to know, a second mortgage on what? The company has no other assets.

Hon. Mr. McCague: I have no information as to the amount which was spent by the firm, nor do I have any knowledge of where the money that they did spend came from.

Mr. Cassidy: In view of the fact that there is still no space where some of the toxic wastes can be legally disposed of, can the minister say what steps are being taken to ensure that those toxic wastes are put into storage and are not dumped illegally into water or sewage systems across the province?

Hon. Mr. McCague: We have no knowledge of them being illegally dumped into water courses around the province. There has been a case or two where these substances have shown up in creeks. We don't know how they got there. We are trying to police it to the best of our ability. The honourable member may be referring to what is referred to as "midnight callers." We will try our best to catch them, but some get away from time to time, as you well know.

Mr. S. Smith: Would the minister be good enough to check with the Minister of Industry and Tourism (Mr. Rhodes) and report at some later date on the status of that ODC loan. It seems to have gone to Nanticoke Waste Management which will now presumably be repaid, or won't be. I don't know, but could the minister check on that?

Secondly, could the minister please elaborate on what he means when he says this problem of liquid waste management will have to be solved by the municipalities and the industries? What does the minister expect the municipalities of Ontario to do? What is his ministry prepared to do to assist them in this regard, or coerce them or help them or whatever, so that we have some policy to deal with liquid industrial waste?

Hon. Mr. McCague: In answer to the first question, I think it would be more appropriate if the honourable member were to ask the Minister of Industry and Tourism to get the details on that question for him.

On the second part, as the member knows, Metropolitan Toronto is one of the greatest producers of liquid industrial waste and there is a committee of my ministry and Metro working on solutions to this problem.

One thing I didn't mention is they are attempting to outfit the sewage disposal plant that is going to be surplus in Durham region for the treatment of waste. We are helping every municipality in the province with the latest technology, which isn't as good as we would like at this point, but on the basis of what we know and what the Americans know, we are trying to assist them to come up with solutions to this problem.

There have been some major advances. We now know that PCBs can be destroyed successfully by high heat, and they are making advances from day to day on solidification, as the honourable member knows.

Ms. Bryden: Now that the Nanticoke project has been turned down, does the minister still hold to the view that he gave in the House and in a speech recently, that the problem of waste disposal should be left to the private sector, or is he prepared to bring in a plan for government action beyond pilot projects in this field?

Hon. Mr. McCague: We still feel it would best be solved by private enterprise.

Mr. Gaunt: What additional incentive is the minister prepared to give industry to help them cope with this very serious problem, in view of the fact that D and D Disposal allegedly spent about \$125,000 to promote their project at Nanticoke only to have it turned down? Would the minister not assume that other industries throughout the province would be discouraged in trying to come to grips with this problem, particularly if they have to put up any of their own money?

Hon. Mr. McCague: That may be so. As I said before, we are willing to assist them with the best technology we are aware of. We haven't had any proposals that I am aware of from any particular industry for assistance of any type, and if we received that, we would certainly look at it.

[10:15]

HEALTH RECORDS

Mr. S. Smith: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations: Can the minister tell us how he reacts to the charges by some of the witnesses in front of the Krever inquiry that the "real culprits" who are hiring investigators to obtain confidential medical information,

sometimes by very questionable and possibly illegal means, that the real culprits are the insurance companies? What action can we expect from his ministry as far as activities of insurance companies to hire investigators to obtain this type of information by these means are concerned?

Hon. Mr. Grossman: Of course, those were accusations made by some people, as I understand it, who were involved in getting the information. At the conclusion of that inquiry, if it turns out that insurance companies are the real culprits or if they're just one of the culprits, if they are at all involved in specifically asking for, seeking or knowing they were going to receive any of that information improperly, then I can assure the House that we'll have the insurance companies in and take all action appropriate.

Mr. S. Smith: Can the minister tell this House whether the ministry has ever received information which suggested that insurance companies were engaging investigators improperly to obtain confidential medical information? If so, what did the ministry do about it? Pending the final results of the Krever inquiry, does the minister not think that it might be appropriate to call the insurance companies together now to inform them that certain practices are contrary to the law and to caution them against engaging in such improper practices?

Hon. Mr. Grossman: The insurance companies are aware that if they are at all implicated in that, it is an improper practice and there has been no shortage of publicity on the matter. We will be taking steps to confirm this in whatever way is appropriate. What was the first part of the question?

Mr. S. Smith: Did the ministry ever receive any information?

Hon. Mr. Grossman: Oh, I'm sorry. Last year I think we had just one instance reported to us where there was not an insurance company involved but only the adjuster. That adjuster was called in and a long discussion ensued whereby it was made pretty clear to that adjuster that his licence might well be withdrawn if that activity continued. That was, I must report, before I assumed this ministry.

As I understand it, there have been no further incidents reported either with regard to that adjuster or insurance companies or other adjusters from that date until the date at which this matter was brought up last week at the inquiry.

Mr. Cassidy: Can the minister, since it is investigators who often carry out these investigations on behalf of insurance companies,

give an assurance to the House that the government intends to review with investigators and investigation firms and the techniques they use in order to stop the practice of pretext investigation in order to get at confidential data which those investigators should not be allowed to have access to?

Hon. Mr. Grossman: I can assure the House that the government as a whole will react appropriate to the recommendations made out of that inquiry or any conclusions that we may draw as a result of that inquiry. The investigating firms, I think, would properly fall under one of my colleagues, not under my ministry.

But I can give this absolute assurance to the House: to the extent that any actions emanating out of my ministry by way of the insurance companies, their adjusters, or what those insurance companies or adjusters are seeking by way of information, or the methods that they are using to seek or obtain that information, we will come down hard and we will react quickly.

Mr. S. Smith: By way of supplementary, and this is supplementary to the information the minister has kindly given us: Concerning the one case of an adjuster who, prior to this minister assuming his present post, was dealt with by the ministry, can the minister amplify this at all? Can he give us a report on that case or table it in the House? Can he tell us whether this is a case where the adjuster got the information himself or via an investigation agency or investigator of some kind?

Can he also tell us whether this information, this breach of confidentiality, was reported to the Minister of Health, who apparently as recently as the discussion we had regarding confidentiality some months ago knew of no such breaches of confidentiality in the medical system? If investigators were involved, can the Minister of Consumer and Commercial Relations table a report, and did the Minister of Health hear about it? What further information can the minister give us?

Hon. Mr. Grossman: The matter specifically came to the attention of the ministry in June 1977, almost a year ago, in the form of a complaint. The adjuster was cautioned at that time, as I have indicated, to make sure that proper written authorization is obtained from a patient before any medical information is requested.

We turned the complaint over to the royal commission, upon its being set up. As I say, the adjuster was cautioned and this was reported to his solicitor on June 23, 1977. That information was turned over to the royal

commission and I presume it will be dealing further with this specific incident and the practice.

Mr. Swart: I wonder if the minister is aware of a Medical Information Bureau disclosure notice which is sent out to at least some policy holders of the insurance company by the Manufacturers Life Insurance Company? I quote as follows two or three sentences from this notice:

"Information given in the application will be treated as confidential. The Manufacturers Life Insurance Company may, however, make a brief report to the Medical Information Bureau, a non-profit membership organization of life insurance companies which operates an information exchange on behalf of its members. If you apply to another member insurance company for life or health insurance coverage, or a claim for benefits is submitted to such a company, the bureau upon request will supply that company with the information in its file."

Is the minister aware of this Medical Information Bureau? Has he made any request to them or done any investigation to see whether they have information which is being turned over to other insurance companies but which should not be supplied to them?

Hon. Mr. Grossman: Obviously, I am not aware of all the forms used by all the insurance companies throughout the province. I am not sure, from the member's quick reading of that statement, that it implies or permits the transmission of any information obtained illegally out of OHIP files.

Mr. Swart: Are you aware of the bureau?

Mr. S. Smith: It was raised in the House two years ago.

Hon. Mr. Grossman: As I heard it, I don't think it did. However, since I can't report on one particular form being used by one or a series of insurance companies, I can't give the member a full answer on that. If he will send it over to me, I will be pleased to investigate it and report back.

Mr. S. Smith: Mr. Speaker, I am not entirely satisfied with the answer I have received so far. Regarding the incident in 1977 with the adjuster, would the minister give a full report to the House? Would he provide to the House the same report that has been furnished to the Krever inquiry, allowing that there may be certain things that the public should or shouldn't have at this point, and I will rely on the minister's discretion? Would he, in fact, tell us whether investigators were involved and whether these investigators were themselves questioned to see how widespread

the practice was—whether it was just the adjuster or whether investigators were also involved—and why was the Ministry of Health not informed of this particular breach?

Hon. Mr. Grossman: I will, of course, be pleased to provide all information. Offhand, I can't conceive of why any part of that should not be made available to the public. I will report that as quickly as I can. I should also indicate to the House that my reading of the information I have before me indicates that there was no investigator involved, but that the adjuster had acted on his own to obtain that information. However, I will be pleased to provide all the details to the House early next week.

GATT NEGOTIATIONS

Mr. Cassidy: I have a question to put to the Treasurer, arising out of his visit to Geneva last week to consult with the Canadian negotiators in the Tokyo round of tariff cuts, and arising out of the visit in the same week by six representatives of the Canadian Labour Congress, who were also there to warn the Canadian negotiators—

Mr. Speaker: Question.

Mr. Cassidy:—that there could be a loss of 350,000 jobs if the tariff cuts went through as proposed in the Swiss round.

I would like the Treasurer to confirm that there has been a document, The Ontario Government's Submission to the Federal Government on the Effect of the GATT Talks on the Ontario Economy, and that that document, as I understand it, confirms the job loss or the kind of job loss that was warned of by the trade union representative and warns of major deindustrializing effects of such tariff cuts on the Ontario economy. Is that what the document says and can the Treasurer elaborate?

Hon. Mr. McKeough: I'm not aware of the document. Perhaps the Minister of Industry and Tourism is.

Mr. Cassidy: Supplementary: Will the Treasurer undertake to table that particular document in the House since it was prepared in his ministry? Can he give the House a report on these discussions in Geneva and on the effects in Ontario of the tariff cuts that are now being contemplated by the Canadian negotiators?

Hon. Mr. McKeough: No, I can't give a progress report per se. The negotiations are in the hands of the negotiators. It is fair to say that over the last year and a half successive Ministers of Industry and Tourism, myself and the Minister of Agriculture and Food

(Mr. W. Newman) have been keeping in touch with what is going on, making known our points of view and alerting the federal government to the impact of the tariff negotiations, specifically on Ontario but, hopefully, from a Canadian perspective as well.

On this particular trip I would only say I was somewhat encouraged that our point of view and our specific concerns have been recognized or are being recognized and, I think, are being borne in mind by our negotiators there, although most of the negotiating decisions are taken by the cabinet of the government of Canada in Ottawa, not in Geneva. I think representations properly should be put there rather than at Geneva. Obviously, it's a two-pronged affair, but the decisions, so far as I am aware, are very much taken by the cabinet and are taken on an ongoing basis.

Specifically, I think it is fair to say that with the very active interest of the Chairman of Management Board (Mr. Auld), among others, we have been keeping a close watch on the whole textile area. Our views in that area are well known to the government of Canada. I can only say that I think the concerns we have are recognized by the government of Canada.

Mr. Sweeney: Supplementary: When this matter was brought to the attention of the Minister of Industry and Tourism about a month ago, he indicated that he and a couple of his top aides were going to fly to Geneva to discuss the issue directly with the negotiators. Is it legitimate to ask the supplementary of that minister, Mr. Speaker, or do I have to stay with the original?

Mr. Speaker: If he's prepared to answer it.

Mr. Sweeney: I would like to know what were the results of those discussions which were about a month ago now.

Hon. Mr. Rhodes: The results of the discussions have been fairly well put forward by the Treasurer. They're exactly the same. We go over with our thought to back up the reports we have had.

Mr. Sweeney: Did they give you any guarantees?

Hon. Mr. McKeough: How can they?

Hon. Mr. Rhodes: I thought your colleague beside you was answering. I didn't see him there but he might have been there.

Mr. Nixon: What is the matter with you this morning?

Hon. Mr. Rhodes: We went over with the same proposals that we had made to them originally. We discussed our concerns as they relate to the negotiations, in particular

as they relate to industry in Ontario. We talked about some specifics, one of those being the textile industry, which we're concerned with, and manufacturing in general.

We don't get any concrete positive response from them because they take their direction from the cabinet in Ottawa. I am satisfied, as the Treasurer has indicated, that they are taking our concerns into consideration. I'm optimistic that we will not find ourselves in any difficulty as a result of these tariff negotiations.

Mr. Cassidy: Supplementary: At the Treasurer's invitation, I should also like to switch the question to the Minister of Industry and Tourism. Is the Minister of Industry and Tourism aware of the document called, I believe, The Ontario Government's Submission to the Federal Government on The Effect of the GATT Talks on the Ontario Economy? Is he aware that it warns of major deindustrializing effects, that is, large losses in jobs in Ontario because of the tariff cuts? Will he undertake to table that document in order that the Legislature and the public can know what it contains?

Hon. Mr. Rhodes: Yes, I am well aware of that particular document. It was produced in the ministry and was our submission to the federal government and to the negotiating team in Geneva, expressing our concerns and the reasons for those concerns as to whatever the final negotiations come up with.

[10:30]

I will not commit myself to table that particular document because, quite frankly, we have been asked by the federal government that a degree of confidence be maintained. But I have no compunction at all to say to the member, yes, we are very concerned about the number of jobs that could very well be lost if these negotiations go the way that we originally thought they might and so have a very adverse effect on the manufacturing sector in this province.

Mr. S. Smith: Changed your mind, Darcy. You're not a free trader any more.

Mr. Cassidy: Supplementary, Mr. Speaker: Can the minister explain why it is necessary to keep confidential that document which contains vital information of enormous importance to communities and workers and businesses across the province? Is there any confidential information in it and if not, why cannot the document be tabled in order that people across the province can know where they stand under the tariff arrangements that are now being made in Geneva?

Hon. Mr. Rhodes: Mr. Speaker, as I indicated earlier, some of the comments in that

particular document deal with specific sectors and indicate the concerns we have in those particular sectors. We have been asked by the federal government, because of the need for confidentiality in any of the negotiations that are going on, not to have these particular documents made public at this time but—

Mr. McClellan: Why don't you show it to McKeough?

Hon. Mr. Rhodes:—I'm quite willing to say to the member that we have indicated our concerns and that we are concerned about the loss of jobs. But I am respecting the request that these particular documents not be made public.

CAMPGROUND RATES

Mr. Cassidy: Mr. Speaker, I have a question for the Minister of Industry and Tourism on a separate subject. Can the Minister of Industry and Tourism explain why, on April 3, he pooh-poohed the suggestion I made in this House that Ontario campground rates are rising to a level which would be far greater than the one in Michigan and that that would hurt tourism in this province, but why last Friday in the Sault Star he was quoted as saying that Ontario campground rates were going to be much higher than in Michigan and that this would affect tourism and discourage it in Ontario?

Hon. Mr. Rhodes: I don't recall pooh-poohing that particular item. I have done it to a lot of things the member has said, but he might like to show me any quotes where I said that—

Mr. Wildman: You interjected. You said, "That's not true."

Hon. Mr. Rhodes:—because I have continually stated that I am well aware, as one who does a fair amount of camping, that the rates in Ontario are substantially higher than they are in the state of Michigan. I have always said that and I will continue to say it.

Mr. Cassidy: Thank you, Mr. Speaker. A supplementary: In view of the enormous balance of payments deficit we are having on tourism right now, can the minister explain why it is then that Ontario went ahead with that increase in campground rates, and what is he doing in order to ensure that the campground rates can be brought to a level which is both fairer for our own people in this province and is also more attractive and, therefore, will help to maintain tourism from the US and Canada?

Hon. Mr. Rhodes: I think, as the member knows, the decision as to those particular policies was made after substantial discussion,

and the consensus was that it was necessary to increase those fees in order to realize the financial return necessary to keep the parks, with the sort of maintenance they have now, in the condition they are in and hopefully to improve that condition.

As far as the tourism business is concerned, camping is only one part of it. There are many people in Ontario, in northern Ontario in particular—and the member might check with his colleague from Algoma (Mr. Wildman) on this—who are not overly enthusiastic about campers coming in trailers. That hurts me personally because I like to trailer but many people are not very enthusiastic about the tourism that is generated; they don't see it being generated by campers. So I still maintain that our prices are much too high in comparison to Michigan parks and other American parks and—

Mr. Cassidy: The minister disagrees with the Treasurer?

Hon. Mr. Rhodes: The Treasurer and I don't disagree on the subject because the matter has been discussed and debated. I feel personally that they are high but that's what the rates are.

Mr. Samis: Don't say you are in full agreement.

Mr. Eakins: Supplementary, Mr. Speaker: What percentage of our parks is supported by fees and what percentage is subsidized?

Hon. Mr. Rhodes: Mr. Speaker, I don't have those exact figures but the Minister of Natural Resources certainly would have them. But as a ball-park figure, I think something like 40 per cent of the cost is subsidized.

Mr. T. P. Reid: Revenue is \$3 million and they spend \$25 million.

Hon. Mr. Rhodes: The Treasurer advised me that we are trying to get it up; the fees would cover about 60 per cent of the cost of operations. It is about 30 per cent now.

Mr. T. P. Reid: It is about 8 to 1 now; it was 35.

Mr. Wildman: Does the minister maintain the position that he was quoted in the Sault Star as taking in that "a comparison of the facilities in Michigan and Ontario parks does not justify the high fee north of the border," and added, "Michigan may become a more popular destination for tourists"? If that is the case, what has the minister done to try to convince the Ministry of Natural Resources that its position that the increase in park fees would help the tourist industry and the camp owners in Ontario is an incorrect position?

Hon. Mr. Rhodes: I know the article the honourable member is referring to. I said that. It's in the article. Obviously I support my own position, which I might say is not necessarily a position he always takes of staying reasonably consistent.

But I point out to the honourable member that as far as I'm concerned the discussions that I have with the Minister of Natural Resources (Mr. F. S. Miller) and the rest of my colleagues in these matters are between him and me and the rest of my colleagues, and I don't intend to go into prolonged discussions of what we say here in the House.

Mr. Wildman: You disagree with them then.

Mr. Foulds: Why do you say it for the Sault Star?

Mr. Cassidy: On a point of privilege, Mr. Speaker: I want to quote from Hansard of April 3, where I quoted the rates for unserviced campsites of \$2 in Michigan and \$5 in Ontario. The minister said, "No, no. That is not true." Then I went on to compare the rates for serviced campsites and to point out the effects on tourism in this province. It's on the record, Mr. Speaker.

Mr. Kerrio: He said no, no—not pooh-pooh.

Hon. Mr. Rhodes: On the point of privilege, Mr. Speaker: When I said, "No, no. That's not true," I was absolutely correct. The honourable member has probably never done any camping in his day—

Mr. Ruston: Except at Toronto Island.

Hon. Mr. Rhodes: —but I would point out to him that the rates he quoted are not accurate. If he took the time to find out the rates that are being charged in Michigan, he would see that I was correct in saying, "No, no. That's not true." But I certainly didn't pooh-pooh him. I will now, because obviously he is wrong.

LOCAL GOVERNMENT REVIEWS

Mr. Cunningham: Mr. Speaker, I would like to ask the Treasurer, on the subject of the Hamilton-Wentworth review, whether he would reconsider his position as it relates to the deadline for submissions to the cabinet on the subject of one-tier government and the recommendations associated with that. Would he consider the position taken by the chamber of commerce for the city of Hamilton, which is requesting a delay in the implementation of this, and as well the submissions that I know have been made to the

Treasurer by the outlying municipalities which would request a delay till August?

Hon. Mr. McKeough: Mr. Speaker, that is a matter under consideration.

Mr. Cunningham: Supplementary: I would ask whether the minister could confirm or deny the existence already of legislation respecting the implementation of this particular report. Has the legislation been drafted at this point?

Hon. Mr. McKeough: Mr. Speaker, I haven't seen it.

Mr. S Smith: You haven't seen it. Have you felt it? Have you heard it? Have you smelt it?

ALCOHOL ADVERTISING

Mr. M. N. Davison: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. In view of the minister's statement of March 30, 1978, nearly two months ago, in which he expressed his concern about the possible dangers of lifestyle advertising of beer and other forms of alcohol, that statement which was accompanied by a set of directives that were purporting to ban the practice of lifestyle advertising of beer, and in view of the fact that some companies—specifically and especially Molson's—are still airing those ads on television with the acquiescence of the Liquor Licence Board of Ontario, will the minister instruct that board to immediately institute a ban and remove those ads from television?

Hon. Mr. Grossman: No, the rule at the Liquor Licence Board is that any ads that were approved previously by the board are entitled to stay on the air waves for 12 months before they come up for renewal, as it were. They don't have to be checked out, in other words, until they've been running for 12 months. Obviously, any of those that are now on will be checked again when they finish the 12 months pursuant to the new guidelines.

Mr. M. N. Davison: Supplementary: Is this an example of the vigour with which the minister will pursue the new legislation he introduced yesterday? Is this what we can look forward to when the minister brings in these supposedly tough laws—another case of shilly-shallying around and letting the industry move along as they choose?

Hon. Mr. Norton: You should be decisive and take your select committee across the way.

Hon. Mr. Grossman: I'm going to ignore the rhetoric. The honourable member has been reading too much of Hansard.

Mr. Wildman: He has been reading your speeches.

Hon. Mr. Grossman: The fact is that a lot of the companies have spent a lot of money in putting those ads together. A Conservative government would not suddenly say to a company that because we've changed the rules after it has just put an ad on the air waves, which may have cost it a couple of hundred thousand dollars, that it should immediately take it off. That would be retroactive legislation.

Mr. M. N. Davison: They have other ads available.

Mr. Samis: That is pretty feeble rhetoric, Larry.

Hon. Mr. Grossman: We are saying the rule has always been that once this government says that ad is okay for 12 months, we mean it is okay for 12 months. One may, if one had the opportunity, be a heck of a lot more dictatorial and say, "We don't care what the rule was yesterday—we don't care if it was 12 months—we are now cutting it off." We don't happen to operate that way and I have no apologies to make for that.

CHAIN STORE DISCOUNTS

Mr. Eaton: Mr. Speaker, a question of the Attorney General: During the past few weeks, he has been asked to express comment and give legal opinion on whether charges might be laid for discounting practices in the food industry. During that period, the Leader of the Opposition had information which might have assisted the Attorney General in making that decision. Would he look into the legalities of the suppression of evidence by the Leader of the Opposition which might have assisted him in making that decision?

An hon. member: Suppression of evidence. That's all that it is.

Mr. S. Smith: That is no apology. Don't start apologizing.

Mr. Eaton: Political grandstanding was all the opposition leader used it for. He wasn't concerned with the farmers.

Mr. Speaker: Order. Order.

Hon. Mr. McMurtry: I would assume, Mr. Speaker, that if the Leader of the Opposition has information that would be relevant to the legal opinion of the law officers of the crown, he would feel it appropriate to give that information to us.

Mr. S. Smith: Absolutely.

NIAGARA ESCARPMENT

Mr. McKessock: I have a question for the Minister of Resources Development.

In view of the minister's announcement on May 9 pertaining to the reduction in the size of the planning area of the Niagara Escarpment, what exactly is contemplated by the government? Is it a reduction in the planning area by an amendment to the minister's order which established the area or just a request to the Niagara Escarpment Commission to consider the production of a plan for 40 per cent of that original area?

Hon. Mr. Brunelle: Mr. Speaker, the commission is preparing a plan on the reduced area. That proposed plan will be the one that will be published sometime early this fall.

Mr. McKessock: Supplementary, Mr. Speaker: When this new area is determined, would the minister seriously consider making it definite by an amendment to his original order which would then have to be passed by a resolution in the Legislature? I ask this in view of the fact that if this is not done, the old area can be bounced back at any time within the Niagara Escarpment Act without going before the Legislature.

Hon. Mr. Brunelle: It is not necessary to provide any amendment. The commission has the authority under the act—I believe it is section 3—to prepare a plan, and this is what they are doing now on a reduced area. What they have done so far is strictly preliminary. The proposed plan would be on the reduced area and there is no necessity for any amendments to the act.

Mr. McKessock: Supplementary: I am aware that it is not necessary but would he consider making an amendment so that the old area can't be bounced back. If he is going to determine a new area that is fine, but we would like to be sure that area will be one that is lasting and that we will not go back to the old area that is there now.

Hon. Mr. Brunelle: The honourable member knows what is happening now is that the commission has met, and is continuing to meet with the municipalities in the area. It is as a result of these discussions that the new area is being planned. So I do not believe that there is any necessity to make any changes in the act.

DENTAL BENEFITS FOR WELFARE RECIPIENTS

Mr. Bounsall: A question for the Minister of Community and Social Services, Mr. Speaker: Has the minister ever consulted with his colleague, the Minister of Colleges and Universities (Mr. Parrott), the honourable dentist from Oxford, concerning current proper accepted dental practice and treatment in Ontario? If so, how can he justify his

ministry's policy of never approving, for adult recipients of provincial benefits, the saving of their teeth through capping and will pay only for extraction?

[10:45]

Hon. Mr. Norton: I have not had occasion to discuss that specifically with my colleague, the Minister of Colleges and Universities. It might be an appropriate thing to discuss with him, given his discipline.

Mr. Bounsall: Supplementary: I am glad the minister will discuss that matter with the good dentist. Will the minister, after that discussion, ensure—if his ministry cannot find the means to pay that directly and build it into the system—through the welfare branch of the ministry, that the special assistance branches of the welfare offices across Ontario have the funds to provide that additional accepted service?

Hon. Mr. Norton: Obviously there are some economic implications to many of these things. There are a number of enrichments I hope to be able to make this year in benefits to clients of my ministry, although the parties opposite saw fit to do their number on the provincial budget. I must say that has had some impact and will continue to have impact upon what I might be able to do in the course of this year.

I would suggest the member bears in mind as he continues throughout this year to press for enrichments in programs where I do not have money that earlier this year he engaged in an exercise that has resulted in some deprivation to my ministry.

Mr. Kerrio: Stop resisting, take it from the lotteries, will you?

FOOD MARKETING

Hon. W. Newman: Mr. Speaker, in response to a question asked on May 15 by the member for Kent-Elgin (Mr. McGuigan)—I'm sorry he's not here, he was here though, I know—on the matter of an individual or firm acting as both a buyer and a broker on the same transaction, I wish to make the following statement.

The Ontario Food Council's report on trade practices in the produce industry recommended strengthening licensing provisions. Accordingly, amendments to the Farm Products Grades and Sales Act were enacted by the Legislature in 1974 and regulations to implement the new provisions were established by Ontario regulation 372/75.

It is my understanding that the amendments for produce dealer licensing were made in consultation with the Ontario Fruit and Vegetable Growers' Association, and at that

time it was determined that the small number of brokerage produce transactions, conducted solely within the province of Ontario, did not warrant special control provisions. However, a requirement was made under section 4, Ontario regulation 372/75, that a dealer shall maintain a record of every transaction including, where a dealer has not purchased the fruits and vegetables on his own account, that a record be maintained of commission charged by him to a producer.

I wish to point out that all transactions of an interprovincial import or export nature, are a federal responsibility and come under licensing provisions of the Canada Agricultural Products Standards Act.

GO TRANSIT SERVICE

Mr. Bradley: A question of the Minister of Transportation and Communications. In view of the heavy traffic congestion which is building up on the Queen Elizabeth Highway each year, the rising energy costs for the operation of automobiles, the uncertainty of fuel supplies in the future; and even under certain circumstances in the present; could the minister indicate to the House at what time does he propose to extend the GO train service to the Niagara Peninsula?

Mr. Wildman: In the fullness of time.

Hon. Mr. Snow: No, I can't.

Mr. Bradley: Supplementary: Has the minister undertaken any particular studies to determine the requirement for such a service? If he has not, would he not feel that is an appropriate step, in the light of the fact that the people of the Niagara Peninsula, or at least a number who have indicated they require it, also pay towards the GO Transit deficit?

Hon. Mr. Snow: I am not aware of any indication that there is a requirement for GO train service in the Niagara Peninsula. The Niagara Peninsula is serviced very well by the private bus companies that serve that area, and also by the intercity railways whose responsibility it is to supply intercity passenger transportation on the rails.

AIR POLLUTION

Mr. Foulds: I would like to ask a question of the Minister of the Environment. Does the minister recall having one of his officials, Mr. Gotts, indicate to me during the estimates of his ministry on April 4 that the reports about the air pollution monitoring program that took place with regard to the mills at Thunder Bay and the one at Marathon and Terrace Bay would be available in about a month's time? As seven weeks have now

passed can he indicate why those reports have not been completed?

Hon. Mr. McCague: Mr. Speaker, I believe one or two of those have been made public, but I will check into it and let the honourable member know on Monday.

Mr. Foulds: Supplementary: In checking into it can he confirm or deny the possibility that there is a conflict between the people who actually did the research and the people who are doing the writing or editorializing of the report, and the researchers involved are not happy with the editorializing that is taking place and have suggested between five and six revisions are necessary because too much of a gloss has been put on the report?

Hon. Mr. McCague: I would be glad to check into it, Mr. Speaker.

NIAGARA FALLS POWER

Mr. Kerrio: Thank you, Mr. Speaker. I have a question of the Minister of Energy. Is the minister aware of discussions taking place between the New York state power authority and Ontario Hydro regarding diverting another 20,000 cubic feet per second flow from Niagara Falls to generate more power?

Hon. Mr. Baetz: Mr. Speaker, yes I am aware that discussions are taking place, but no final report has been issued. We are certainly keeping on top of it.

Mr. Kerrio: Supplementary: In view of the fact that during the tourist season there is a minimum 50,000 cubic foot flow at night and 100,000 flow during the day, taking an additional 20,000 at the low end of the scale would reduce the flow to the point where I ask the minister if he would be concerned about the aesthetic beauty of the falls and if that is being taken into consideration, because we felt that we were at the low end of the scales at the 50,000 and 100,000 foot flows?

Hon. Mr. Baetz: Yes, Mr. Speaker, I am very much aware that the aesthetic aspect of the reduction in the flow has been taken into account, and I have been told that particularly during the tourist season aesthetics come first.

Mr. Kerrio: You'll be able to walk across.

DISABILITY PAYMENTS

Mr. Swart: I have a question of the Minister of Community and Social Services. Will he recall that several months ago he said he would consider my request that Work-

men's Compensation Board disability payments be considered as earned income when computing welfare payments when those people were on welfare, so that they would not have the first \$50 and \$100 of that disability pension deducted from their welfare payment? Has he considered it, and what is his reply now?

Hon. Mr. Norton: Mr. Speaker, there has been no change at the present time. As the honourable member knows, the intention of our income support systems in the province is to provide at least a guaranteed minimum income to persons.

Mr. Warner: Guaranteed poverty.

Hon. Mr. Norton: If we take into consideration for some persons sources of income which for others would be exempt—I don't mean to confuse the issue but if, for example, we were to say that the kinds of pensions the member cited were to be exempted from the calculation of income but were to continue to be required to consider income from disability pensions under Canada Pension Plan, which is a mandatory requirement under the Canada Assistance Plan, then we would in effect be creating an even greater disparity than would exist at the present time. The disparity would then be based upon the source of the pension—not the relative needs of the individual but rather the source of the additional income. I suggest to the honourable member that this would be more discriminatory in many instances than to continue with the present system, which does take into consideration additional income without discriminating on the basis of the source of that income.

Mr. Swart: Supplementary: Does the minister not think that it's discriminatory to deduct this \$50 and \$100 from welfare recipients when they are receiving this money in lieu of working, since many of them have lost their jobs because they could no longer do that job because of injury on the job? Would he not further reconsider this and see that these people are treated in the same manner as people who are able to work?

Hon. Mr. Norton: I think the honourable member has missed the point I tried to make.

Mr. Swart: No, I understand perfectly. That's what bothers me.

Mr. McClellan: The minister doesn't understand workmen's compensation.

Hon. Mr. Norton: What in fact would be in danger of happening is that those persons who might have been injured in the work place, and who therefore are eligible for workmen's compensation payments, would

be in an entirely different class to persons who might have been injured in an automobile accident and who would be entitled to disability pensions under the Canada Pension Plan but not under workmen's compensation.

Mr. Swart: They are in a different category.

Hon. Mr. Norton: It would, in effect, be creating classes of people on the basis of the source of income as opposed to looking at the needs of the individual and trying to treat him as equitably as possible, regarding other sources of income. I suggest what the honourable member would set up is a very highly structured class system—

Mr. Swart: But you have it now.

Hon. Mr. Norton:—dependent upon either the locus of the injury that gave rise to the disability, or the source of the additional income over and above the general welfare assistance or family benefits payments that the person might otherwise be entitled to. He would be creating a highly discretionary and highly discriminatory system, I think.

Mr. McClellan: Now it's equal poverty for everybody.

GREENHOUSE HEATING

Mr. Stong: I have a question of the Minister of Agriculture and Food. Some two weeks ago in answer to my question, the Minister of Energy indicated that the Ministry of Agriculture and Food was conducting a study into the problem of granting relief to those greenhouse owners and operators who had converted to thermal blankets in the interests of energy conservation, only to find that they were, in fact, incurring greater costs to themselves because they were using less natural gas and were placed in a different category which costs them more money.

I'm wondering if the minister can indicate to the House what relief he intends to grant to these people who find themselves in that position?

Hon. W. Newman: I'm not exactly sure I fully understand the question.

Mr. Swart: Possible.

Hon. W. Newman: If the member is talking about the storm damage situation, we dealt with it in the House the other day, right? Is the member fully aware of that?

Mr. Stong: No, no.

Hon. W. Newman: Is the member perhaps referring to the sales tax on thermal blankets which also came up?

Mr. Stong: Perhaps I can clarify the situation.

Mrs. Campbell: Tell him what is wrong.

Mr. Stong: I understand that gas is sold by volume. Those who have converted to thermal blankets are using a lower volume of natural gas and are paying more for it because they are using less. In other words, they are paying an increased amount of money because they're using less; they are now in a different category. The Minister of Energy (Mr. Bactz) passed the buck to the Ministry of Agriculture and Food which he said was conducting a study in this regard. I would like to know what the results of the study are and what relief the minister intends to give these people.

Hon. W. Newman: I will certainly take this up with the Minister of Energy and get back to the member on that matter.

WASTE DISPOSAL

Ms. Bryden: I have a question for the Minister of the Environment. In a speech on May 5 to the National Solid Waste Management Association the minister said the program to encourage the municipalities to get into solid waste disposal programs has lagged behind schedule with respect to plant construction and that he is now reviewing his policies to determine whether changes should be considered. I'd like to ask the minister if he has yet visited the Milwaukee plant to observe how one city is successfully recycling its solid waste and whether he has completed his review of his policies, which obviously aren't working, and is ready to bring in changes to get some action before we drown in our own garbage?

An hon. member: Mass fertilizer.

Hon. Mr. McCague: No, Mr. Speaker.

[11:00]

CHILDREN'S SERVICES

Mr. T. P. Reid: I have a question for the Minister of Community and Social Services. Recently his ministry announced grants of \$700,000 to the Kenora area and \$25,000 to the Rainy River area under the children's services program. Can he explain the criterion on which the grants were made, and can he explain to the House what \$25,000 in this day and age is going to do to help children's services in the Rainy River district?

Mrs. Campbell: Or anywhere else.

Mr. McClellan: Let Leo answer.

Hon. Mr. Norton: Mr. Speaker, the particular grants to which the honourable mem-

ber refers were in conformity with the priorities that we had also announced some time ago. It is certainly the first time in my recollection that there has been, given the limitation of resources, as clear a statement of the priorities to which we were going to direct the funds available during the course of this fiscal year.

Specifically, the funding that was directed towards the northern priority portion of the budget was to try to improve the level of services, particularly in the area of short-term treatment services or residential services in some communities, to avoid, for example, the necessity that has often existed in northern communities of transporting children away from their homes to southern communities, such southern communities in some cases as Sudbury, and further on occasion.

To the best of my recollection, the specific grant in Rainy River was directed towards the provision of a small, five-bed, community based residence, something of that nature, I believe, I stand to be corrected on that. I don't have the details of each of those grants before me at the moment.

Mr. T. P. Reid: The grant was supposedly for a mental resource person, whatever that is.

Hon. Mr. Norton: Perhaps the best thing would be for me to get the details so that we could discuss it more fully, either in the House or privately. I would gladly review that with the member.

Mr. Nixon: You didn't have to import mental resources.

Mr. T. P. Reid: Supplementary: We will talk together privately, but does the minister really believe that in this day and age \$25,000 supposedly would go for another mental health worker? Doesn't he feel that \$25,000 will hardly provide any services at all to the Rainy River district, as opposed to \$700,000 to Kenora, which I understand is going to be used primarily for a detention centre? Isn't there some kind of disparity there?

Hon. Mr. Norton: Obviously there are differences. One cannot, with limited resources, necessarily apply equal amounts of money for all communities. We had to take into consideration the specific needs that had been manifested by the various communities. Where proposals had been made by residents of various communities for specific projects, specific requests were considered.

Mr. Nixon: A pork barrel.

Hon. Mr. Norton: I want members to understand this is not a matter of my staff in the ministry sitting down and simply

developing specific projects for each of the communities themselves. There has been community involvement, there is ongoing community involvement and most of the grants are going to fund specific requests where proposals have come from those communities.

Mr. Foulds: Supplementary: While the minister is investigating this apparent discrepancy, could we find out whether the money that has been allocated for the Rainy River district supplements the regional centre outreach program in terms of assessment, and does he think that the amount is adequate for even temporary assessment of emotionally disturbed children in the Rainy River-Fort Frances area?

Hon. Mr. Norton: I want the members to understand that this year is, for many communities, the beginning of the development of community based services.

Mr. Foulds: You already had someone going there.

Hon. Mr. Norton: Obviously, we don't anticipate achieving an optimum level in one year. The member used the word "discrepancy." I don't think that there is any discrepancy at all.

The honourable member referred to observation and detention homes. We do have a provincially-operated program there. By their very nature they are often more costly services to provide and often involve physical structures that have to be developed. It's not surprising and shouldn't be surprising that if an observation and a detention home is being located for the first time in one community, that is going to be more costly than other community-based services that might be developed for the first time in a neighbouring community. I don't think one should assume that they can look simply at a dollar figure without looking at the needs we are attempting to meet in those various communities, and suggest that there is any kind of discrepancy.

Mr. Foulds: I asked whether it was a supplement.

Hon. Mr. Norton: There is not necessarily any discrepancy whatsoever.

Mr. T. P. Reid: Is the minister aware of the working group in the Rainy River district which has asked that a pilot project on children's services be set up in the Rainy River district? Would the funding come under this program and what is the status of that?

Hon. Mr. Norton: Yes, I'm aware that there was a proposal from that area. There have been a number of proposals from northern communities, as I'm sure the honourable member is aware. Given the geography of the

northern part of the province and the distribution of population, there are some unique problems that have to be addressed uniquely.

At this point, we have not announced the establishment of any specific children's services committees. We are continuing to work with the northern communities where they have special problems. We may have to take a slightly different approach there, even in the first year, in terms of the development of specific proposals. We do have staff now working on a consultative basis with a number of northern communities, which will include Rainy River, towards the development, in some cases perhaps, of a co-operative kind of proposal that will involve more than one community. We have no preconceived or magical formula that is going to work in all communities, especially with the unique problems of the north.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, before the orders of the day, I wonder if I might make a slight correction in the order of business for next Tuesday. When setting out legislation for next Tuesday, particularly that which is to commence at 8 o'clock, I mentioned Bills 85 and 92. I should have said Bills 85 and 95. I would make that brief amendment with respect to the order of legislation for next Tuesday.

ORDERS OF THE DAY

THIRD READING

The following bill was given third reading on motion:

Bill 71, An Act to amend the Judicature Act.

ESTIMATES, MINISTRY OF NORTHERN AFFAIRS

(continued)

On vote 901, ministry administration program; item 1, main office:

Mr. T. P. Reid: I have lost the minister. They don't usually leave until after I get started.

Hon. Mr. Welch: I will do the best I can.

Mr. Chairman: He's within hearing distance.

Mr. T. P. Reid: Perhaps he could just nod. I would like to ask the minister under item 1 is he on the special committee set up by the Premier (Mr. Davis), on mining communities in northern Ontario? Because I didn't have an opportunity during the estimates of the Ministry of Natural Resources,

could I ask the Minister of Northern Affairs to indicate to us how many meetings of that committee have been held, what has been on the agenda and who has attended? Have you really come to any kind of conclusions or are you just feeling your way around the whole situation as usual?

Hon. Mr. Bernier: I would be glad to answer that question, following a review of what I intend to do at this point in time. At the last sitting on our estimates, I believe I indicated to the member for Algoma (Mr. Wildman) that I would read into the record the role of the Ministry of Northern Affairs. Perhaps I could do that and then answer your question, if that is agreeable to you. I am sure you will agree with enthusiasm.

The role of the Ministry of Northern Affairs is very clearly set out. I would like to put it on the record for the honourable members. It is as follows:

To recommend policies and programs which respond effectively to the priorities, problems, needs and opportunities of northern Ontario; to ensure that the requirements of northern Ontario are considered and, where feasible, reflected in government policy development, program planning, priority setting and resource allocation; to improve citizen awareness of and access to government programs and services in the north; to facilitate citizen participation in the development of policies, programs and specific projects for the north; to administer specific programs designed to assist the development of northern communities and regional services and facilities; to co-ordinate government programs and services relating to northern Ontario; to undertake research into all aspects of the economic and social conditions of all areas of northern Ontario; and to establish a stronger provincial government presence in the north through geographical decentralization of ministry program responsibilities and decision-making authority. I think that answers the question of the member for Algoma.

If I could just relate to the question from the member for Rainy River concerning the special cabinet committee in connection with single-resource industries and, in particular, the mining industry, one should remember that this is the first subcommittee that has been established under the Davis administration to look at a specific problem. I think we should recognize that, because up to now we have been operating in specific policy fields, namely, the Resources Development policy field, the Social Development policy field and the Justice policy field.

To have broken away from that certainly indicates to me, and I am sure to the members of this House, that the government has a very sincere concern about the single-resource industries, particularly the non-renewable resource industries, in many communities in northern Ontario. The special cabinet committee was established under the chairmanship of the Minister of Natural Resources (Mr. F. S. Miller). The secretary of that committee is my own deputy minister, Mr. Campbell. We have had a number of meetings on a regular basis.

There has been a tremendous amount of research done by a number of ministries. I can't recall all the ministries involved, but they are a very select group and a very well-informed group. While their efforts have not materialized in a positive policy statement as yet, I can assure the honourable member that we are looking at a large number of areas.

One of them has already been reflected in the budget address made by the Treasurer (Mr. McKeough) of Ontario as it related to changes in the mining tax. That was a direct result of those cabinet committee meetings relating to this particular problem.

[11:15]

Another area which has been gone into carefully by the Ministry of Industry and Tourism is the possible diversification of the economic base of some of these communities, particularly in the Sudbury area. I think one has to realize that, while we are very much oriented to the extraction of nonrenewable resources in northern Ontario, much of the mining equipment is not being manufactured in this particular province. That review has been under way now for some considerable time, looking at the components, parts of equipment, such as valves and a number of different things, that could probably be manufactured in this province and, indeed, in northern Ontario to supplement their economic base.

As to when we'll be making a final report, my deputy might have something for me that I could relate to you. We certainly will be bringing something forward to cabinet in the not too distant future.

Mr. T. P. Reid: I appreciate what the minister said, although he hasn't related too many specifics.

Has your committee been dealing with the problems of the transportation costs—of which there are multiple studies—which seems to be one of the highest barriers to any secondary manufacturing in the province. Can you give us some idea, or can your deputy give

us some idea, when this report is going to come about?

You mentioned Sudbury. Well, the minister will appreciate that my main concern at the moment is with Atikokan. Has your committee dealt with Atikokan? Do you have any specific programs or policies related to Atikokan—the situation there with Steep Rock and Kalamand Ore?

Hon. Mr. Bernier: To be specific, the area of transportation is certainly one that we're looking at very carefully. In fact, the changes to the Public Vehicles Act, which my colleague, the Minister of Transportation and Communications (Mr. Snow) introduced in this House some time ago, were another result of those discussions we had in that committee, where we felt that deregulation in northern Ontario would create more competition and, in some cases, drive down the prices of transportation costs as related to the movement of secondary manufactured products in northern Ontario.

The honourable member is well aware of what happened to Bill 21 and Bill 42. Both have been withdrawn. They've been brought together under one specific bill; considerably watered down, I might say, to meet the acceptance of members on the opposite side because of the minority situation. I hope that will go through. I guess there's even some question about that. I'm not too sure just where the honourable member stands.

That is definitely an area that's high on the priority list—the field of transportation costs. As a side issue, I might mention that following the recessing of the session this afternoon, I'm on my way to North Bay to meet with the municipal advisory committee of northeastern Ontario along with my colleagues, the Minister of Industry and Tourism (Mr. Rhodes) and the Minister of Labour (B. Stephenson). One of the topics there will be the cost of transportation in northeastern Ontario. The issue is certainly not a dead one. It's one we're trying to come to grips with. It's not easy, and we have to have the full support of members on both sides of the House.

I just appeal to the member for Rainy River, who is well aware and very sensitive to these high costs that are causing problems in northern Ontario, that if he would prevail upon some of his colleagues who sit behind him to have another look at that particular bill, I'm sure he will gain some marks back home for it.

With regard to Atikokan, Atikokan is another area that is a frontrunner in our discussions because of the problems, which we're very much aware of, happening to the mining

activities in that community. We, in the Ministry of Northern Affairs, have been given the responsibility, as the lead ministry, for the problems at Atikokan. We have had some ongoing discussions with the municipality. As recently as last week we met the Northern Ontario Municipal Association's representatives in Thunder Bay and I had a chance to speak to some councillors from Atikokan on this very subject.

I might say, just to enlighten the honourable member, I'm sure he is aware, that they have made a suggestion to us that an industrial commission be established for the Atikokan region at a cost, I think, of some \$125,000 a year. I indicated to them verbally, after some discussion with some of my cabinet colleagues and some of our staff and after looking at other projects that we have developed in northern Ontario, that we felt there should be a greater involvement by the community itself. I think the suggestion was that the town itself would put in about \$5,000 and other organizations, including the unions, would contribute another \$5,000. We felt that wasn't sufficient and that this individual may be regarded as another government bureaucrat superimposed on their community to resolve all their problems.

It's not going to be easy. If there was greater financial involvement by the community itself I believe there would be greater support for that person's efforts and possibly greater emphasis on the direction he would take.

One of the direct results of the cabinet committee on the mining problems of northern Ontario was the immediate response and the direct assistance that we gave to the Sudbury area, grants in excess of \$900,000. Six hundred thousand dollars were for the 2001 conference, which the Premier attended—and to which he made a very moving address, I might admit—and \$300,000 to look at the possibility of diversifying the economy and doing studies with regard to improving and expanding the agricultural base of the Sudbury basin. That's a direct result of the cabinet committee recommendations.

Mr. T. P. Reid: How much are they putting into it in relation to Atikokan, et cetera?

Hon. Mr. Bernier: Yes, I could touch on that further. The Sudbury conference committee known as 2001 will be granted \$300,000 this year, \$200,00 next year and \$100,00 the year after. It will be a phased-down program after which they will take over. They expect to raise within the com-

munity in excess of \$2.5 million to use as a venture capital fund, so their responsibility is significant.

I might add along these same lines, as a matter of interest to the honourable member for Rainy River, we have also assisted the Manitoulin Development Association.

Mr. T. P. Reid: Is it \$225,000?

Hon. Mr. Bernier: Yes, \$225,000 over a five-year period. That brings together nine small communities which have pooled their resources, are taxing their own people on a per capita basis and matching the dollars we are putting in, and are engaging one individual who will help all the small industries on the island develop more expertise in the field of marketing, advertising and promotion. Successes have already been noted with that particular organization.

The point I am trying to make is while we are making these recommendations we are giving some financial support to these organizations. We do think, and a lot of others seem to think, there should be local involvement to a point. We don't think they should carry the whole burden, we understand that.

In a town like Atikokan of course, in the condition it is, there is the uncertainty, the fear of tomorrow and the investment climate within a community changes in a situation like this. But we think somewhere in the field of maybe two for one as an example, there is an area we would be looking at to assist Atikokan.

Mr. T. P. Reid: I take it then that the minister is waiting for a response from Atikokan, because Steep Rock's plans, as I recall, are to start layoffs at the end of 1978 or early 1979. The time is getting to be critical. Does the minister have any other plans or any other plans that he has discussed with the municipality in regard to providing employment in that area?

Hon. Mr. Bernier: Our plans are still to move ahead with the sewage treatment facilities that are required in the Atikokan area. I think I indicated in Thunder Bay last week that, because of the \$9-million cutback, there may have to be some withdrawal on the total package that we wanted to go with prior to that figure. The Bending Lake road will definitely go ahead this year, but again we've had to delay because of the cutback.

Those programs are still in place, however. I think the reports in the newspapers may be a little bit fuzzy. I guess they have difficulty realizing that when you have a

program in place within a large budgetary process, and you just cut out programs, it takes some time to get them plugged back in and to get them operating again.

We felt strongly, after careful review of all the programs—and they were scrutinized very carefully by a number of ministries as well as, of course, our own staff—that we should keep them all in place. We may delay them a little bit, or there may be some changes in the amount of work we'll do this year, but nevertheless the program is intact and will be moving ahead.

Mr. T. P. Reid: That brings me to my next topic and then I'll let my friend get in. Does the minister have a list for us today? Has his ministry done all the paring down and found the \$9 million? Can the minister give us a list now of those projects that will be deferred, postponed or going ahead?

Parenthetically to that, I would like to ask whether the ministry is going ahead with spending the money on the Marchington Lake road. I trust that would be the lowest priority and would be cut out altogether.

Hon. Mr. Bernier: To give specifics at this point in time is impossible, because we're only a month into the new fiscal year. While we have the figures before us, we have not specifically said what will happen to these specific projects. They're all in place. There are always problems with regard to calling a contract. Has the engineering been completed? Has the land acquisition been accepted? All these problems are before us. If we cut our cloth at the start of the year, it doesn't necessarily fit the rest of the year. So we have a lot of flexibility in moving around those particular projects. We may accelerate one and delay a bigger part of the other one; so it would be impossible at this time to give the honourable member a specific list of what is happening.

Mr. T. P. Reid: But the minister specifically mentioned perhaps cutting back on the Atikokan sewage treatment plant, which has been in the works for almost seven years. Why would he pick that one?

Hon. Mr. Bernier: I used that as an example. There would be several others that would come out of the \$9 million. I think one has to realize that. We took \$5 million out of the community priorities budget. Out of that \$5 million I could say that Atikokan perhaps could be cut back by \$100,000 out of a \$1.5-million program, or something like that. We won't really affect seriously the programs right through.

With regard to Bending Lake, of course, it's very easy because we just delay calling

the contract; it's a new project. But ongoing ones have to be carried on.

Mr. T. P. Reid: Like Marchington Lake—the road that's going to nowhere?

Hon. Mr. Bernier: I would have to take exception to that, because the Marchington Lake access is opening up a whole new area of northwestern Ontario, providing the Great Lakes Paper Company with a supply of pulpwood for its new plant in Thunder Bay and the new McKenzie Forest plant at Hudson. In fact, on behalf of the company I would like to extend a very warm invitation to the member for Rainy River to join me in Hudson on June 2 to officially reopen that facility in Hudson and to see for himself the tremendous amount of employment that McKenzie Forest Products has created in the Hudson-Sioux Lookout area, using the Marchington Lake road.

Mr. T. P. Reid: We'll fly up together.

Hon. Mr. Bernier: Okay.

Mr. Germa: Mr. Chairman, I'd like to speak to the minister for a moment on his admitted role as the co-ordinator of programs for northern Ontario. He has been around the northern part of the province all his life. I am sure he knows what has happened in the past leading up to this point in time.

[11:30]

One of the biggest industries in northern Ontario seems to be this boondoggle where we find an academic in southern Ontario, maybe at the University of Toronto, and we ship him up north to do a study and evaluation of the problems facing us as northerners. I feel as though I have been under a microscope for the past 10 years with these people evaluating me, studying me and seasonally adjusting me. They do all these things and write a big fancy report; and nothing ever happens.

You know the Design for Development that was written a few years ago. One of the gems that came out of that was that people in northern Ontario tend to drown a lot if they live near a big body of water. I knew that before the boy came up there but he put it all together and I am glad he did. I know now why we drown so often; it's because there is a lot of water in northern Ontario.

Then there was the Strategy for Development a few years later. Nothing ever happened as a result of that report; and there have been various others. We have had the Hartt report. Mr. Justice Hartt spent eight or nine months wandering around through the woods. He came back pretty disillusioned, and made certain recommendations. One was

that further studies take place. We are going to be put under the microscope again. I think that the minister, as co-ordinator for northern Ontario, should co-ordinate all these disparate studies which are going on and bring them to a conclusion.

You have the cabinet committee as well, studying mining municipalities. Recommendation three from the Hartt report is, "A task force of northern residents should be appointed to investigate and recommend ways for the people of the north to become effectively involved in the making of decisions by government ministries and agencies that affect their lives and communities." Now that responsibility is already contained in your legislation.

You have these offices scattered all over northern Ontario in order for people in the north to have input. I am surprised that Mr. Hartt didn't see that we already had that structure in place. I can only assume that your structure is not functioning since Mr. Hartt did not see it operating.

The question is, how are we going to deal, for instance, with the Hartt commission report and those several recommendations—the recommendation on the West Patricia land development study and the Onakawana thing? Are you involved in co-ordinating these studies? Have evaluations been made?

I would like you to tell me about your role as a co-ordinator of all these things that are going on in northern Ontario that never seem to come into focus. They have been going on for such a long time. As a northerner, the minister is aware of that, I am sure, as well as I am. I would like him to bring us up to date in general terms on what happens in that area.

Hon. Mr. Bernier: Let me first point out that I share the member for Sudbury's concern with regard to studies as they relate to northern Ontario. If there is one thing that we as northerners abhor it is another round of studies or investigations and reviews of a situation or situations with which most of us are quite familiar. There is just no question about that. I suppose that's the way things are, and with the way governments operate, this will ever be the case.

However, I can assure you that every time I have an opportunity to speak out, I will look to the shelves first to see if those studies have already been completed. If so, we can dust them off and review what has already been done. I think in many cases this could be accomplished.

In going through our role and the impact we are having, I think I have to relate to the comments of my colleague, the Minister of

Community and Social Services (Mr. Norton), when he replied to the member for Rainy River this morning. He said that his ministry realized that there are special and unique problems in northern Ontario and we may be asked to look at them in a very different way, and I think that message, that thrust, is getting through; albeit not quite as fast as I as a northerner would like, but I think our impact is being felt.

We have had a number of engineering firms, consultants, come to us, wanting to do these studies and surveys to which the member refers. I have constantly said to them: "Don't come to me looking for work in northern Ontario when you are located in Toronto. If you really want to express the views of northerners and be part and parcel of that type of environment that we have in northern Ontario, then get up there and establish yourself there. Be seen in northern Ontario and be part and parcel of the whole community so you get to know northerners, their language, and the specific and unique problems that we have up there. You will be more conversant, and I think better able to consult and advise the municipalities and the others who are looking for your services."

Just this last week I was pleased to be informed that three have taken our advice; two will be establishing in Thunder Bay and one in the North Bay area. So that message is getting through as part of our overall thrust to focus more attention on the specific needs of northern Ontario.

Design for Development, I have to defend—particularly the one for northern Ontario. That is a document which was brought together in 1970 in co-operation with all the municipalities of northwest Ontario, and it contained about 70-odd specific recommendations.

Mr. T. P. Reid: Some of them were very odd.

Hon. Mr. Bernier: Yes, and I can say to you that the percentage of accomplishment on those 70-odd recommendations is in the 80 per cent to 85 per cent accomplished.

Mr. Wildman: It proves how inadequate your study was.

Hon. Mr. Bernier: And it became obvious that in the year 1978 the municipal advisory committee looked at Design for Development and said: "Now, we have completed all that, most of that is behind us. Those are accomplishments. We have to update that particular study. Let's get on with a plan or an industrial strategy for northwest Ontario." So we gave the municipal advisory committee that responsibility, and last fall

we went to the Quetico Training Centre and met with the municipal advisory committee.

Mr. T. P. Reid: Yes, in camera!

Hon. Mr. Bernier: In camera, yes—to sit down and work with the municipalities, the elected municipal politicians of northwestern Ontario for two full days—the Treasurer, and four or five of my cabinet colleagues were with us; we sat down there and worked over the very minute details of that strategy with a fine-toothed comb. We went over it very carefully and came up with a report that has since been circulated all over northwestern Ontario.

The response has been very positive, I would say to the member for Sudbury (Mr. Germa). In fact the Treasurer has been concerned that there hasn't been any reaction because normally when there is a report tabled or a plan or a direction brought forward by the government, there are some corners that react violently.

Mr. T. P. Reid: Nobody has read it. It is a nonstarter. It never got to the people.

Hon. Mr. Bernier: It is something that people are looking at. It is very general. The Treasurer has extended the time when he would accept briefs and comments on this particular strategy. I think he has extended it another three or four months.

Mr. T. P. Reid: That's right. I have had three letters so far.

Hon. Mr. Bernier: Yes, I have had very few. But I think what is in that industrial strategy is what the northerners in northwestern Ontario really want to see happen to their particular area. So they are just accepting it as government policy.

Mr. T. P. Reid: They don't know what is in it for the people of northwestern Ontario.

Hon. Mr. Bernier: All they have to do is read it; it has been circulated.

Mr. T. P. Reid: I know, but that's the problem.

Hon. Mr. Bernier: But it is there, and it is not government policy as yet. I want to make that very clear. So here again we have that kind of direction being extended. In fact, this afternoon, as I said to the member for Rainy River, I am going to North Bay to meet with the Northeastern Ontario Municipal Association to talk about an industrial strategy for northeastern Ontario. These groups always like plans, they like to see where the government is going five, 10 or 15 years down the road.

Again, I will say to them: "Look at the northwestern Ontario model," we are not

going to push it down their throats, obviously—"That is a pattern, and you may wish to follow." But that will be discussed with them, because we in Northern Affairs, and I can say for all the provincial government in northern Ontario, want that northern input now more than ever before. We are asking for it and we are going up there and we are getting it, and we are pulling it into our decision-making process.

With regard to the Hartt report and the Hartt commission, as the honourable member knows, there has been a recent statement in the Legislature concerning the acceptance of some of those recommendations. The recommendation concerning the West Patricia planning area has been accepted.

The commission will examine and continue to monitor what the inventory is really pulling together in that particular area. Also in the Onakawana area there will be another branch of the commission monitoring the environmental review of the Onakawana development. There is some concern that the Environmental Assessment Act has not been really tested and they would like to look over the shoulder of the study group and the public sessions to make sure that the interests of the native people are carefully considered.

The task force to which the honourable member referred in the Hartt report has not been accepted by the government. The Premier made it very clear that we have 15 provincial members of Parliament in northwestern Ontario and northern Ontario.

Mr. Wildman: Does that include Mr. Maeck?

Hon. Mr. Bernier: Yes, that includes Mr. Maeck, the great member for Parry Sound. They are in place, and we have a new Ministry of Northern Affairs. In the Premier's statement, he felt very strongly that we should tap those resources and give the Ministry of Northern Affairs more opportunity to become involved and to carry that responsibility of additional co-ordination that relates specifically to the problems of northern Ontario.

I think you will see that as we move down the road. I'm not making any apology, but we have been in the operation for only a little over a year. Our impact is being felt within the government and within other ministries, as we go down the road to co-ordinate and to suggest in a very positive way the things that we would like to see changed in the policy programs of northern Ontario.

Mr. Worton: What happened to your finger?

Mr. Wildman: It got caught in the cookie jar.

Mr. T. P. Reid: What happened to his finger is he tried to get back that \$9 million.

Hon. Mr. Bernier: I tried.

Mr. T. P. Reid: I want to make a very short statement to the minister about the northwest strategy. I want to say to him that I am extremely disappointed in the municipal people in northwestern Ontario. I want you to listen very carefully because I have said this to them. The Treasurer has the responsibility for the report up to this stage and will, I understand, until it is government policy. Then it will unfortunately come under you, and that's another problem. The Treasurer has had three letters on that strategy which supposedly, is going to set the guidelines for development in northwestern Ontario until you change it, probably in another five years. I don't even know of any place where it has been discussed at a formal council meeting or where there have been public hearings within the community to discuss what is in that report.

I can't unfortunately blame the government for that. I would like to but I can't. I feel a certain amount of frustration over this. I was wondering if the Treasurer or yourself, or both of you in combination, intend to dig these municipalities somewhat and say you want to have their responses by July 1 or whatever it is. I don't know what else to do. I have talked to members of council, some who have assured me they will get to it and will talk to it. I do my radio program where I mention that. I have done my weekly newspaper column on the thing. I have not had a response from what has been in there, either yea or nay or it's a bunch of hogwash.

I just find it a completely frustrating experience that there hasn't been any response by the northwestern communities per se other than through the municipal advisory committee which, quite frankly, I don't think really represents all of the communities or certainly not all of the people. It is not getting down to the grassroots for the input, as you are fond of saying, of the northern person who is living there. That person doesn't even know this thing exists, and yet it's going to be shaping his life or her life necessarily for the next few years. Are you planning on sending them a letter saying: "Will you hold some community hearings, and will you respond by—whatever the extension date is?"

[11:45]

Hon. Mr. Bernier: I might point out to the honourable member that at the recent convention of the Northern Ontario Municipal Association, which was held in Thunder Bay a week ago, the Treasurer made a very strong statement to those municipalities present saying they should get their responses in and react to it.

He gave them that extension of time, hoping that they would review the strategy and get back to him with their comments. It may well be that we'll have to take a more direct approach with each municipality.

This particular industrial strategy is different from the old Design for Development, in that it is brought together with a regional input. It doesn't have the parochial response the old Design for Development had when it specifically said, "There should be a road built from Sioux Lookout to Pickle Lake. Call it the Marchington Lake road."

These things were very specific in the old Design for Development. They attracted the attention and the concern of the various municipal governments because they could see how it would affect their municipalities. This is a regional approach to all of northwestern Ontario. It doesn't have the parochialism that was there in the past. So I can see why the municipal leaders have not been excited about responding to it. It's very general in nature.

Mr. T. P. Reid: Except for the fact that their own pet projects, or whatever, have to come within the guidelines of this program. It has been my experience in the past that you use these things not to do things as my friend from Sudbury would say, "We want to see some action,"—but as a reason for not doing things by saying, "It's not in the plan." That's the part that bothers me.

I want to commend the people who were involved in that report because, for the first time, there is, at least from the government point of view, a total government response, from what I can gather from reading it, from all the ministries involved, rather than a selected few. And at least we have some idea of what direction the ministries see themselves as going in.

Hon. Mr. Bernier: I certainly want to add my comments about the group that worked on the report. There has been a feeling in northwestern Ontario that Thunder Bay has been the Hogtown of northwestern Ontario. There's no question about it. I think some of the delegates at Quetico indicated that.

I just want to commend those delegates from Thunder Bay for broadening their scope of thinking and vision beyond the boundaries

of Thunder Bay and for looking at the needs of such places as Atikokan, Fort Frances, Rainy River, Sioux Lookout, Red Lake, Ear Falls, Geraldton.

As the honourable member points out, it was heartening to see that regional approach to the entire community. I am hopeful—and certainly I will discuss it with the Treasurer—that if the municipalities do not respond with much more enthusiasm than they have in the past, we will take a more direct approach with them.

Mr. Wildman: I would like to follow up on what the minister indicated about the role of the ministry in co-ordination, and what my colleague from Sudbury and the member for Rainy River have been questioning, in three major areas.

First, I'd like to know what the ministry's role is in co-ordinating the response of the government in general to the Hartt commission, and in particular, what the minister's role is in the various consultations the government has had with interest groups who have wanted to respond to the Hartt commission because they will be affected by both the recommendations that were made and by the government's response. For instance, I understand that prior to the Premier announcing the government's response to the Hartt commission, consultations were held with various groups, specifically with the native treaty organizations in the area. There was a meeting held, I understand, with a Ministry of Natural Resources official, a Mr. Dillon, which dealt with a number of things, including wild rice harvesting. What role did the Ministry of Northern Affairs play in that, if any, and what does the minister see his role should be?

Prior to the announcement that a representative of the metis and non-status Indians would be on the committee studying wild rice, I would be interested if the minister could explain, what consultation had taken place with OMNSIA? The president of OMNSIA, Smokey Bruyere, has indicated to us that his organization was not consulted and the first they knew they were going to be involved was when the announcement was made in the House here. I would like to know what the minister's role is in general in response to the Hartt commission and in dealing with the various groups, including the native groups which are affected by the government's response, and why there wasn't more consultation, if there wasn't, with OMNSIA.

I have a few other questions on the co-ordinating role of the ministry, but perhaps the minister could respond to that before I go ahead?

Hon. Mr. Bernier: The response to the Hartt commission was brought together by the Provincial Secretary for Resources Development (Mr. Brunelle). Mr. Dillon is the deputy minister of that secretariat. He did have discussions with ourselves and he had discussions, as the member correctly points out, with the native peoples. He had discussions with the Ontario Wild Rice Producers Association in Kenora.

The triparty subcommittee which will look at the wild rice issue and the involvement of the Indian metis organization and the Ontario Wild Rice Producers Association are a direct result of our involvement.

We insisted that if we are going to have that northern input, with the entire community providing some of the input, we should have the entire community at the table at the same meeting, and not as separate groups.

You can see that our involvement was very real in getting that changed so that those groups were and will be involved in the decision-making process, at least in making recommendations to the government. I don't think they will be involved in any decisions. They will be brought together under the triparty umbrella and make recommendations to the government by January 1979.

In getting back to the role of the Ontario Metis and Non-Status Indian Association, the honourable member will recall that they did hold their general meeting here in Toronto two months ago. One of the major recommendations in their submission to the government was that they be considered and have a greater role in the resources of northern Ontario. We accepted that as their desire to participate in these discussions. One of the specific areas, was commercial fishing and wild rice. Because the non-status Indians are very much involved with the harvesting of these resources, I think—and correctly so—they should have a say in what the future will be with regard to the development and harvesting of these resources.

Mr. Wildman: The minister's response leads to one specific question and a general problem that I have had ever since the ministry was created. First, I imagine that the minister knows and is fully aware as a northerner about some of the problems between treaty Indians and treaty Indian organizations and the metis and non-status Indians. I wonder if he anticipates any difficulty in having a group meeting that includes both of those organizations.

That is the specific question. The general problem I have is that when the minister indicates the overall response of the govern-

ment to the Hartt commission is being co-ordinated by the Resources Development secretariat under the provincial secretary, that's where I run into difficulty.

It seems to me that the terms of reference for the secretariat in relation to the development of the resources, which naturally involves northern Ontario centrally, seem to be almost exactly the same as the terms of reference for the Ministry of Northern Affairs. It's very difficult to determine who is responsible for what and what the relationship is between your ministry, which is a part of that secretariat as well as other secretariats, and your co-ordinating role and the co-ordinating role in terms of resources of the secretariat.

I suppose the Resources Development secretariat would naturally be involved with the Hartt recommendations since the honourable member for Cochrane North (Mr. Brunelle) is also responsible for native affairs. That makes sense, but I would like to have some clarification on that before I go ahead with a couple of other examples of problems I see with co-ordination.

Hon. Mr. Bernier: Mr. Chairman, if I can answer the first question that the honourable member put forward in connection with the concern that he has with regard to the tripartite meetings; will the status Indian accept the non-status Indian around that table and the Ontario Wild Rice Producers Association. That question did come up, there is no doubt about it, in the presence of Mr. Justice Hartt and he indicated very strongly to us that he felt the native people would accept that. They were anxious to get on with the job of looking at this particular resource and he felt most strongly. We accepted the feeling that they would sit around as one group to look at the resource in the interests of the entire community, so I have no real fears that that will break down. I'm hoping it won't.

In connection with our role, I think the honourable member touched on it in winding up his comments when he said that the provincial secretariat does have direct responsibility for the native people in this province. They are relating directly to the native people and they have the exclusive responsibility of carrying that with the federal government. We, as the Ministry of Northern Affairs, don't, so it was obvious in the Hartt report, which dealt so strongly with those native people north of the 50th parallel, that the provincial secretariat has an overriding interest across the province that takes in the interests right across the province from Windsor to Ottawa to Kenora. Our basic area of juris-

isdiction is that area of Parry Sound north—is that what we're supposed to use now? Where is the honourable member for Parry Sound (Mr. Maeck)?

Mr. Wildman: It must be the French River.

Hon. Mr. Bernier: The provincial secretary's area is much broader than ours and it specifically relates to the native people, so it was a natural place for the Hartt commission response to be generated.

Mr. Wildman: Mr. Chairman, in relation to the co-ordinating role of the ministry in terms of policy and planning, and then in delivery of services as a result of those plans—that is, when a policy is decided upon—last year in the estimates of both the Ministry of Transportation and Communications and the Ministry of Northern Affairs, I raised some concern about the relationship between the two ministries and what appeared to be, at least in the beginning, some strain on the part of officials of the Ministry of Transportation and Communications in their feelings about the role of Northern Affairs in planning what roads would be built or not built, what roads would be improved or not improved, and then in turning it over to Transportation and Communications to deliver the goods after Northern Affairs had made a decision.

I used the example the last time of the proposed Highway 555 between Blind River and Elliot Lake, the Granary Lake road, which has been talked about off and on for about 20 years at least, and which Transportation and Communications—the Department of Highways before that—had sort of been studying and doing surveys on for a long time. Then, just prior to the last election, the Minister of Transportation and Communications made a statement. First they were going to review all their studies again and look at the situation to see if that thing would go through. He seemed optimistic that it would go through.

Subsequent to that, I contacted the Ministry of Transportation and Communications, the North Bay office, and was informed in a rather testy way by one of the officials that it was up to Northern Affairs now—Northern Affairs was responsible.

The desire of the people in the area is obvious and the minister is aware of it. The town council and the citizens of Blind River have presented a petition to the Minister of Transportation and Communications. This was in the last few months, I believe at the time of the Good Roads convention. The minister at that time said he was aware of the desire but it was now out of his hands

and was up to the Ministry of Northern Affairs.

Subsequent to that, every municipality and most chambers of commerce on the north shore, from Sault Ste. Marie to Elliot Lake, and including Elliot Lake, and Spanish—I think Spanish; all the way at least to Iron Bridge, Thessalon, Bruce Mines—all those communities and Sault Ste. Marie have passed resolutions in support of the desire of Blind River to have that road built.

I think they have sent their letters to both the Minister of Transportation and Communications (Mr. Snow) and the Minister of Northern Affairs, because I think they're not sure who's really going to make the decision. It's significant that the township of Elliot Lake has agreed that this should be a road that should be built, especially in relation to their housing conditions. I've raised the issue in the House with both ministers and both have indicated that it relates to the Environmental Assessment Board hearings in Elliot Lake and whether or not the housing development can go ahead. That board has now made a decision.

I'd like to ask two questions: First, who is really responsible for determining whether roads in general are built—where they are built, when they will be built, what priority they have? If it is Northern Affairs, what role does Transportation and Communications have in affecting a decision that might be taken by Northern Affairs? Can the minister now give a specific response on Highway 555, the Granary Lake road?

Hon. Mr. Bernier: I think the simplest way to respond to the honourable member's question is to examine the estimates of the Ministry of Northern Affairs.

I think we all realize the power lies with who has control of the money. That's pretty basic, really. If the honourable member will examine the estimates—I'm sure he already has—he will see that about \$46 million or \$47 million is located within the Ministry of Northern Affairs—plain and simple.

We have the responsibility for setting that priority. We have the funds. We work in close consultation with the engineers and the planning branch of the Ministry of Transportation and Communications because we don't want to duplicate what they're doing—because they have that staff in place now as it relates to the southern part of the province. I think it would be a little ridiculous if we set up a large bureaucratic staff to do the work in northern Ontario while there is a different group doing the same work in southern Ontario. This would be a

complete waste of the taxpayers' dollars and a duplication of work.

We work very closely with MTC people in the planning and with the information that comes forward from their people and the information that comes forward from our people. But the decision as to when that road will go forward, how it fits into the five-year program, is with the Ministry of Northern Affairs.

I might add that we also have the budget for the resource access road, which is in excess of \$7 million. Most of that work is being done by the Ministry of Natural Resources and the co-operation has been 100 per cent as far as we're concerned. It's moving ahead. In fact, MTC has been excellent with us in pulling together their information and our information and in sitting down together and working out what the priorities will be. But the final decision, as I said earlier, is with the Ministry of Northern Affairs.

I have just been informed that the cost of the Granary Lake road is estimated at about \$8 million to \$12 million, and it would just give a saving of about 12 miles. My deputy informs me that our latest review does not give this particular road construction a high priority. Our recent budget cutbacks have further aggravated the situation, of course. All I can say to the honourable member is that there are no immediate plans at this time to get on with that particular road. Certainly if things change or the budget eases up, we will be glad to reconsider; but at this time it does not have a high priority.

I think the honourable member would sooner see us spending those valuable dollars in other areas of his riding rather than maybe go on with new construction. I am sure there are passing lanes, bridges or something in the immediate area of Blind River that we could do with existing dollars rather than go into a major reconstruction program that would provide a minimum amount of benefit to those people in that area.

Mr. Wildman: I won't prolong this, Mr. Chairman, except to say that I disagree with the minister on that last part. I'm sure the minister has received copies of resolutions—I've received them—of not only Blind River and Elliot Lake but also every community along the north shore right to Sault Ste. Marie in support of the housing problem in Elliot Lake but to the overall economic development of the north shore.

Elliot Lake is expanding, as the minister fully knows, perhaps even to the point in the future of 40,000 people—almost the size of

North Bay. Especially with these contracts that have gone through, Elliot Lake is going to be a major centre and the better the communication between Elliot Lake and the very small towns that have suffered economic depression for some time along the north shore, the better the chances of a spinoff of those kinds of economic development of Elliot Lake spreading around; the shorter the communication distance between those communities, the better.

I agree that the mileage difference is not that great; but when you are commuting 24 miles a day, it does work out to be significant over a year. But it is not just the distance; it is also, even though there have been improvements to Highway 108, the rather circuitous route that the people who commute have to follow from Blind River to Elliot Lake. Twenty-four miles a day may not look like much, but over a working year it adds up to a lot of mileage; and at our gasoline rates in Elliot Lake and Blind River, that is a significant amount of money. I won't prolong that; I am just disappointed in the minister's position and I would hope that the ministry will reconsider it, in the next five-year study, for the good of the economic development of the whole north shore.

Hon. Mr. Bernier: Mr. Chairman, I might just point out that the five-year program is under constant review. In other words, we don't plan for five years and then cut it off; it is under constant review. As I said earlier, should there be changes in our budget or should there be new information come forward—and we are very cognizant in this government and this ministry of what is going to happen at Elliot Lake; some of the projections I have seen are for 35,000 people in the mid-1980s.

Mr. Wildman: There's only one way in and out now.

Hon. Mr. Bernier: That's right. We are very cognizant of that. We will be watching the situation very closely, because we want to be part and parcel of that massive development that is going on there.

Mr. T. P. Reid: Mr. Chairman, I would like to mention two matters before we go on to the next vote.

One is, what input does the minister have now, or does he have any, in the question of supplying doctors and dentists to northern Ontario? I see Mr. Speaker has come out; it is a topic that is almost as near and dear to his heart as it is to mine.

The parliamentary assistant to the Minister of Health said at the NOMA convention a couple of weeks ago that it was a matter of

lifestyle to attract doctors and dentists to northern Ontario. I understand the dental association is working on a program to provide dentists to northern Ontario, but there's still a shortage in places like Emo and Rainy River, while Ignace particularly could use another doctor or two. What input and impact are you having on that particular issue, which is one of the basic necessities in northern Ontario?

Hon. Mr. Bernier: That's a very good point, I'm glad the member for Rainy River brought it up. It's one area that we identified very quickly, after our ministry was established, as an area of priority. One area of priority that came to the surface immediately was the lack of dental facilities in northern Ontario. We had a significant budget and we looked at it very carefully.

I might say as an offshoot that I am particularly pleased to have in my ministry a deputy who was formerly with the Ministry of Education and who was the founder of the northern core of teachers that operates in northern Ontario. That's Tom Campbell's brainchild. He is from Chapleau.

Mr. T. P. Reid: He's a very impressive fellow.

Hon. Mr. Bernier: This problem of needed dentists and doctors blends right in with the concern he responded to when teachers were being called for in the remote areas of northern Ontario. It's an area in which he has expertise and in which we're working very carefully.

To move into the specifics of our efforts, we embarked on an ambitious program to meet with the Ministry of Health on the dental needs of northern Ontario. We indicated to them that we were prepared to buy the hardware, that we had funds and that we would provide the experts and the personnel to operate them, to which they've agreed. I think there's a unit going into Hornepayne, one going into Matheson relatively shortly and one going into Ignace to provide dental services there. We're discussing the area of medical practitioners very seriously with the Ministry of Health. I might give you an insight into some of the things we're thinking about and working on. There's the possibility of setting up bursaries for students over the period of their studies at the medical institutes. They would obtain bursaries from the Ministry of Northern Affairs or from the Ministry of Health on the express understanding they would provide us with X number of years of service in northern Ontario. The deputy is working on that and we're

just starting that round of discussions. That's the kind of thinking we're doing because these are the specific and unique needs of northern Ontario.

I think the parliamentary assistant to the Minister of Health was quite right when he said that in his riding of Peterborough there is a surplus of dentists. He asked how do you get those people to move up to the places like Ignace, Rainy River and Ear Falls? They're just not interested. They'd sooner operate on a much lower salary and stay in Peterborough. On a general basis, he informed the group at NOMA that when we look at the total population, we're not badly served when it comes to doctors and dentists. The thing is that they're all centred in southern Ontario. That's our problem and that's what we're trying to come to grips with. It's something that we have high on our list.

Mr. T. P. Reid: As the minister knows, the Kenora-Rainy River District Health Council did a report on dental needs of your area any my area and found that the children there had the highest rate of cavities in the province. I forget exactly what the dental term is for cavities. I can remember it sounds obscene.

Mr. Gaunt: Caries.

Mr. T. P. Reid: I hope we could speed this program up. What specific co-ordination is there between your ministry and the Ministry of Health? Secondly, is there any kind of information or recruitment program going on at the colleges of medicine and dentistry? I know there is something going on at some of the medical schools, particularly Hamilton. But does anybody from the Ministry of Health or Northern Affairs go to the colleges around graduation time, or prior to graduation, and say look, this is what is available around northern Ontario; the lifestyle is a little bit better in northern Ontario?

When I talk to officials in the Ministry of Health, I am constantly told there are some dentists in Toronto who have two practices at opposite ends of the city and they bounce back and forth between them just to make an average salary. There is the one problem of the dentists, then; there is the other problem with doctors and the two seem to be different animals, obviously; but where is the co-ordination between your ministry, and is there any active recruitment by either yourselves or the Ministry of Health in this regard?

Hon. Mr. Bernier: The actual recruitment and the direct contacts made with the students at the various universities are by the Ministry of Health. We have not moved into that particular field and I don't think that's

our role. Our role is to deal with the senior officials of the Ministry of Health, to point out to them what the specific needs of northern Ontario are and to impress upon them the urgency of getting on with the program. In essence, if funds are required, then we have the regional priority budget to give them those dollars to get on with the job.

The discussions at this point in time have been at high level with myself and the minister, and with the deputy and his counter-part in the Ministry of Health. So those discussions are going on. Dr. Copeman, I believe, is the gentleman we have been working with also. He has a very ambitious program, of course.

When specific problems come to our attention, we are immediately in touch with him. The co-operation, here again, has been excellent. We will continue that liaison and that co-ordinating responsibility of putting increased pressure on those people in other ministries to bring about the changes we need regarding the social amenities in northern Ontario.

Mr. T. P. Reid: I am glad to see that Ignace got \$95,000 for its dental clinic.

Mr. Germa: In the minister's statement, he said they were acquiring five new dental coaches. I think it is a sad commentary on our times when people in northern Ontario have to receive dental services in such a fashion. The people in northern Ontario are taxpayers just like the people in the southern part of the province. They heavily subsidize these educational institutions. Yet, they don't have access to the benefits that are supposed to accrue as a result of them subsidizing the universities.

Notwithstanding that complaint, I understand the present dental car service is on a circulating system and it takes seven years to go around its route and back to any specific location, which means that anybody in that community would get dental services once every seven years.

That in my mind, is just not adequate. Maybe the minister could tell us what kind of upgrading of service is going to take place as a result of the five new coaches? Are we going to have to wait maybe five years now before the dental coaches comes back to town? I would hope these five new coaches would in fact be able to speed up the circulation of the service.

Hon. Mr. Bernier: I think we are very sensitive to the specific needs of those small communities in northern Ontario, but of course we have to be very practical. I think the honourable member fully realizes we

couldn't put a major dental facility in every community.

We have assisted, as the member for Rainy River mentioned, in doing something in Ignace when we gave them direct financial assistance of \$95,000 to set up a medical clinic which would attract a dentist to their particular area.

We have embarked on a joint study with the district health council in the northwest to further that dental study to which the member for Rainy River referred, in the amount of about \$15,000. The eventual goal of our ministry is to provide a total of 10 mobile dental units right across the north. With these 10, and I believe the two or three that are on the railway system, we think we can accelerate the rotation of those units in many areas of northern Ontario.

The emphasis at this point in time will be with the children, there is no question about it. I think that has to be our responsibility and priority. We will go into the smaller communities and deal basically with the school children. The adults will have to make their own way, at least for the time being. On an emergency basis, certainly they will be looked after; but on a general preventive program they will have to wait in line, as the priority will be with the children. But I can assure the member for Sudbury that our goal is to accelerate the rotation with the increased number of mobile dental units.

Mr. Germa: I wonder if the minister has any projection of what the time span will be to complete a circuit.

Hon. Mr. Bernier: We have about \$600,000 earmarked for those units. I think five were purchased this year and can be brought in later this year or early next year, so that the full ten will be in operation. I think it is fair to say that the Ministry of Health is having some difficulty in providing the dentists for those units. Here again we may be co-operating more fully with them in a financial way to make sure that they are manned. But those are some of the problems.

Mr. Germa: In keeping with the minister's statement that he would welcome suggestions on how to solve some of his problems, we recognize there has been a shortage of medical personnel in northern Ontario since day one. We have done and tried everything to resolve our problem with GPs and dentists; and particularly with specialists, who just will not come up north.

I am reminded of the problem that the Premier of Newfoundland faced a few years ago and how he resolved his problem when

he couldn't get medical personnel to go into the isolated outposts of Newfoundland. At that point in time the student doctors in Saint John's were willing to accept free education in Newfoundland. But immediately after they were graduated they ran off to Montreal where the big bucks were and left the people of Newfoundland stranded, and Premier Smallwood had to take some drastic action.

I know it is not your responsibility to run the medical system in Ontario. But in view of your problems, you might suggest to the Minister of Health that he has to start thinking in more positive terms and take a look at what the Premier of Newfoundland did. His program, I understand, was quite successful.

Hon. Mr. Bernier: We are very much aware of that. In fact we have not only looked at the Newfoundland situation but also the dental program that is functioning in Saskatchewan. Manitoba, as the honourable member is no doubt aware, has embarked on a dental nurse program within their school system in the northern part of that province. I don't think it is as ambitious as the one in the province of Ontario; nevertheless they are moving ahead, with dental nurses working in co-operation with the schools, and we have looked at it. We are very cognizant of what has happened in other provinces and hopefully we can gain from some of their experiences.

Mr. Hodgson: I attended a convention of NOMA in Thunder Bay a couple of weeks ago on behalf of the Minister of Housing (Mr. Bennett). There is quite a serious problem in that area, and maybe the minister could shed some light on why it happened. Here in southern Ontario senior citizens apartments are built at an average cost of from \$16,000 to \$20,000 a unit. Most of them are below the \$20,000. In a township like Kee-watin they put out a tender for a senior citizens apartment, it came in at about \$26,000. They were asked to re-tender. I had a call yesterday from the mayor and he said that in re-tendering they got a low bid of \$28,000 per suite.

Is it because there is a shortage of contractors in the north to build this kind of project? Are the contractors not hungry enough up there? Is there a lot of other development they can put their time into? Is it a soil condition which causes this tender to come in at \$28,000, which is quite a high price? What can we do to help them out, because they need senior citizens apartments

and there doesn't seem to be anybody willing to build them any cheaper?

Hon. Mr. Bernier: Mr. Chairman, this is an area of real concern to us in the Ministry of Northern Affairs. I think it is fair to say we are concerned, and not only with the problem at Keewatin as it relates to a second call for the 21 senior citizens units there which saw an increase in the tender. I think the feeling was that if we recalled it the contractors, after a very lean winter, would come in with a much lower bid. But that has not happened. It is not happening in a number of cases, I would say to the member for York North. I would just like to relate to the member some of the problems that we are having.

In Hornepayne after some considerable amount of examination and engineering studies with qualified engineers and consultants, we designed an airstrip that would take the northern service. We recently called for tenders. I think the estimated cost of that airport, complete with paving, was something like \$750,000. The bid came in at \$1.2 million—\$500,000 over the estimate. How do you really justify that? Either the estimate was too low or the contractor came in too high. And that was, of course, the lowest bid.

I have to look at the Speaker's riding. I regret that he is not with us today, but I just want to put it on the record, in case he has an opportunity to review my remarks. The town of Schreiber is desperately in need of an extension of sewer facilities to their new arena that they are planning. We worked very closely with that community—with their consultants, with their engineers—and the original suggestion was that they would need about \$30,000 to extend the sewer line and water lines to their arena. It's a short distance, but further studies were undertaken and the engineer came up with a figure of about \$51,000. That seemed to be not too far apart, so we went along with it. The bids came in at \$106,000.

Mr. Gaunt: Double.

Hon. Mr. Bernier: Just double what the estimate was. This is of real concern to the municipalities. I know the mayor of Keewatin, Bob Kahoot, is most concerned; because his community is in dire need of senior citizens units and the Ministry of Housing has, of course, set a level of costs which is reasonable right across the province, but here we are in northern Ontario coming in at a rate something like \$5,000 or \$6,000 per unit more.

Mr. Hodgson: About \$7,000.

Hon. Mr. Bernier: About \$7,000 a unit more. I wish I had the answer. Perhaps the

contractors are in the position of not being competitive; if there isn't enough competition it could be one of our problems. I would hope that the estimates are not coming in too low for the development of northern Ontario. We have to accept the fact there are increased and added costs in developing programs and services for northern Ontario; but I fail to see that and I fail to accept that difference, that wide difference between the estimate and the actual cost. It's just causing us some concern.

It's one area which, I can assure the members, we are going to have a very serious look at. Right now we've got three major projects—I guess it's four because there are two projects in Hornepayne. The major town hall concept which has been called twice—and the second time it came in considerably higher; and the Schreiber situation which I think we were going to agree to because we feel there is some urgency to get on with servicing for the arena which could be built later this year. [12:30]

Keewatin is another area that gives us concern. I have to say to the member for York North that the conditions in Keewatin are tough, there's no question about it. The soil conditions are not as nice as you would find down here in—

Mr. Hodgson: The sunny south.

Hon. Mr. Bernier: The sunny south; I suppose you might say that today, and just today. Nevertheless, I just find it hard to accept that great difference. It's an area we're going to spend some time looking at to see if we can come up with some solution. I hope we wouldn't have to modify and reduce the quality of services in northern Ontario because of these high costs.

I think we as northerners—and I would hope the honourable member would agree—should be entitled to the same level and the same quality of services and buildings that you have in southern Ontario. I won't accept anything less. Nevertheless, the spread in costs is giving us a great deal of concern. I just don't have the answers to these problems at my fingertips.

The mayor of Hornepayne recently expressed his concern—I'm glad the member for Algoma (Mr. Wildman) is back; I was mentioning both the Hornepayne projects, the town hall and the airport, of which I am sure he is aware, coming in at a cost so much higher than we estimated.

Mr. Wildman: The town centre.

Hon. Mr. Bernier: It certainly disrupts the budgeting process, I can assure you of that.

When you have X number of dollars and X number of projects and then find that you don't have the dollars you originally thought you had; that is one area I can assure the members we'll be looking at very carefully.

Mr. Wildman: In relation to that, can the minister indicate the differences between the estimates on the Hornepayne airport and the actual costs they are looking at now, and what the ministry's plans are in relation to that?

Hon. Mr. Bernier: I did in my earlier remarks. I'm sorry the honourable member wasn't here. As I indicated, our estimate was about \$750,000 and I think the bid came in at \$1,200,000. Because of our desire to get on with the Hornepayne airstrip—there's no question about that. We've established the need, we think it is certainly warranted, and we have budgeted certain funds for this year—it may well be, as I said to the member for Rainy River, that we'll have to drop off certain parts of the project, such as the paving and maybe a certain amount of clearing.

I met with the low bidder in Timmins yesterday, Mr. LaBelle, and I expressed my concern to him about the high cost of the development of the Hornepayne airstrip. He indicated to me that he is prepared to look at dropping some portions of the project in order to get on with it this year. One, as I said, is the paving of the strip itself, and I think the other involves 300 acres of clearing that they wanted, on which he came in with a figure of about \$500 an acre.

My immediate response was, having been involved in clearing in the timber business myself, that \$500 an acre just for straight clearing was a little high. His immediate response to me was: "We put that bid in and never forget the fact that we were still the lowest bidder. I don't know what the other fellows bid we were the lowest. We put it in at \$500 an acre because of the demands placed on us by other government ministries. We really don't know what the Ministry of Natural Resources will want and what the Ministry of the Environment will force us to do. Can we actually burn the timber? Do we have to bury it? Will we have to do all these things to meet the environmental requirements of a number of ministries? To take that risk, we have to have the dollars to do it." He admitted that it was an exceptionally high figure.

Mr. Gaunt: That's the cost of too much government.

Hon. Mr. Bernier: The cost of too much government? I think you're right on. I hope

the honourable member for Rainy River is listening to me. The more deregulation we have, the better.

Item 1 agreed to.

On item 2, analysis, research and planning:

Mr. T. P. Reid: During the minister's estimates a few months ago I asked him if his staff would provide a list of the studies that were going on within his ministry, or which had been commissioned from other ministries.

We discussed one that had been under consideration or had been done in regard to labourers or working people commuting to their jobs over relatively long distances. Although I haven't gone back to look at Hansard, I was under the impression that those studies or that particular study would be made available to us. It has been some six months or so and we haven't seen that study.

I have also had a question on the order paper since April 13, asking that all studies that you are doing within your ministry be tabled in the House. I am with the minister on this one, and with Mr. Germa from Sudbury, in that we seem to study ourselves to death, but there are some areas that are valid for research and I certainly would like to know what they are. Can we get that list and can we have those studies tabled so that information is available to us all?

In regard to that, I would like to know specifically if there are any studies going on, let's say of a micro-economic nature that deal particularly with small industries? I think all our concern in northern Ontario is with the fact that we are so dependent basically on one industry, usually forest or mining or perhaps tourism. In the case of mines, when the mine is depleted or becomes uneconomic, there isn't much left for people to do except to move out. The same is true to some extent with forest industries where the equipment is out of date and the technology hasn't been updated.

What I would like to ask specifically, therefore, is has your ministry done any studies, taking one small industry, that might be viable in any number of northern communities? What I am thinking of specifically, and the minister himself is aware of this, is that in northern Minnesota and northern Michigan, which have the same relative transportation problems and the same relative geographical problems with distance from markets and distance from some of their sources of supply, to my knowledge there are certain industries that seem to be able to develop and grow and compete all over the North American continent.

I can think of Marvin Windows at Warroad, and there is a hockey stick factory at Warroad. There are all kinds of small communities which have one or two of these small industries that seem to be able to survive, despite their distances from markets. Their situation, as I said, is the same as many of our communities in northern Ontario. There is another one, I believe, at Hibbing, in which there is a canoe manufacturer that ships all over North America.

Has your ministry done any micro-studies of these specific industries? Our study on the strategy for northwestern Ontario, as has been indicated, is more of a macro-look at the region as a whole. I think where we have been missing the boat is that we haven't got down to the specifics, right down to the small industries that might be able to employ 15 or 20 or 30 people with the concomitant spinoff, rather than looking at large projects, like Bending Lake or some kind of industry like that. What we need really is smaller industries to cushion the blow when something happens, for instance as in Sudbury. There is nothing to soak up the people who become unemployed. In the case of smaller communities, like Atikokan, there really isn't anywhere else for those people to go but to move completely out of the community.

If there were a number of small industries, there would be an opportunity for them, one would think or hope, to soak up some of the excess labour. The question is have you got any studies of that sort?

Hon. Mr. Bernier: We have embarked on a number of areas with regard to the general economic activity of northern Ontario.

I might just remind the honourable member that in the field of tourism, as an example, a number of ministers and ministries have been talking to the tourist industry of northern Ontario, saying: "The time has come in our life when we should start taking a look at the emphasis we have placed on the wild-life of northern Ontario. Let's move into a different field and shift our emphasis away from the hunting and fishing lodges that we have. Maybe there are other areas to go into. Maybe we could go more into a family type of vacation. Maybe we should promote more of the historical aspects of northern Ontario. Maybe we should promote more of a recreational type of a holiday."

The industry immediately responded and said to us: "It's great for you fellows to talk that way, but what security is there, or facts and figures do we have, that if we did make this shift, there would be the economic strength and the base for us to continue to

make a living here in northern Ontario?" In response to that, we provided NOTO with about \$85,000 to do a study in that particular area to see what's in place today, whether that shift is warranted, what would happen if that shift did come about, and whether the tourist industry could support and maintain it.

The other study we're involved in is the Big Trout Lake employment strategy study—in the Big Trout Lake area, believe it or not—with another group of ministries.

Mr. T. P. Reid: I'm glad you can get something out of it.

Hon. Mr. Bernier: Here, again, we're looking at that particular area as it relates to transportation and to creating a broader economic base.

As I pointed out earlier, Manitoulin is a typical example. Again, I have to say to the honourable member: Our emphasis has been in some instances to put the emphasis and the onus on the local municipality, because they have the interest at heart, as I said, with regard to Atikokan. Manitoulin has brought nine municipalities together. We have assisted them with some financial resources, not only to look at their present industries—and they're small industries; there are only four or five people in many of these places—to give them some assistance and expertise, but also to look at other industries that could be brought into Manitoulin Island. We are looking at this as a pilot project.

In Sudbury, and I hate to belabour you with the problems of Sudbury, but they're very real—

Mr. Wildman: Don't be gloom and doom now.

Hon. Mr. Bernier: No, we're not; we're being very positive. I think, as I said in my opening remarks, the attitude has changed tremendously in Atikokan. They're very positive and very sincere.

Mr. T. P. Reid: In Atikokan or Sudbury?

Hon. Mr. Bernier: In Sudbury; I'm sorry. Did I say Atikokan?

Mr. T. P. Reid: They've always been positive in Atikokan.

Hon. Mr. Bernier: Yes, they have.

We have two major studies going on in Sudbury; there's the 2001 conference where the community will look at itself to diversify its present economic base, and the \$300,000 we've given the regional municipality to do something in the field of agriculture and to look at import substitution. There are a number of products which they rightly felt could be manufactured right in the Sudbury basin and could be used not only in the Sudbury

basin but perhaps exported to other parts of northern Ontario. I'd like to see that expanded into the northwest region. A place like Thunder Bay could look at that whole region again in import substitution; there is no question about that, we'd be glad to look at that.

We have an industrial opportunity study going on in the Sault Ste. Marie area which we've funded to the tune of about \$50,000. In the field of recreation, we're also working with Canadore College in the study of cross-country skiing as a tourist attraction for that particular area.

So we're involved in a number of areas. I would encourage the municipalities to come forward, as Atikokan is doing, because if you're going to get the weight and the interest and concern of an area, they should be involved. I don't think it should be our responsibility to superimpose ourselves on them with an idea and say, "Here, you make it work." I'd like to see the idea ferment within that community, and if they need some resources in a number of different ways, then we'd be glad to look at it. But that's the thrust that we'd like to go with, and we would give them every encouragement that we could.

[12:45]

Mr. T. P. Reid: The minister has done it again, with his Pollyanna outlook—which I appreciate, I'm an optimist myself. But do you think you could try to answer my specific question? Do you have any studies going on on specific industries as to why some of these small industrial concerns—like Marvin Windows in Warroad or any of these small industries employing 15 or 20 or more people, a hockey stick factory, a canoe paddle factory—have been successful in other places having similar circumstances to Atikokan, Fort Frances, Rainy River and such communities? Is there anything of that aspect going on?

I look over to my right and I see three blank faces. What is the answer?

Hon. Mr. Bernier: We have not embarked on any specific examinations of any specific hockey stick factory, say in that field. I think if that thrust were to come forward from a municipality, specifically like Atikokan, saying, "We'd like to look at ways and means that we could use the warm water from the Marmion Lake hydro development and we'd like to"—

Mr. T. P. Reid: They're doing that?

Hon. Mr. Bernier: Yes, they are doing that; it's the kind of thing, where the thrust and the initiative come from the local municipality, we would like to do.

I think that responsibility should lie with the Minister of Industry and Tourism (Mr. Rhodes) since he's directly involved with specifics. He would know what the market potential is, and certainly the Ministry of Natural Resources would look at the resource aspect of it. That's an area he'd be looking at. We'd be involved in a very general way.

I might say before I sit down that the report to which the member made reference a few moments ago will be tabled next week.

Mr. T. P. Reid: Will all the reports you've been doing be tabled?

Hon. Mr. Bernier: Yes.

Mr. T. P. Reid: I appreciate what the minister has said but I'm not sure he understands fully what I'm saying. He may be right that perhaps this is a responsibility of the Ministry of Industry and Tourism.

Mr. Gaunt: With all that hot water you might have greenhouses.

Mr. T. P. Reid: My friend from Huron-Bruce, who obviously comes to the point much quicker than the Minister of Northern Affairs, has indicated that with the warm water Atikokan could have a greenhouse industry. That's something they're looking at and have been looking at primarily on their own.

I don't want to belabour this point but I feel that maybe the minister didn't quite grasp what I was getting at. Maybe it's something that should be farmed out to perhaps Lakehead University or even Confederation College in Thunder Bay. When you come to set up a business like window manufacturing or a hockey stick factory, all these things, using the natural resources we have in abundance, we always run into the problems of markets, geography, transportation costs and so on. Nobody really has any answers other than to say it's too damned expensive to do it.

My point is that they're able to do it in the United States, in these northern border states. Somebody must look at them on the basis of one industry, rather than sort of the whole general sweep that we talk about in the Design for Development program; look at one specific industry and study it, analyse it to find out what the factors are that make it a viable operation in Warroad—I keep coming back to that—or Hibbing, or any of these places in northern Minnesota.

We can then relate that to places like Sudbury, like Atikokan, like Rainy River and find out what are the factors that make it economical there. I'm sure we'd probably find the same factors in our areas, but there must be a vital ingredient missing somewhere or other problems such as cost. Let's at least identify

them and find out what the differences are on an individual basis. I think that's the only way we're going to get anywhere.

The minister talked about the Sudbury conference. I've read the report. There were some good ideas that came out of that, particularly in relation to import substitution. I think there's a whole range of products that could be manufactured in some of these smaller communities across northern Ontario. I would like to suggest to you that maybe one of your more worthwhile studies might be on an individual enterprise in northern Minnesota so that we can relate that to northern Ontario.

Hon. Mr. Bernier: That point is very well taken, there is no question about that. There have been a number of small industries established in northern Ontario. In my own area, the Naden boat factory in Vermilion Bay bought the patent for Naden boats, aluminum boats. I get very disturbed when—that plant employs anywhere up to 25 people—I go 20 to 25 miles away from Vermilion Bay and see beside the road in some dealer's yard, Lund or Starcraft boats, identical to what is being built 25 miles away at Vermilion Bay, imported from the United States, really. Maybe it's a better boat, and the cost is a little cheaper, but yet there should be a loyalty to the supplier or product or something, I don't know what it is, but sometimes you have to look at the industry. I have made the point to the industry, let's support local industry. We don't even do it up there sometimes.

The purchase of stoves is a good example. In Kenora, there is a small factory producing wood stoves and it's doing very well, but now it finds itself competing with prices in Quebec or in BC where they are building stoves, maybe a little differently. But here he is established locally. Sometimes you can't see the forest for the trees, and you know something that is farther away always seems to be a little better, but that's another issue.

Mr. Gaunt: He should charge a higher price.

Hon. Mr. Bernier: Maybe he should, that is right. He is employing local people and I wish the general public would look at that because really it all helps to maintain our economy in northern Ontario.

I will consider that suggestion. I think the suggestion that we look at universities, to review that in minute detail, is an area we should be thinking about helping with.

The member I am sure is aware of the sash and door plant, that is anxious to get under way, and I hope he is giving it his

full support, I believe it is in Pinewood. That gentleman is anxious to get running. He assures me he has the markets, he has the product, but he is short of capital. I understand he is working very closely with NODC so that anything we can do of course to help that kind of an industry in a small community is most advantageous.

As was pointed out by one of the members from the third party, while we can look at the large mining operations and the large pulp and paper mills, the small factory that employs five or 10 people is a big factor in some of our small towns. There is just no question about that and we are trying to get that point across to the other ministries. Even the moving of government offices from small communities has an effective impact, so we are very cognizant of these special needs.

Mr. Germa: Sometimes when you get too close to the picture, Mr. Minister, you can't see the trees because of the bush in front of you.

Mr. Ruston: He's already used that.

Mr. Duksza: It is a new phrase.

Mr. Germa: That is how it is sometimes. We are all familiar with the problems and maybe a reckless and innovative approach has to be taken. Some person not familiar with the problems might see potential in northern Ontario. Maybe we just don't see it. I am thinking of some people who seem to be able to make something out of nothing. Japan, for instance, is a major force in the world, without obvious resources, through their ability as entrepreneurs. They have been able to compete and put things together.

Maybe we should be thinking in a sort of a reckless fashion and we should find ourselves probably one of the most vicious entrepreneurs we can find; probably he would be a Japanese, a really vicious one. You would give him probably one of the worst townships in northern Ontario. You put him in this miserable township, with a few willow trees, a bunch of poplar trees, a few wolves, a couple of moose, a deer or two, the odd bobcat, a rabbit and you tell this man, "Take a look at this township. What would you do, Mr. Entrepreneur, to make a living and create some jobs in this circumscribed area of the township?" This is just a thought I've been having. We don't seem to be having the answers. The traditional answers we're searching for in such areas as tourism are not working.

I don't have too much faith in that thrust, because there are too many other exciting places in the world for tourists to go. You

know the deterrents to tourism in northern Ontario—the blackflies, the mosquitoes and the severe winter weather. Even if we do develop tourism for a couple of months in the summer I think that is not a viable alternative. We have to find some way of identifying the potential which is on that land in northern Ontario.

I think you'll have to do it in a microscopic fashion such as that. You will get someone who has never seen the place before, has no preconceived ideas of the hazards or the pitfalls that he might stumble into, and who knows?—he might come out with the answer and that township might blossom. Then all we'd have to do is repeat it in all the other townships.

Hon. Mr. Bernier: It would be good if the member can find us an entrepreneur of that calibre.

I want to touch on the comment the member made with regard to tourism. I can't accept in total his comment that tourism doesn't mean that much to us in northern Ontario, because I think it does. One thing the tourist industry has difficulty doing is proving to the public at large the impact that industry really has on northern Ontario. We see all kinds of figures being poured out. We've heard all kinds of statements being made of what the tourist industry means to northern Ontario in financial return and, of course, in employment, but there's always that doubt that it is not doing what they say it is. I'm convinced that it is; there's no question about that.

I made an effort this spring to accelerate my promotional travels in the United States trying to get more tourists into northern Ontario. My first venture was down to Fort Lauderdale to meet with the travel agents of that area—I think there were about 150 in total—where in co-operation with the Manitoba government and the federal government we were kicking off a summer package tour. It would see tourists coming from Fort Lauderdale to Winnipeg and into northwestern Ontario for a 10-day trip.

It came to us loud and clear from the major travel agents that there were hundreds and hundreds of people who were anxious to go north. There was the uncertainty of the Middle East. There was uncertainty about going to Portugal, to France and to other countries. That was losing its appeal, not only because of the political activities in those countries, but because of the extremely high cost. Many of the tourists were looking to the North American continent. They made it very clear to us that we were missing the boat by not expounding the

excellent potential we have here in Canada. Of course, with the premium on the American dollar and with the seven per cent reduction on the sales tax on accommodation, it made it very attractive for American tourists to come to Ontario this year. So we have embarked on a very ambitious campaign.

I'd note that in co-operation with my colleague, the member for Sault Ste. Marie, we also went to Minneapolis and to Milwaukee to meet—

Mr. T. P. Reid: But they don't go to the sport shows.

Hon. Mr. Bernier: We were at both sport shows—both of us. We met with the tourist operators, met with the media and the travel agents in both of those areas and did a selling job. I'm convinced that we will have a bang-up year in northern Ontario as it relates to tourism. There's just no question about it.

As I said earlier, the industry itself must find some way to prove to the public in general that they have an impact, that they contribute handsomely to the economy. I think once they've done that in a positive way we'll get that acceptance. In other words, there's that feeling that they're not contributing what they say they're contributing, and I share their concern.

Item 2 agreed to.

Mr. Chairman: I'm advised the House has another order of business before 1 o'clock. It might be an appropriate time for the committee to rise and report.

[1:00]

On motion by Hon. Mr. Bernier, the committee of supply reported progress.

ROYAL ASSENT

Mr. Speaker: I beg to inform the House that in the name of Her Majesty, the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in her chambers.

Clerk of the House: The following are the titles of the bills to which Her Honour has assented:

Bill 1, An Act to amend the Trustee Act;

Bill 20, An Act to amend the Public Vehicles Act;

Bill 22, An Act to amend the Highway Traffic Act;

Bill 69, An Act to amend the Racing Commission Act;

Bill 71, An Act to amend the Judicature Act;

Bill 72, An Act to amend the Juries Act, 1974;

Bill 76, An Act to amend the Change of Name Act;

Bill 77, An Act to amend the Corporations Act;

Bill Pr3, An Act respecting Crossroads Christian Communications Incorporated;

Bill Pr16, An Act to revive Hillport Motors Limited;

Bill Pr20, An Act respecting the Township of Tilbury West.

ANSWER TO QUESTION
ON NOTICE PAPER

Hon. Mr. Grossman: I would like to table the answer to question 53 standing on the notice paper. (See appendix, page 2881).

On motion by Hon. Mr. Grossman, the House adjourned at 1:02 p.m.

APPENDIX

(See page 2880)

**ANSWER TO QUESTION
ON NOTICE PAPER****LCBO PURCHASES FROM
HIRAM WALKERS**

53. Mr. E. J. Bounsall (Windsor-Sandwich): How much whisky was purchased by the Ontario Liquor Control Board from Hiram Walkers Limited in the months of December, January, February and March last; and

in those same months the year previous; and the total of same purchased for the year 1977? [Tabled May 12, 1978.]

Hon. L. Grossman (Minister of Consumer and Commercial Relations): Liquor Control Board of Ontario purchases of whisky from Hiram Walker and Sons Limited: December 1977 to March 1978, 211,225 cases; December 1976 to March 1977, 217,440 cases; calendar year 1977, 806,655 cases.

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SPEAKERS IN THIS ISSUE

Baetz, Hon. R. C.; Minister of Energy (Ottawa West PC)
Bernier, Hon. L.; Minister of Northern Affairs (Kenora PC)
Bounsall, E. J. (Windsor-Sandwich NDP)
Bradley, J. (St. Catharines L)
Breithaupt, J. R. (Kitchener L)
Brunelle, Hon. R.; Provincial Secretary for Resources Development (Cochrane North PC)
Bryden, M. (Beaches-Woodbine NDP)
Campbell, M. (St. George L)
Cassidy, M. (Ottawa Centre NDP)
Cunningham, E. (Wentworth North L)
Davison, M. N. (Hamilton Centre NDP)
Dukszta, J. (Parkdale NDP)
Eakins, J. (Victoria-Haliburton L)
Eaton, R. G. (Middlesex PC)
Edighoffer, H.; Chairman (Perth L)
Foulds, J. F. (Port Arthur NDP)
Gaunt, M. (Huron-Bruce L)
Germa, M. C. (Sudbury NDP)
Grossman, Hon. L.; Minister of Consumer and Commercial Relations
(St. Andrew-St. Patrick PC)
Hodgson, W. (York North PC)
Kerrio, V. (Niagara Falls L)
McCague, Hon. G.; Minister of the Environment (Dufferin-Simcoe PC)
McClellan, R. (Bellwoods NDP)
McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs
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Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
Reid, T. P. (Rainy River L)
Rhodes, Hon. J. R.; Minister of Industry and Tourism (Sault Ste. Marie PC)
Ruston, R. F. (Essex North L)
Samis, G. (Cornwall NDP)
Smith, S.; Leader of the Opposition (Hamilton West L)
Snow, Hon. J. W.; Minister of Transportation and Communications (Oakville PC)
Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)
Stong, A. (York Centre L)
Swart, M. (Welland-Thorold NDP)
Warner, D. (Scarborough-Ellesmere NDP)
Welch, Hon. R.; Minister of Culture and Recreation, Deputy Premier (Brock PC)
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Worton, H. (Wellington South L)



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Second Session, 31st Parliament

Monday, May 29, 1978

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

MONDAY, MAY 29, 1978

The House met at 2 p.m.

Prayers.

DEATH OF ALDO MORO

Mr. Speaker: I would like to inform the honourable members that I have received a reply from the President of the Senate of Italy in response to the resolution that was passed during the unfortunate incident concerning the former Prime Minister, Aldo Moro. I would like to read it for the benefit of the members.

"Dear Mr. Speaker,

The resolution passed by the Legislative Assembly of the province of Ontario for the tragic death of the Honourable Aldo Moro is a most significant tribute to the memory of a great statesman and a great friend. May I ask you to accept personally and to extend to your honourable colleagues the feelings of our deep gratitude for your sincere participation in our sorrow in this very sad occasion.

"Yours very sincerely,

"Amintore Fanfani, President of the Senate of the Republic of Italy."

STATEMENTS BY THE MINISTRY

CANADA WEEK

Hon. Mr. Davis: I'd like to share with members of the House the plans for the Ontario government's participation in helping to celebrate our 111th birthday.

Mr. Peterson: Are you that old?

Hon. Mr. Davis: Canada's 111th birthday.

Mr. Peterson: I thought it was the number of years you had been in office.

Hon. Mr. Davis: First of all, it is our intention to issue a proclamation declaring the week of June 25 to July 1 as Canada Week in Ontario. Through this proclamation we will be calling upon citizens at every level, municipalities, community groups and private organizations across the province to organize events that will recall our country's great past, rejoice in its vibrant present and express confidence in its equally vital future.

A feature of this year's celebrations is the initiative taken by the federal government to

link various provinces with each other so that through their shared celebrations Canadians may come to know one another better no matter where they might live and no matter how different their lifestyles.

I will say at the outset we are delighted that Ontario has been linked in this celebration to Saskatchewan. I'm sure I speak for all the citizens of Ontario when I say we look forward to this opportunity to learn more about our fellow Canadians in that proud province. I know from the start that we will like what we see and learn because many of us in the past have had the opportunity to visit Saskatchewan and enjoy the warm hospitality of its citizens.

I think some here, who may still be inclined to view Saskatchewan as vast waving fields of wheat, will be pleasantly surprised to learn of its cosmopolitan cities, centres of learning and cultural activities.

Mr. Cassidy: And excellent politics.

Mr. Martel: That just about killed you.

Hon. Mr. Davis: My intention was not to make it clear that this relationship with Saskatchewan didn't extend into the area of government.

Mr. Cassidy: I didn't want it to be un-noted.

Hon. Mr. Davis: I think some in that province, who have visions of factory chimneys and skyscrapers when they think of our province, will also be surprised to learn of our great agricultural heritage—

Mr. Bradley: Fast disappearing.

Hon. Mr. Davis:—and our vast and rugged hinterland which still challenges the adventurous. The entire exercise, I am sure, will reveal that we share much in common and that where we differ it is in such a way as to **earn each other's respect and support.**

Towards this end, the government is sponsoring, along with the Ontario Committee for Canadian Unity, a special Ontario-Saskatchewan exhibition. This will be officially opened in the Macdonald Gallery by Her Honour, the Lieutenant Governor, at noon on June 27, and I would invite those members who can to attend on that occasion.

We also intend to adopt our postage meter during the month of June so that all govern-

ment mail will carry the imprint of "Semaine du Canada Week 1978" with the hope of creating awareness of this very special time.

As well, the Minister of Education (Mr. Wells) is writing the chairmen of school boards and the directors of education across the province encouraging them to develop events and celebrations that will enable our young people to participate fully in Canada's birthday. We are suggesting, because schools will likely be closed during that week, that they might hold their celebrations in advance, so as not to interfere with exams.

As a way to encourage further interest among the young people, a Canada Week poster contest will be held in all elementary schools. The four winners of this contest will go on an exchange visit to Saskatchewan.

Of course, we here in Ontario will hold our traditional July 1 celebrations at Queen's Park complete with hot dogs, entertainment and other ceremonies to suitably mark this historic day.

These, then, are some of the ways the 111th birthday of our great nation will be celebrated. I am one of those who approaches these festivities in a positive manner, viewing them as an excellent opportunity for all of us here in Ontario and Quebec and across the land to demonstrate our support and gratitude for a national framework that has done so much to fulfil the expectations of the people. In this spirit, I urge the members here to play their part in making these celebrations a success in their communities across this province.

We have much to be thankful for as Canadians, for what we have accomplished in the past and for what awaits us in the future. The elements of citizenship, of nationhood that we share, those attributes of compassion and goodwill, and our eagerness to assure equal opportunities to all who have joined in the great adventure that is Canada, make this so.

TEACHER DISPUTES

Hon. Mr. Wells: Mr. Speaker, during the past two weeks, on several occasions in this House I have been asked about the negotiations between the Wentworth County Board of Education and its secondary school teachers and the Essex County Board of Education and its secondary school teachers.

I am pleased to advise the members of the House that an agreement has been reached between the Wentworth County Board of Education and its secondary school teachers in which the contract for 1977-78 has been finalized. In due course, the parties will return to the table with Mr. Martin Teplitsky as mediator to resolve the contract for

1978-79. Should negotiations be unsuccessful, Mr. Teplitsky will issue an arbitrator's award. I understand the teachers have returned to the schools today and that classes will resume on Tuesday, May 30.

Also, on Friday, May 26, the Essex County Board of Education and its secondary school teachers reached a tentative agreement for a contract running from September 1, 1977 to August 31, 1980. The parties will be meeting to vote on the terms of the contract on Tuesday, May 30. If it is approved, the schools will reopen on Wednesday, May 31.

I would like to congratulate the parties in both of these disputes for having reached settlements within the options available to them under the School Boards and Teachers Collective Negotiations Act, 1975.

ORAL QUESTIONS

CHAIN STORE DISCOUNTS

Mr. S. Smith: I would like to ask a question of the Minister of Agriculture and Food. This is a question we were chatting about in committee but never did have an answer. It had to do with his reference in the House to volume discounts as being an acceptable procedure.

Could the minister explain to the House what in his view constitutes a volume discount? In particular, does he differentiate between a discount which is genuinely related to the benefits of doing business in bulk or in larger volume as opposed to a discount which is a consequence of coercion—one which is allegedly related to volume but is really related to control of the retail market by one or two or three large chains?

Can he tell us, for instance, by way of explaining this, what he in his experience would regard as a reasonable discount on milk between a chain store and an independent store, given the true benefits of doing business in volume?

Hon. W. Newman: My comments when talking about volume discounts, were related to other commodities and situations where there is a backup of commodities. I'd like to point out to the Leader of the Opposition that my view has been, and will always be, that if there is any illegal or unfair trade practice in the agricultural food industry, we'll certainly take the appropriate action.

I can go back in history to show where we have stepped in and the Ontario Food Council has taken action on several occasions. I believe those came up in committee. When you're specifically talking about volume discounts and how they relate to milk, I sup-

pose the analogy would be that you pay more for a bag of corn than you would for a truckload of corn.

I would point out to the honourable member that as far as volume discounts are concerned, and I assume he is talking of discounts between the processor and the chain or whichever other group, there are several factors that come into play; in this particular instance, the size of the truck that's handling it, the amount of products he is handling, what kind of milk is being handled, whether it's two per cent or 3.25 per cent, or whether he is carrying other commodities.

Those are only a few of the concerns as far as volume discount is concerned. All these have to be taken into consideration. What is the credit risk? What do the processors need as far as volume is concerned? The type and size of the store? Whether they unload on the platform in front of the store or actually put them on the shelves? There are many factors as far as volume discounts are concerned. I just mentioned a few of them.

Of course, volume discounts do reflect the economics of scale and are common in business. There are many factors, but as far as anything that is an illegal or unethical practice is concerned, as I said before, I am opposed to them. I gave you an example of a few of the factors that are taken into consideration in volume discounts on milk and probably other commodities too.

Mr. S. Smith: By way of supplementary: There is no disagreement between myself and what the minister has said, but could the minister give us some rough figures as to what should be the differential in price based on the benefits of economies of scale between selling milk to a chain store or selling milk to a smaller independent in the same area?

Does the minister have any ball-park figures to guide him? Is there any number that would lead the minister to wonder whether this was really a volume discount or a form of coercion because of control of the retail market? Does the minister draw that distinction in his own mind? Does he have some rough ball-park figure he can give us?

Hon. W. Newman: It's very difficult to give an actual figure of what the volume discount rate should be. As I said, it depends on many factors, and I've outlined six or seven for the member. It might vary from store to store or from a small independent, or depend on the volume, the truck, the size or whether they're carrying anything else. It's pretty hard to say.

Mr. S. Smith: What, two per cent, five per cent?

Hon. W. Newman: No, I'm not going to give you ball-park figures because it can vary from area to area.

Mr. Cassidy: Is the minister aware that Dominion Stores, for example, charges a \$5,000 listing fee in order that a particular grocery product can be listed in its largest stores and that the listing fee is more substantial in order to have that same product carried by all the various sizes of supermarkets which the Dominion Stores chain has? Can he say what conceivable benefit, if any, that it is to the consumers of the province of Ontario and if it is of no benefit to the consumer is it not simply a means of augmenting Dominion Stores profits?

Hon. W. Newman: No, I wouldn't say that. But Loblaws are coming to our committee discussions tomorrow night and, hopefully, Dominion Stores will be there either tomorrow night or Wednesday morning. We will be questioning them at some length on shelf space. I don't know which particular products the honourable member is talking about with regard to the listing fee. Is it a farm product or some other product? If it's some other product, does the honourable member wish to tell me which one?

Mr. Cassidy: Processed products, the minister should know.

Hon. W. Newman: I beg your pardon? Oh, yes, they only have about 10,000 items in each store and I should know them all. I don't know them all.

Mr. Lewis: That's a weakness.
[2:15]

Mr. S. Smith: By way of supplementary: Is the minister drawing a distinction between a genuine discount related to the benefits and the economies of scale versus a so-called volume discount which is really a consequence of control of the retail market? Does the minister draw that distinction, first of all, and if he does draw that distinction, what guides him in deciding when that guideline has somehow or other been exceeded? For instance, does he think it's reasonable that in the case of milk there should be a discount on the processor by the chain store of somewhere between 19 per cent and 21 per cent and possibly considerably higher than that in the price of milk? Does that strike the minister as truly related to the benefits of doing business in volume?

Hon. W. Newman: As I have said, there are many factors in the chain store—whether

the cooling devices are put in, whether they are put in the store each day, how they are handled and what the date and the practice are. For example, the plastic milk cartons might be much more costly to produce than the plastic pouches. Therefore, under those circumstances—

Mr. S. Smith: It's the same product we are talking about.

Hon. W. Newman: I know we are talking about the same product, but the fact that they could package it a lot cheaper may mean they can give a much better discount because they can do it in the pouches rather than the plastic containers.

Mr. S. Smith: It's the same package and the minister knows it. Does he draw the distinction or not?

Hon. W. Newman: I outlined it all to the Leader of the Opposition. Quite obviously, he doesn't know what it's all about.

Mr. S. Smith: We look forward to finding out whether the minister draws the distinction or not. So far he has avoided that question several times.

UNIVERSITY FUNDING

Mr. S. Smith: I will ask the Minister of Colleges and Universities a question. Is there any thought in his ministry at the moment in terms of possibly changing the wolf bounty method of financing universities and colleges which at present exists, where basically, how many students an institution can capture, presumably still in the live state at least at the moment, determines its budget for the year? Is there any possibility of changing that so that we don't get into the kinds of practices which have been referred to recently by Mr. Kent, the U of T director of admissions, where people from universities and colleges are competing by phoning people to try to get them into their university for purposes of government grants?

An hon. member: They used to do that just with football players.

Hon. Mr. Parrott: I think it would be timely to offer the leader of the Liberal Party an opportunity to come over and go into the method of financing in detail. Obviously, he doesn't understand it. I am appalled at the question.

Mr. Kerrio: The big problem is that you are not giving us all the information.

Mr. Swart: He's ready to come over permanently any time.

Hon. Mr. Parrott: May I illustrate the point this way? Last year in August the num-

bers of dollars allocated to the system for the next year were totally unrelated to the numbers of students that would be in the system this year. There is no wolf bounty. I think that is a very unfortunate choice of words on the member's part. There is indeed some competition between one university and the other but not for the whole system. I think the interuniversity competition is not all that serious. It has some advantages.

If the member wants to understand the full system of funding, we will be glad to set some time aside for him. There is in place right now a funding mechanism that gives four years buffering to the system. That's true, and it's very valuable, but it certainly is not on the head count as the member suggested.

Mr. S. Smith: By way of supplementary: Given the fact that, slip year or no slip year financing, we still are dealing with a basic income unit method of financing, can the minister comment on the comments made by Mr. Kent, who says in his opinion a number of universities have admission and liaison approaches inconsistent with the spirit of the guidelines? He says the most visible violation is mass telephone campaigns, in which one or two universities are getting involved, phoning hundreds of applicants before the June 16 date the universities have agreed on for issuing acceptances and so on.

Is this a healthy atmosphere? Does the minister regard this as a healthy sort of free enterprise attitude? Shouldn't the universities have some method of financing that isn't so totally dependent upon the number of people they can attract into their places?

Mr. Breithaupt: Some of them get an ear from each.

Hon. Mr. Parrott: The university system is not dependent upon the number they attract. It's entirely dependent upon the allocation of dollars by the government of this province to the system as a whole. In fairness, the leader of the Liberal Party has put two issues together which do not mix too well, if he does it that way. The BIU method is one of distribution and not funding. There is a very vast difference between a distribution mechanism and a funding mechanism.

Mr. Cooke: Based on what the minister has just said, does he remember his news conference on March 16, 1978, when he tried to justify the cutbacks in the university by saying that for the last 12 years the BIUs have kept up with the rate of inflation? How does the minister justify that statement at his March 16 news conference with

what he said just now, that the BIUs are a method of distribution and not a method of determining needs of universities?

Hon. Mr. Parrott: Very simply, one is a historical review of the facts as they were presented to this province throughout the years. There once was a time when the BIU method indeed was an open-ended program for financing; it has not been for some considerable period of time, and it certainly isn't in effect today.

Mr. S. Smith: Supplementary: Accepting the fine semantic point made by the minister that the total amount of funds going to the university system may not in his mind be related to the total number of students in the whole system, nonetheless does he not see that for the individual university the amount of money that a particular university will get from the funds that are generally available is in fact dependent upon the number of students they can attract and in that sense bears a distinct resemblance to the bounty system?

Mr. Breithaupt: You're saying the system follows instead of leads.

Hon. Mr. Parrott: One university may be able to take a larger portion of the budget than another; that's true.

Mr. S. Smith: Precisely. We are not talking about the total budget.

Hon. Mr. Parrott: But the budget will not increase if they all become aggressive. That is the big difference.

Mr. Breithaupt: But the market share differs.

Hon. Mr. Parrott: In other words, the number of dollars is assigned well in advance of the numbers reported to the ministry. It is not an open-ended system; if there is competition between the University of Toronto, for example, and the University of Western Ontario, so be it.

Mr. S. Smith: It's a wolf bounty with a limit in the total.

Hon. Mr. Parrott: It is not a wolf bounty. I would hope that the member opposite would expect the universities to want to have as many students as they possibly can. We give the number of dollars that are possible within our priorities; and it is my hope that the universities, given that large number of dollars, would attempt to educate as many of our young students as possible. Why not? Can the member opposite think of a better way of spending our tax dollars than in educating our young people?

Mr. S. Smith: But they don't create new applicants; they just—

Mr. Bounsall: Supplementary: Would the minister not agree that there are some advantages to be gained in some instances by competition among universities for students, and that this just illustrates good private enterprise practices, which the leader of the Liberal Party seems always to have espoused?

Hon. Mr. Davis: Depending on the issue.

Mr. Van Horne: You're worse than Mike Pelyk; you don't know which colour sweater they are wearing.

Mr. Bounsall: Furthermore, it has been demonstrably proven, where universities have admitted adult students with not necessarily the most correct backgrounds for entrance, that those adult students have done a remarkably good academic job at our universities by the time their courses have ended.

Hon. Mr. Parrott: Yes.

Mr. S. Smith: Don't you talk to each other in Windsor?

Mr. Sweeney: Given the description the minister gave to my leader's previous question, how do universities like Brock and Trent, small arts colleges, possibly compete for moneys from the total fund with, say, the University of Toronto, in view of the recruitment procedures being followed by them?

Hon. Mr. Parrott: For the past number of years, the Ontario Council on University Affairs has recognized, and therefore recommended, that an emerging grant be given to the universities in question. Trent, especially, last year had a 14 per cent larger grant than the competitive universities that the member named; for instance, the University of Toronto. This year it's a 12 per cent increase.

Council has said it thinks that before long those supplementary grants should be phased out. However, at this time there still are supplementary grants. I am sure council is taking a very careful look at the whole process of supplementary grants to our university system.

Going back to the question raised by the member's leader, it simply results in this equation: The more students, the smaller the BIU value per student, equals the same total at the end.

INJURED WORKERS

Mr. Cassidy: I have a question of the Minister of Labour arising out of the absolutely deplorable incident which took place at 1:30 this afternoon in the offices of the Minister of Labour, in which a number of injured work-

men were first pushed and were then apparently hit with billy clubs by Metropolitan Toronto police who were seeking to move them out of the building. There were people who, in fact, were bloodied and arrested in that particular incident, an epileptic was hit—

Mr. Speaker: Question?

Mr. Cassidy: I would like the minister to say whether that intervention by the Metropolitan Toronto police, with all of the tragic consequences, was, in fact, requested or ordered by the Minister of Labour?

Hon. B. Stephenson: No. The incident did not take place in the offices of the Ministry of Labour. It took place in the lobby of the building at 400 University Avenue in which the ministry is situated but which is not owned by the Ministry of Labour.

Mr. Martel: Move out then.

Hon. B. Stephenson: The owners of the building request this kind of policing at any time there is a demonstration within that building, because they have other tenants in the building. The details which have been given by the leader of the New Democratic Party are almost as inaccurate at the statements he made in the Sunday Star yesterday, to my knowledge.

I am aware that there was an invasion of the lobby of the building. The demonstration had taken place outside, at which time—

Mr. Lewis: An invasion? They were allowed in.

Mr. Wildman: Did they use amphibious craft?

Hon. B. Stephenson: This morning, both the former leader of the New Democratic Party and I spoke to the group outside the building, in a very large area which is outside the entrance to the building. After my departure, apparently the demonstrators went into the lobby and they were attempting, I gather, to move farther into the building. The police were in a line and they were rushed by the demonstrators.

Mr. Martel: On their crutches?

Hon. B. Stephenson: I have no idea of the details of the accidents which occurred, but they were not, in fact those that the—

Mr. Lewis: Excuse me, the police were rushed by the injured workmen?

Hon. B. Stephenson: The original details which have been given to me were not, in fact, those provided by the Leader of the Opposition, who yesterday made some statements in the Sunday Star of which he should be totally ashamed—

Mr. S. Smith: Correct the record. The leader of the third party, please.

Hon. B. Stephenson: —because he has indeed attacked every member of the Tory party in Ontario with those irresponsible and entirely untrue statements.

Mr. Martel: Mr. Speaker, she can't say that.

Hon. Mr. Grossman: He was never one to rest upon his laurels.

Mr. S. Smith: On a point of privilege, Mr. Speaker, could the minister kindly correct the record? She inadvertently said Leader of the Opposition when she clearly meant the leader of the third party.

An hon. member: We're all sorry too, I'll tell you.

Hon. B. Stephenson: My humble apologies. It was the leader of the third party.

Mr. Martel: On a point of privilege, the minister indicated that the leader of the New Democratic Party's comments were untrue. She is not in a position to make that statement in this Legislature. I would ask that you ask her to withdraw those statements.

Hon. Mr. Davis: Well, how do you describe what was said?

Mr. Martel: She must withdraw the statement. Those are the rules of this House.

Mr. Lewis: On the point of privilege, obviously if a member of the House accuses another member of the House of uttering statements which are untrue that has to be withdrawn. I wanted to ask, having missed it in the noise, was the minister referring to what—

Mr. Rotenberg: You are on a point of privilege, not on a question.

Mr. Lewis: —the leader of the New Democratic Party said today or something which was reported in a weekend newspaper? What was she talking about?

Hon. B. Stephenson: The details which the leader of the New Democratic Party provided regarding the incident in the lobby of the building do not, in fact, coincide with the information which I have been given thus far.

Mr. Deans: That doesn't make them wrong.

Mr. Turner: It doesn't make them right, either.

Hon. B. Stephenson: They are, I said, about as accurate—I think I used the word inaccurate, or did I say untrue? Then I will say inaccurate. I withdraw the word untrue and use the word inaccurate—as the accusations which the leader of the third party made in yesterday's Sunday Star. It was in quotation marks and it accused the Tory party of attacking the workers of this province. That is entirely untrue.

Mr. Lewis: He should be admonished for putting it so generously. Talk about restraint.

Mr. Cassidy: It was a very clear attack on injured people.

[2:30]

Mr. Lupusella: Supplementary: As the group of injured workmen were present in the lobby for an entire two-day period some short time ago, and no violence resulted at all, would the Minister of Labour please explain why this occurred today and will she have, through the Solicitor General, a full investigation as to why this should have occurred today when a period of similar occupation lasted for two days without incident?

Hon. B. Stephenson: Mr. Speaker, there was not a full-time occupation of the lobby for two full days a short time ago.

Mr. McClellan: Got to watch them. They might hit you with their crutches.

Hon. B. Stephenson: There was intermittent attendance within the lobby of the building during the winter months.

Mr. Warner: You're attacking injured workers.

Hon. B. Stephenson: No one has to my knowledge attacked injured workers in this province, and to my knowledge the police did not attack the workers either.

Mr. Swart: Why was the ambulance there?

Mr. Martel: What do you call that?

Mr. Warner: Why don't you clean up the board, and this problem wouldn't happen.

Mr. Martel: Workers on crutches invaded the building!

Mr. di Santo: Supplementary: Doesn't the minister think that her refusal to accept the demands of the injured workers for an increase of their benefits for the last three years—due to the confusing policies of the Workmen's Compensation Board over the application of the supplement and of the consequent suffering—is an outright provocation; and doesn't she think it is time that she changed her policies and finally brought in the legislation necessary to correct that situation for which she and her government are responsible?

Mr. Warner: It's a mean and vicious board, and you know it.

Hon. B. Stephenson: Mr. Speaker, at about 12 today when I was speaking to the injured workers, I informed them it was my sincere hope we would have the amendments to the benefits ready before this House recessed.

Mr. Cassidy: Sincere hope.

Mr. Warner: But you do nothing.

An hon. member: You said that a year ago.

Mr. Lupusella: You should be ashamed of yourself.

Mr. Bounsall: Supplementary to the answer previous to the one she has just made; is the minister not aware that half of the police at the first sign of pushing pulled out their billy clubs and in point of fact attacked the injured workmen? One epileptic had to receive medical attention. One workman was knocked unconscious. He was bleeding and was handcuffed and taken away in that condition. Is the minister not aware—when she says there was no attack—that it in fact occurred and that there are others, the details of which I am not fully conversant with?

Mr. Warner: It comes right back to your board.

Mr. Swart: It's all right with you.

Hon. B. Stephenson: I am not aware that there was an attack upon the injured workers by the police.

Mr. Bounsall: Get informed!

Mr. Warner: Why don't you find out?

Hon. B. Stephenson: I am aware that there was scuffling when the injured workers attempted to force their way through the police lines. I do not know the specific details.

Mr. M. Davidson: Injured workers attacking the police? How foolish can you be?

Hon. B. Stephenson: I am informed that one of the workers did indeed fall and no one knows how he injured his head, at this point in time, but we have asked for a full report of it.

Mr. Martel: He rammed his head at the wall.

Hon. B. Stephenson: When that report is available I'll be very happy to provide it to the House.

Mr. Warner: The board is the source of the problem and you know it.

Mr. Speaker: The member for Ottawa Centre with his second question.

Mr. Lewis: Remember how often we begged you to give those injured—

Mr. Speaker: Order, order.

Mr. Rotenberg: Why don't you just obey the law and tell your workers to obey the law?

Mr. Warner: Clean up the board!

Interjections.

Mr. Speaker: Order.

Mr. Cassidy: The words quoted in the paper—

Mr. Speaker: Order. We've had the original question and four supplementaries. The Min-

ister of Labour has promised a full investigation with a report to this House. To spend any more time, I think, would be counter-productive.

Does the member for Ottawa Centre have a second question?

Mr. Cassidy: Yes, I was beginning my second question. I was just saying that the words quoted in the paper were—

Mr. Speaker: Is that a related matter?

Mr. Cassidy: It's a second question related to the WCB.

Mr. Speaker: I fail to hear a question.

WORKMEN'S COMPENSATION

Mr. Cassidy: All right. Can the minister say whether the assurance today that she gave to the injured workmen is in fact nothing but a sincere hope, as she has just said, or will we in fact see the legislation come forward and will it take effect in the month of June? Or is she going to bring in further delays in bringing justice to injured workmen?

Hon. B. Stephenson: Mr. Speaker, with reasonable co-operation from the third party—and sometimes that's too much to hope for—we will have those amendments by the end of June.

Mr. Martel: Like Bill 70.

Mr. Warner: We've waited for you for a long time. Don't be so condescending.

Mr. Cassidy: Supplementary: In view of the fact that it is now almost three years since the last adjustment in workmen's compensation benefits, will the minister guarantee that the promised legislation will compensate fully for the increase in average wages and salaries since that time over the three-year period—that is, that it will be a minimum of a 27 per cent increase?

Hon. B. Stephenson: To adduce the total and complete and accurate figures at this point would be completely irresponsible. I shall not do that.

Mr. Mackenzie: How many years do you need?

Mr. T. P. Reid: By way of supplementary, the minister mentioned in relation to this on the radio this morning that she was looking at the system in New Zealand in regard to workmen's compensation and other such items. Does she have a report that she could table with the Legislature as to the efficacy of that system in compensating people who find themselves in these unfortunate situations before we even discuss these matters?

Hon. B. Stephenson: I am sure a preliminary report could be developed, but all

the final decisions regarding that program have not been made by the government of New Zealand as yet. There is still some question about the first week of compensation, for example, which has not been decided as yet. So it is very difficult to give a final report on the effectiveness of this kind of program as an alternative to the workmen's compensation program. But certainly it is one of the programs which is being studied, not only by the Ministry of Labour but also by the Workmen's Compensation Board.

Mr. McClellan: Could I ask the minister to give us an unequivocal assurance—yes or no—that the legislation raising the benefits will be introduced before the House rises in June?

Hon. B. Stephenson: I have already answered that question.

Mr. Warner: Yes or no.

Mr. McClellan: Yes or no. She hasn't said yes or no.

Hon. B. Stephenson: I have answered the question.

Mr. Warner: Answer the question.

Mr. Speaker: Order.

Hon. B. Stephenson: I have answered the question.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: Order: The supplementaries are becoming repetitious.

Mr. Lewis: May I ask a supplementary?

Mr. Speaker: If you have something original to ask.

Mr. Lewis: I am going to try.

Can the minister—

Mr. Kerrio: That is two supplementaries over there.

Mr. Lewis: I merely responded to the Speaker.

Mr. Speaker: Does the member for Niagara Falls have a supplementary?

Mr. Kerrio: Yes, I do.

Mr. Speaker: I hadn't noticed him standing.

Mr. Kerrio: In view of the fact that the minister is considering an adjustment of the injured workmen's payments, is she also considering looking into the area of responsibility, where payment should come from?

Mr. Bounsall: It is only one per cent of the payroll. Is the workman supposed to pay for his own injuries?

Mr. Kerrio: Is she relating it to those areas where there are benefits to injured workmen that should come from the consolidated

revenue fund rather than come from small business, which can ill afford to pay if it is not their fault?

Mr. Bounsall: We know where you get your campaign funds.

Hon. B. Stephenson: The task force which examined the Workmen's Compensation Board and its function in 1973 did examine that specific subject. I think it opted for the format of the social contract which was first developed, as members know, in 1915 in this province. We are continuing to examine the alternatives, the additives which might be supplementary to workmen's compensation.

But I can tell the House that the actuarial study of the Workmen's Compensation Board has taken some of those factors into consideration and has provided some debate on the subject within the document. It will be available to the members of this House as soon as the final five chapters are delivered to me, which I think should be by the end of this week.

Mr. Lewis: Mr. Speaker, if the legislative amendments are introduced in the month of June, as the minister says she intends—or even if they were introduced later—can she give to this House an absolute undertaking that within those amendments there will be an adjustment upwards to reflect the cost of living?

Hon. B. Stephenson: I can give an absolute commitment that there will be an adjustment upwards. Whether it will be on the basis of a COLA or some other mechanism, I certainly can't say at this point.

Mr. Swart: That's the base; we want to know the amount.

CHAIN STORE DISCOUNTS

Mr. Yakabuski: I have a question of the Premier.

Mr. Cassidy: It is nice to know that the member for Renfrew South is here.

Mr. Mackenzie: Are you going to take a sabbatical?

Mr. Yakabuski: Mr. Speaker, in view of the number of questions that have been asked in recent weeks of the Minister of Agriculture and Food (Mr. W. Newman), in connection with the discounting and volume rebates in the food industry—

An hon. member: Get out the hatchet.

Mr. Yakabuski: —doesn't the Premier really think this matter is only one small part of business practices that have been going on for years in this province and this nation—

Mr. Makarchuk: Great private enterprise system, Paul.

Mr. Yakabuski: —and that this Legislature should also be looking at discounts and volume rebates in the hard goods industry, in automobile distributorships and in many other areas of business carried on in this province and country?

Hon. Mr. Davis: Mr. Speaker, the very distinguished member for Renfrew South raises a somewhat broader issue. I must confess to him that, unlike him, I never had a great deal of experience in the sort of business that involves itself in discounts. In the profession that I used to practice there was a tariff and there was no reduction as it related to volume, so I am told. Has that changed, Jim?

Mr. Breithaupt: Not that I am aware.

Mr. Worton: They always get paid.

Mr. Nixon: Lawyers never discount.

Mr. Germa: Free enterprise.

Mr. Bradley: He should discount his salary.

Hon. Mr. Davis: However, Mr. Speaker, I would say to the member for Renfrew South that perhaps before making any general statement or observation, I think the committee itself should deal with this more restricted area for the time being and see what, in fact, the committee finds in its deliberation.

The hon. member has certainly touched upon it in a broader sense and I am delighted that he brought it to my attention. I thank him.

Mr. Yakabuski: Supplementary: Is the Premier aware that firms like Canadian Tire, Eaton's, Simpsons, Woolco and firms such as that are able to buy much better than the small businessman, the independent?

Hon. Mr. Davis: Mr. Speaker, I must once again confess to the honourable member that I am not personally unaware, and I am not surprised either, that somebody buying several thousand units of whatever it might be perhaps gets them at a somewhat better price than somebody buying half a dozen.

Mr. Worton: Not at the LCBO.

Hon. Mr. Davis: I have to confess to the honourable member that when it comes to purchasing services or goods from the stores, by and large those purchases are made by somebody other than myself; namely my wife, and unfortunately on several occasions my children. I will consult with them this evening to see whether they have found this reflected in their purchasing.

Mr. Bradley: Did you get a discount on your condominium?

Hon. Mr. Davis: Like you, I couldn't afford two.

TEACHERS' SALARIES

Mr. Haggerty: To the Minister of Education: Has the minister come to any conclusion in the last month since he was asked about Ontario's role in solving salary disagreements and the AIB levy of \$100,000 against the Niagara South Board of Education and the teachers?

Hon. Mr. Wells: Mr. Speaker, we were not involved in the salary dispute. I think the matter that was put to me by my friend the member for Welland-Thorold (Mr. Swart) a short while ago, and also by the member for Erie a few days ago, concerned the penalty of \$100,000 imposed on the Niagara south board by the administrator of the anti-inflation program. I think on checking we are all agreed that it was legal for that fine to be imposed and that fine had to be transmitted to the government in Ottawa.

There is a provision in there that perhaps half of that, \$50,000, could revert to this province. We are checking on that, of course, and if that money comes back to this province it would be a government decision and the Treasurer (Mr. McKeough) would have to take the lead in making some recommendations concerning what the disposition of that money would be.

Mr. Kerrio: That's better income than from radar traps.

Mr. Haggerty: Supplementary: Would the minister reveal the formula agreement that exists for Ontario in reclaiming AIB levies on the provincial public sector as provided for in section 9 of the January 19, 1976, referendum of agreement between the governments of Ontario and Canada? Would he also relate this payment formula to the \$100,000 levied by the AIB against the Niagara teachers and tell us how much of this \$100,000 will be returned to the Niagara South Board of Education? Perhaps he should ask his colleague the Treasurer for that information.

[2:45]

Hon. Mr. Wells: Perhaps my friend would let us take that question under advisement and perhaps the Treasurer would like to respond to it at some future time, because it really involves the agreement that we had under the AIB program, which, as I said, may provide for a formula for some of that money to come back to the province of Ontario—

Interjections.

Hon. Mr. Wells: —and if so, perhaps we would then consider what should be done with that money.

Mr. Swart: Certainly I'll ask the lawyer on the Welland-Thorold board, I'll tell you that.

Hon. Mr. Wells: I just draw to my friend's attention, though, that in my investigation of this matter, the matter of the penalty, as I understand it, was appealed to the federal cabinet. The federal cabinet upheld it and the federal government has seen fit to take that money and not return any of it to the Niagara South Board of Education.

Mr. Swart: Further supplementary, Mr. Speaker: In view of that fact that it is more than three weeks since I raised this issue with the minister, and the money has or will come from the ratepayers of the Niagara South Board of Education, would he not consider it reasonable that the total \$50,000, if the province gets it back, and we assume the province will get it back, should be returned to that board of education—

Interjections.

Mr. Swart: —rather than be kept here to increase the funds of the Treasurer?

Hon. Mr. Wells: I don't think I can answer that question at the present time. I could turn that question around and ask why should the government of Canada keep the \$50,000 that has been given to them. Why not turn all of it back, return it all to the Niagara south—

Mr. Kerrio: That's exactly what we want.

Hon. Mr. Wells: I could ask why was the fine ever imposed in the first place.

Mr. Warner: Give the money back; give the money back and then ask the Treasurer to resign.

Hon. Mr. Wells: But the fact of the matter is that our involvement in this is such that at some point in time that money may come back. I think the Treasurer can at the appropriate time indicate what the government of Ontario would do with that money. As far as I know we haven't received any money back under the agreement at the present time.

FLECK MANUFACTURING COMPANY

Mr. Mackenzie: A question of the Minister of Labour: In view of the serious deterioration of the possibility of collective bargaining in good faith at Fleck, due to the confrontation with the Ontario Provincial Police, which is perceived by the workers to be on behalf of the employers, I've got a two part question to ask of the minister.

First, has the minister at any time raised with the Solicitor General (Mr. Kerr) the possibility of removing or substantially reducing the OPP involvement on the picket line in order to defuse the situation, remove the threat of violence and lead to more fruitful bargaining? Second, in view of the statements of Mr. Paul Weiler, chairman of the labour board in British Columbia, who clearly refuted the statements of the minister last week concerning the usefulness of first agreements, is the minister now prepared to reconsider her comments and look at the imposition of a first agreement to bring an end to this unfortunate situation?

Hon. B. Stephenson: The answer to the first question, Mr. Speaker, is yes; a proposal was made and it was rejected by all parties. The answer to the second question is no, I am not prepared to do that at the moment. The newspaper report of my comment, that indeed we were monitoring what was happening there was obviously transmitted in somewhat garbled form to Mr. Weiler. His information is not exactly what had been in my hand at that time.

Mr. Lewis: Everybody garbles your words.

Hon. B. Stephenson: We shall be looking at the results of the second set of negotiations in those instances in which automatic or first agreements were established by government.

Mr. McClellan: Why are you so often misinterpreted?

Mr. Lewis: Even Wilf List garbles your words; and that takes some doing from Wilf.

Mr. Mackenzie: Supplementary: Is the minister not aware that larger numbers of police on the line invariably lead to confrontations?

Can the minister tell us why reducing that force to try and bring about some sanity in the situation would have been rejected by all parties? And is the minister aware of the comments of Mr. Weiler that an imposed first agreement and compulsory union check off, or the Rand formula in effect, is now law in BC; and has, according to Mr. Weiler, resulted in a substantial reduction of the confrontations in that province?

Mr. Lewis: Right; enormous reduction.

Hon. B. Stephenson: Yes, I am aware of Mr. Weiler's statements. As I said they are in conflict with the reports that were given to me about this situation in British Columbia. I am aware that indeed that is the law in that province at this time. As I said before, we are monitoring this situation

to see whether indeed it has any appropriate place in the province of Ontario or not.

Mr. Warner: Everybody is out of step but you.

Mr. McClellan: You are a disaster.

Hon. B. Stephenson: As far as the first question is concerned, I have no idea why they rejected it. You might ask the UAW, and the Liberal Party might indeed ask the managers of that plant why they rejected the idea; but the idea was definitely put to them with the assistance of one of the member's colleagues, as a matter of fact quite a while ago.

Mr. Germa: Have you been talking to the owner?

BURLINGTON ZONING DISPUTE

Mr. Epp: Mr. Speaker, I have a question for the Premier regarding a zoning dispute over a fast food or hamburger restaurant in Burlington. Given that the city of Burlington is opposed to its development, that the people in the area are opposed to its development, and given that there may have been certain anomalies with respect to the information that was presented at the OMB hearing, has the cabinet been asked by the Attorney General (Mr. McMurtry), or by anyone else for that matter, to reconsider this matter? And will the cabinet give reconsideration to it?

Hon. Mr. Davis: The member who serves that area so well whispered in a voice I could hear that there is a petition before the legislation committee. If there is, I cannot comment any further.

Mr. Peterson: Saved again.

WELFARE RECIPIENTS

Mr. McClellan: A question for the Minister of Community and Social Services: As you know, Mr. Speaker, 40 per cent of Ontario's social assistance caseload is composed of people who are dependent because of disability or major health problems. I want to ask the minister if he will tell us, in terms of cases, how many recipients of family benefits, GAINS-D, and general welfare assistance are injured workers who are in receipt of permanent partial disability pensions from the Workmen's Compensation Board?

Hon. Mr. Norton: Mr. Speaker, I would not have that information at my fingertips at the moment, in terms of specific cases. I shall try to get that information for the honourable member.

Mr. McClellan: Supplementary: Given that every dollar in social assistance benefits paid to injured workers in receipt of WCB pensions represents a direct subsidy to employers, a subsidy against what would be their cost of paying for a decent pension through the Workmen's Compensation Board's employer assessment, may I ask the minister to tell us what is the actual dollar cost in 1977-78 of social assistance benefits paid to injured workers who also received permanent partial disability pensions from the Workmen's Compensation Board?

Hon. Mr. Norton: I would be quite happy to get that information for the honourable member, if it is available in that form. I'm not at all certain that we would have that specific information on recipients—

Mr. McClellan: The minister agrees, of course, that it is a subsidy.

Hon. Mr. Norton: —that we could extrapolate from our data bank that readily. If it is available, I shall get it for the member.

Mr. Speaker: The Minister of Agriculture and Food has the answer to a question asked previously.

Mr. Kerrio: It's just about time. Dispense.

GREENHOUSE HEATING

Hon. W. Newman: Mr. Speaker, on May 26 the member for York Centre (Mr. Stong) asked a question concerning energy costs in greenhouses. I believe the essence of his question had to do with the rise in price per cubic foot of natural gas as the volume of gas used decreased. I understand that his concern is that farmers practising conservation measures may receive higher natural gas bills than they did when they were using more gas.

My ministry has conducted several studies on energy conservation in greenhouses and has additional research going on at the moment. We have looked at such matters as greenhouse design, solar energy, insulation materials, heating of soil as well as the air, and other management practices relating to energy conservation. Our main concern in these projects is the conservation of energy and the use of solar energy.

Energy costs have not been a central theme in my ministry. The matter of energy pricing more properly belongs to the Minister of Energy (Mr. Baetz) and I understand that he will respond to the price aspect of this question either late this week or early next week. I will send a copy of the work we are doing in energy conservation over to the member for York Centre.

EMPLOYMENT AGENCIES

Mr. O'Neil: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Is the minister aware of the practice of some private employment agencies which receive an hourly rate from an employer, but then pass on only a portion of the rate to the employee, perhaps as little as the minimum wage?

Mr. Deans: Is there anyone who isn't?

Hon. Mr. Grossman: No, I am not aware of that practice. I'm not sure that I have legislative authority to look into it, but if the honourable member will provide me with the details of it, we will report back to the House.

Mr. O'Neil: Could I also ask the minister if he does not feel that such agencies should be required to disclose the rate they are receiving from the employer to the employee? Would he consider setting a limit on the commission taken by such agencies after he has had a chance to review this information?

Hon. Mr. Grossman: As I said, I wouldn't want to comment further until I have all the details of what is happening in the particular transactions. If the member will send them over, I'll be pleased to comment in detail after I've seen them.

PRAXIS INVESTIGATION

Mr. Renwick: I have a question of the Attorney General: I refer to the statement of the Attorney General on Tuesday last about the theft of documents from the office of Praxis Corporation and particularly to that portion referring to the retention of the documents by the RCMP without notifying the Metropolitan Toronto Police. The final report of April 18, with which the Attorney General agreed, concluded that "there are no grounds to lay charges against any person, arising out of the subsequent receipt and possession of Praxis documents by the RCMP."

My question is, if the justification as stated by the RCMP for not notifying the Metropolitan Toronto Police was that the stolen documents were not retained for criminal purposes, for what purposes were the stolen documents retained by the RCMP and what use has been made of them since they received them?

Hon. Mr. McMurtry: There were a number of factors. Some were related to issues of natural security and some were related to what the RCMP felt involved the safety of at least one RCMP informant. In my view, the RCMP acted in a bona fide manner in pursuing the course it did. With the value of hindsight, I am not prepared to state at

this point in time that its judgement was the best possible judgement in the circumstances, but given all of the very complex circumstances surrounding this whole unhappy affair, there could be no doubt that the Metropolitan Toronto Police and the local crown attorney came to the right conclusion when they decided that criminal charges should not be laid in those particular circumstances.

I don't know if the question related to where the documents are at the present time. I can't answer that aspect of the question. I may have known at one point in time, but I can't honestly recall.

Mr. Renwick: By way of a supplementary question: Understanding as I do that the crown attorney for the judicial district of York exercised his discretion not to proceed on this matter, did the Attorney General himself or members of his department see the documents? Does he understand whether or not there were questions related to national security involved? Can he give this House any further or more explicit statement as to what he means when he said that, as a matter of hindsight, the judgement of the RCMP left much to be desired?

Hon. Mr. McMurtry: No, that's not what I said at all. I haven't seen these documents. I didn't say that the judgement of the RCMP left a lot to be desired. I simply stated, given the power of hindsight, that the judgement exercised by the RCMP in retaining these documents for a lengthy period of time may not have been the best possible judgement in the circumstances. But I'm not prepared to go into the circumstances in order to add anything to what I've already stated. Having said that, to suggest that what I said meant that the judgement of the RCMP left a great deal to be desired is really placing my views in a somewhat different context.

Mrs. Campbell: Supplementary: The Attorney General has stated, as I understood him, that he doesn't wish to go into the facts in this matter. Is that the reason why no one from his ministry apparently at any time interviewed Mr. John Hladun, who stated that he had a great deal of information in this matter but has never been interviewed by any person about it?

Hon. Mr. McMurtry: The name of the gentleman to whom the member for St. George has just referred means nothing to me. First of all, I should make it clear that members of the staff of the Ministry of the Attorney General are not carrying out the investigation. Our role is to advise the appropriate police authorities when it appears necessary.

[3:00]

I can't recall the circumstances of the investigation except to say that we know there was an investigation carried out by the Metropolitan Toronto Police, firstly.

Secondly, we know that there was an investigation carried out by the Ontario Police Commission at my request immediately upon the receipt of a letter from the Solicitor General for Canada stating that he had certain information to pass on to me related to certain individuals who may or may not have some information. To my knowledge, this matter was pursued completely and the individuals who were named in the letter from the federal Solicitor General all were interviewed. My recollection does not indicate that the person whose name the member for St. George just mentioned was one of them. I have to say that name means absolutely nothing to me at this point in time.

Mrs. Campbell: A supplementary, Mr. Speaker: The information came through an interview with CBC. The name was not known to me any more than to the minister. But is the minister not becoming somewhat concerned with the numbers of opinions and legal statements made in this House referring to a variety of matters in which there appears to be little or no investigation of the facts upon which these opinions are based?

Hon. Mr. McMurtry: I think that's quite an unfair statement, if I might categorize it as such, Mr. Speaker. So far as any statements that have been made in relation to the Praxis matter are concerned, they are based on a very complete, very thorough and very painstaking investigation. As to documenting the factual situation and investigations in relation to any other legal opinions, I would be happy to do that if I'm asked specifically about any other matters.

Mr. Speaker: The Solicitor General has the answer to a question asked previously.

FLECK MANUFACTURING COMPANY

Hon. Mr. Kerr: Mr. Speaker, last Tuesday, the member for Beaches-Woodbine asked a number of questions concerning the involvement of the Ontario Provincial Police in the strike at Fleck Manufacturing Company Limited.

In answering those questions I might say that on Friday, May 19, approximately 250 people joined a picket line of 41 workers at Huron Park. There were 19 OPP officers at the plant site that day, although an additional 57 were held in reserve but not deployed.

The cost of the policing operation on May 19 was approximately \$3,730. I have now received a cumulative total up to and including May 22; it is \$523,529.

Mr. Lewis: That's unbelievable.

Ms. Bryden: Half a million.

Hon. Mr. Kerr: The main entrances to the park were not closed off on May 19. I understand that, initially, some picketers were blocking the entrance, but when the OPP staff superintendent asked them to move they did so.

The member for Cambridge (Mr. M. Davidson) asked why it was necessary to provide accommodation in places like the Holiday Inn for police officers assigned to the strike. The member for Kitchener (Mr. Breithaupt) also asked why the possibility of using Camp Ipperwash had not been investigated.

The OPP looked at many kinds of accommodation in the area. Camp Ipperwash and Wolseley Barracks have both been utilized. However, when the military requires Camp Ipperwash, the OPP must find other accommodation. The Holiday Inn was able to offer the force a reduced group rate; so it is being used in conjunction with other facilities.

Hon. Mr. Norton: Volume discount.

Ms. Bryden: A supplementary, Mr. Speaker: I wonder if I could ask the minister how he can justify the expenditure of half a million dollars on these reserve police who appear to have been kept outside the plant expecting some sort of activity that would require 57 police in reserve. When one thinks of the cost of maintaining those 57 police for approximately 250 women who were appearing on a picket line that day, how can he justify this kind of reserve requirement?

Hon. Mr. Kerr: I might say that for the period from about the end of April up to May 17, there was only one police officer on one particular day who was at the picket line. During all that period, the police were only held in reserve. They were not deployed at the picket line. Those were days when the picket line itself was not reinforced by outside picketers. There was no problem whatsoever on the picket line in those days although the picket line was formed by the women strikers.

It was only after May 17 when the honourable member may recall there were a number of people that came up from the Chrysler plant at Windsor. That day there was one male officer at the picket line. I don't know if the honourable member recalls that, but there were a number of instances that day of employees who were attacked,

and there was substantial property damage. As a result of that, the police reinforced their personnel at or near the park.

When the honourable member attended on May 19, the OPP increased the personnel at the site to 19 and the number of reserves at other locations.

Mr. Warner: You scared them, Marion.

Hon. Mr. Kerr: As the staff sergeant indicated in committee last Friday, it depends on the intelligence of the force as to the number of outside picketers who may be reinforcing the picket line that they deploy extra people.

Mr. Lewis: They were clearly wrong again.

Hon. Mr. Kerr: All I can say is that in order to control the crowd and keep the park open, they have to keep a number of police officers in reserve.

Mr. M. Davidson: Given that the minister has now informed us that the cost to May 22 of administering that strike by the OPP is I believe \$523,000, can he now tell us whether or not that includes the basic salaries of the constables who are on duty? When I raised this in a supplementary previously, the minister indicated that it might have, but that he wasn't certain.

Hon. Mr. Kerr: No. The honourable member should realize that the police officers are all salaried personnel and are all on regular salaries regardless of where they are serving in the province. Based on the number of personnel who have been there or on reserve from time to time from March 6, the total salary figure is \$519,938.

Mr. M. Davidson: In addition to the \$500,000?

Hon. Mr. Kerr: Yes.

Mr. Lewis: So it's over \$1 million altogether at Fleck, eh? And you can't solve it, can you?

Mr. Deans: Do you know how much the settlement would cost?

Mr. Cassidy: In view of the fact that the Police Act specifically gives the Solicitor General the power to enter into agreements with a company so that the company will pay the cost of policing where it's provided by the OPP, is it the government's intention now to make Fleck sign such an agreement so that the company should pay this million-dollar cost of protecting the company rather than having the taxpayers of Ontario pay it?

Mr. Rotenberg: Why not the union?

Mr. Hodgson: What about the union?

Hon. Mr. Kerr: I have no objection to attempting to do that.

An hon. member: Then do it. Go ahead and do it.

CHAIN STORE DISCOUNTS

Mr. McGuigan: I rise on a point of privilege. I should like to correct an impression that was inadvertently given by me to the committee on natural resources last Thursday evening. I realize the proper place is in the committee but I ask your indulgence to do it here because I want to take the first opportunity to do so.

I believe I indicated in the committee that three bills from the M. Loeb company to McGuigan Orchards for apples were paid on a six per cent discount basis and that as a result of representations by my son these discounts were removed. I should have said three statements. I did not make it clear that only those invoices received since my son protested have been corrected so as to provide the minimum price set by the apple commission.

There are three statements covering January, February and March and three deliveries in April which were paid on a six per cent discount basis. This has not yet been corrected. Invoices since April 21 have been paid at the net proper rate. A letter is being sent today to the M. Loeb company, with a copy to the Ontario Apple Marketing Commission, asking that these payments be corrected.

TIME FOR QUESTIONS

Mr. Bounsall: On a point of privilege, Mr. Speaker: Should not the time taken for the point of privilege by the previous speaker have been deducted from the time for the question period and, therefore, would not a new question be in order?

Mr. Speaker: The time for oral questions had actually expired before he rose. The time was up at 3:10.

WORKMEN'S COMPENSATION

Mr. Grande: On a point of privilege: On April 11 I asked a question of the Minister of Labour regarding the unwritten policy of the Workmen's Compensation Board to require from injured pensioned workers three signatures from employers per day and 15 per week as proof that they are looking for light jobs in order to receive the pension supplement. I asked the minister to clarify that policy. The minister answered on that day:

"Mr. Speaker, I'll be very pleased to inquire from the chairman of the Workmen's Compensation Board precisely what it was he did mean by that statement and present it to the House."

All the minister had to do was to place a phone call to Michael Starr to get the information and report. A month and a half has elapsed and the minister has not answered that question.

Mr. McClellan: She's still studying it.

Mr. Grande: Mr. Speaker, I am seeking your assistance to try to activate the Minister of Labour.

Hon. B. Stephenson: The response to that question was submitted to the member for Hamilton East (Mr. Mackenzie) with a request that he distribute it to all members of the caucus.

REPORT

SELECT COMMITTEE ON THE OMBUDSMAN

Mr. M. N. Davison: I wish to take the fourth report of the select committee on the Ombudsman and ask, pursuant to provisional standing order 6, that the report be placed on the order paper for consideration by this House.

This report will provide members of the legislative assembly with a survey of the ombudsman institution in the five foreign jurisdictions visited by the committee. It explains how things are done there and more important, why things are done. It is the committee's intention that this report should serve as a starting point for the consideration and creation of rules, definitions and interpretations to be arrived at in an open and free consultative process.

The report contains two recommendations. First, while the committee has concluded that the concept of an ombudsman is applicable to local government in Ontario, the committee recommends that the function of ombudsman to local government should not be performed by an ombudsman who has jurisdiction over provincial or central government organizations. Second, the committee again recommends that its order of reference be amended to provide that it receive and consider the estimates of the Ombudsman and report thereon to the Legislature with such recommendations as the committee deems appropriate.

Copies of the report are available in the members' mail boxes and are now available to the press.

INTRODUCTION OF BILLS

SIMCOE DAY ACT

Mr. G. E. Smith moved first reading of Bill 99, An Act respecting Simcoe Day.

Motion agreed to.

Mr. G. E. Smith: The purpose of the bill is to change the name of the public holiday celebrated in many municipalities on the first Monday in August from Civic Holiday to Simcoe Day in honour of John Graves Simcoe who was appointed the first Lieutenant Governor of Upper Canada on September 12, 1791 and who convened the first Legislative Assembly and established the capital of the province at York, now Toronto.

[3:15]

CONSUMER PROTECTION
AMENDMENT ACT

Mr. B. Newman moved first reading of Bill 100, An Act to amend the Consumer Protection Act.

Motion agreed to.

Mr. B. Newman: This bill requires that every product offered for sale by a retailer that is marked with the universal product code must also be clearly marked with its individual purchase price. This would ensure the rights of the consumer to the privilege of comparison shopping by requiring individual item pricing.

ANSWERS TO QUESTIONS
ON NOTICE PAPER

Hon. Mr. Grossman: Before the orders of the day I wish to table the answers to questions 56, 57, 58 and 60 standing on the notice paper. (See appendix page 2930).

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MINISTRY OF
NORTHERN AFFAIRS
(continued)

Mr. Chairman: Resuming, then, consideration of the estimates of the Ministry of Northern Affairs.

On vote 901, ministry administration program; item 3, regional and community relations.

Mr. T. P. Reid: We're still on—

Mr. Chairman: Item 3.

Mr. T. P. Reid: Item 3. Perhaps the minister could give us a rundown of what the regional and community relations officers'

functions are—how many there are in the northern region, what their functions are, and how many backup people he has in Toronto working with these people.

Hon. Mr. Bernier: The number of northern affairs officers across northern Ontario now totals 29. Each one of those has a secretary with him, which would be a total of 58. In addition, here, there is the support staff that numbers—

Mr. T. P. Reid: While we're waiting for that information, can you explain, do you have somebody now within your ministry called a community relations officer, as distinct from a northern affairs officer? No?

Hon. Mr. Bernier: No.

Mr. T. P. Reid: What is Don Cameron in Kenora, Bill Calvert in—

Hon. Mr. Bernier: Yes, right. That's right.

Mr. T. P. Reid: You have heard of them?

Hon. Mr. Bernier: Yes. There has been some confusion in that while we're calling our offices community service centres, the 29 northern affairs offices are basically community service centres. Some people are confusing those people with community service officers. They are still northern affairs officers per se. We're not changing that name, just the name to signify the office so we can identify them within the organization.

Mr. T. P. Reid: And your community relations officers, Mr. Cameron, Mr. Calvert, Mr. Fleming—

Mr. Wildman: Roland St.-Onge.

Mr. T. P. Reid: —and that gentleman my friend Mr. Wildman has mentioned, what is their function? They are called specifically by the title community relations officers, right?

Hon. Mr. Bernier: Right.

Mr. T. P. Reid: What do they do as separate and distinct from the northern affairs officers?

While I'm on my feet—because, as the minister knows, I always like to ask at least one question about money—what are the salaries of both the northern affairs officers and the community relations officers?

Hon. Mr. Bernier: The salary of a northern affairs officer, classification 1, ranges from \$17,333 to \$20,282, for classification 2 from \$18,000 to \$22,000, and for classification 3 from \$21,000 to \$26,000.

Mr. T. P. Reid: Do you have any making \$26,000?

Hon. Mr. Bernier: I'm not sure. I'll just check on that.

Mr. T. P. Reid: While we're waiting, what is the community relations officers' salary level?

Hon. Mr. Bernier: I must just read for the honourable member the responsibilities of those officers: "The community relations program of the ministry has basically two principal functions: to make residents of northern Ontario aware of the programs, services and facilities available to them from the government and to assist residents of northern Ontario to make the most beneficial use of the programs, services and facilities of government which they and their community require." They are at the regional bases and they move around within the region and work with the municipalities. Of course, they support the 29 other northern affairs officers in the area.

I'm told that there are two people receiving \$26,000 right now, Mr. Myles, who is in the regional office at Kenora, and Mr. Scully, who is at the regional office at Sault Ste. Marie.

Mr. T. P. Reid: They're doing better than members.

Hon. Mr. Bernier: Yes, they're worth more in some cases.

Mr. Germa: I'm a little confused by the figures, Mr. Chairman. If I look at the printed book, the 1977-78 estimate for this program is \$347,500. Then, when I look at the briefing book that the minister circulated, the 1977-78 estimate is \$1,570,000. I'm trying to find out how fast this community relations branch is growing. Could the minister give me the true figures? Why is there the discrepancy between the printed book—\$347,000 and the briefing book—\$1,570,000?

Hon. Mr. Bernier: Mr. Chairman, there was a typographical error there, and I believe the revised estimates page has been re-submitted to the members. I could certainly get the honourable member a copy of the corrected transposition of those figures.

The figures did not change the total. The total for the 1978-79 estimates is still \$6,470,000, and the total for 1977-78 is still \$4,049,000. There was just a problem. The corrected page is on its way to the member now.

Mr. Germa: If I take this to be correct, the estimate last year was \$1,570,500; this year it's \$2,560,000. Those are the comparative figures; we don't have an actual for 1977-78, do we?

Hon. Mr. Bernier: No, we don't have an actual yet.

Mr. Germa: So we have a projection of almost a 100 per cent increase in that particular line, regional and community relations. I wonder if the minister would tell us where this great increase came in. What caused this great increase from \$1.5 million to \$2.5 million?

Hon. Mr. Bernier: As the member for Rainy River will attest, the services of the northern affairs branch and the services of northern affairs officers have been broadly extended in this coming year. We have opened up a total of nine new offices. Of course, this is reflected in the budget increase.

New offices opened in northern Ontario included those at Hearst, Chapleau, Rainy River, Ignace, Iroquois Falls and, of course, the regional offices at Kenora, Sault Ste. Marie, Sudbury and Thunder Bay. So there has been a broad expansion of the northern affairs offices in northern Ontario and, as I said a moment ago, it is directly reflected in the increase we are asking for.

Mr. Germa: When you put a regional office in the same community as the northern affairs office, what is the different complement in structure?

Hon. Mr. Bernier: The northern affairs office itself, working through the community service centre, has the northern affairs officer and a secretary. They deal directly with the public. They are basically a storefront operation.

The regional office deals on a much broader basis with the policy setting of the programs, dealing with the various municipalities, and in liaison with the other ministries, and working, of course, with the other regional offices, the main office and the regional office here in Toronto.

It is not large in number. The regional office in Kenora will have somewhere around 12 to 13 people when it is finally staffed. The office in Thunder Bay will have anywhere from eight to 12. Sault Ste. Marie, about the same size as Kenora, and Sudbury about the same size as Thunder Bay.

As the honourable member will know, I am sure, in our reduced complement figure that was recently announced, we indicated—and had told the mayor of Cochrane—that our regional office, scheduled to open up there this year, would be deferred until some later date. We had planned a regional office in the town of Cochrane but because of cutbacks in complement and in salaries we have had to postpone that particular office opening for, I suspect, some time.

Mr. Germa: Even despite that announcement, there must have been an increase in staff in that line.

Hon. Mr. Bernier: Yes.

Mr. Germa: Where did we get these people from? Were they transferred from another ministry?

Hon. Mr. Bernier: Some were. Advertisements were placed all across northern Ontario. I am sure that the member saw some of the advertisements in our northern papers. We held competitions right across the north. In fact, our engagement program, or hiring program, is not completed as yet.

I have to say to the member—and I am sure he agrees with me—that we are being extremely selective and careful in getting for these positions people who are, I suppose, a little higher in calibre than you would normally require for this type of work, because we feel that they should be northern oriented, have a broad knowledge of government services and, of course, have that type of personality to deal with the public in a very helpful way.

It is a very sensitive position. It is one that commands the total ability of those individuals we have in those particular fields; and, certainly, this is reflected in the number of inquiries that we are receiving in our northern affairs offices and in the expansion of those particular programs that they relate to, such as the ICAF fund now.

Mr. T. P. Reid: I want to rise, really, on a point of order. I don't want to cut my friend off but I am a little concerned in the briefing or the estimate book that there is an error of \$1.2 million. Presumably, it is for money from last year.

I was wondering if there were any other mistakes that we should perhaps be aware of? Why would you, yourself, not have brought it to our attention, rather than having it raised by the member for Sudbury? I would think that it is your responsibility to do so. Was there anything else?

Hon. Mr. Bernier: Yes, Mr. Speaker, and I apologize for that. The staff did bring it to my attention and in fact I intended to do that the first thing today, but I just arrived on that late 12 o'clock plane from Thunder Bay. I certainly apologize for that. But as I pointed out the actual totals for this year have not changed and all the error was in the printing of last year's figures.

[3:30]

Mr. T. P. Reid: That's the only mistake?

Hon. Mr. Bernier: That's the only mistake that has been brought to my attention.

Mr. Germa: I have a speech of the minister of January 21, 1978. He was in Kirkland Lake at the chamber of commerce. He said—

Mr. T. P. Reid: You should get a medal for reading those.

Mr. Germa: They're very entertaining.

"At the same time, from one of the many possible programs for so-called soft services we are selecting those which relate to employment and improvement of living conditions, training programs to help people handle new and better jobs, other programs that will add meaningful dimensions to people's living standards."

I see no reference in the briefing book to any training programs, and I am not aware of any such programs to help people in northern Ontario handle new or better jobs. Could you fill us in on that one?

Hon. Mr. Bernier: The idea behind that statement is to assist those organizations—and I refer back again to my many references to the Manitoulin Economic Development Association. Here we assisted financially to set up that development association to train the local people in the field of business management, advertising and marketing. It is that kind of a thrust we want to embark on.

I have said many times across northern Ontario that our priority, as the member has correctly quoted me on, would be employment-oriented in that field. I think we can see ourselves leaning very heavily to the development of an industrial park in a specific community that would provide the opportunity for industry to establish, and thereby create more jobs within that community. It is this kind of direction that we would like to see ourselves moving into. I would say to the honourable member that the DREE program is also leaning very heavily in that direction.

Mr. Bolan: I have a question of the minister. I might say it is good to see the minister this afternoon. I would have preferred to have seen him on Friday in North Bay. However, I was not privy to that meeting. It has to do with that that I have this question for you, Mr. Minister.

I was speaking to one of your information officers on Friday afternoon—I believe his name was Fleming. The portent of my question is to find out from you just what instructions your ministry gives when it has to do with inviting certain people in certain areas to certain meetings which are sponsored by the ministry, which are paid for, of course, by public funds, and whether or not your ministry has some type of procedure you follow whenever you have one of these conferences or meetings. What is the procedure

involved in that, particularly in reference to the meeting you held last Friday in North Bay?

Hon. Mr. Bernier: There are a number of meetings held across northern Ontario by our staff, and certainly by myself. I refer to a typical one we held in Timmins where the general area was invited to submit briefs to my colleague, the Provincial Secretary for Resources Development (Mr. Brunelle). At that time it was generally open to everybody to join us and I believe everybody did. It was broad and general in nature. We wanted the broad, general input before making some very important decisions that would affect the tourist industry in the northeastern Ontario corridor for some time to come. We received it, we are very grateful and action has been taken on those suggestions already.

The meeting to which the member refers was the first meeting of the Municipal Advisory Committee in North Bay. It was basically a formation meeting where the Ministry of Northern Affairs was taking over the responsibility of that particular group from the Ministry of Treasury, Economics and Inter-governmental Affairs.

We had a very successful meeting in the northwest part of the province with the executive from MAC at the Quetico training centre where we spent a good day with those members to look at an industrial strategy report, basically behind closed doors, I suppose you might say, because it was confined to a number of my cabinet colleagues and the executive themselves. I think it's fair to say that the responsibility rests with the government to bring forth recommendations, at least at that particular level.

That meeting we had in North Bay was not advertised in the sense that it would be an open public meeting where we would get all kinds of input. I think we felt that because of the hiatus, I suppose you might say, that occurred in the transfer from one ministry to another, we wanted to sit down with the executive themselves, and I believe that there was a notice that a news conference would be held to outline to the press just what we had achieved and in what direction we were going.

Outside of that, we didn't finalize any policies or programs but we indicated to them that we had reached accord with regard to the setting up of a secretariat, that we would give certain assistance to them, but any recommendations or any research, of course, would have to be theirs. It's something that I have said continually, that we do want that northern input and we don't want to be

accused, as a government or as a ministry, of supplying input, say, through the back door.

It was brought up to me that sometimes the statistics that are brought forward are brought forward by various government civil servants and they have no way of checking or questioning them. I think they strongly felt—and rightly so; I agreed—that much of that research should be done through their own forces. We also agreed that there would be a budget to assist them in setting up their secretariat and that the Ministry of Northern Affairs policy staff, either in Sudbury or in Sault Ste. Marie, would be there to help them and to give them all the advice they could.

The thrust of our whole meeting was to assure them that the government felt there was a need for the Municipal Advisory Committee. We strongly felt that they should be autonomous. Maybe one area that I didn't touch on and maybe I should have was the amount of involvement the municipalities would have. There's an area there that maybe we are going to have to reconsider, in that there may be some financial contribution they would like to make, to make themselves truly autonomous and not totally dependent on the provincial government for funding. That is not an area that will raise any concern from my point of view, but I think it's an area that they might want to discuss with their own municipal leaders.

Mr. Bolan: I just have one question arising from that. First of all, I might say I agree with the decision which has come from that meeting, that you should be creating a secretariat for that particular area. I think that's a sound move on the part of the ministry. I also agree with your statement that there are some times when these meetings should basically be held behind closed doors. After all, some of the things which you are discussing are recommendations which will be forthcoming from the government, and as you yourself have said, you're throwing statistics around and sometimes they can't be properly interpreted and you're looking for more input.

Bearing that in mind, I might say I would have loved to have been an observer only at that meeting. I did try to go to the meeting, incidentally. I phoned your Mr. Fleming on Friday morning. He said he would get back to me and he did, around 2 o'clock; although I was not speaking to him, he was speaking to my secretary.

He advised my secretary at that time that I could not attend, but that, however, these

instructions had come from Toronto. He was very quick to point that out.

I said to myself, "Well, that may be so. Perhaps there is some reason why the member should not attend." Then, lo and behold, who does attend?

There was Stan Darling, the Progressive Conservative member from the federal riding south of mine. There was Marie Marchand, the Progressive Conservative candidate for the next federal election and Ed Diebel, the leader of the Heritage Party.

Mr. Wildman: A Tory front.

Mr. Bolan: Do you know what I really thought after that? I thought that at least the members from northeastern Ontario should have been invited to that meeting because, after all it had to do with the municipal advisory committee dealing with northeastern Ontario. I was not invited. I am not aware that the member for Timiskaming (Mr. Havrot) was invited or the member for Cochrane South (Mr. Pope) or even the cabinet minister from northeastern Ontario, the member for Cochrane North (Mr. Brunelle).

I am suggesting to you that these people should have been invited. I do accept the basic premise which you have laid down that sometimes these things have to be held behind closed doors, but then you bring in a candidate of a political party and the member from the riding to the south. Maybe you have an explanation for that. I would hope that you do.

Hon. Mr. Bernier: If I might explain, the invitation went out only to the members of the executive council. As I said earlier, the desire was for the cabinet to meet as a group with the executive of MAC to take that next very important step. No invitations were sent to any other members on either side of the House. It is fair to say that one other northeastern Ontario member, a member of this particular party, indicated his desire to attend. I indicated to him that it was a cabinet session and that maybe at some other meeting somewhere down the road, after we got the information pulled together, he could attend.

I would have to also say to the member for North Bay—

Mr. Bolan: Nipissing.

Hon. Mr. Bernier: Nipissing, sorry—I was not aware that the PC candidate was to be there. I was a little surprised that she was there at all. She is a very charming lady, I might admit. After I had met her when the meeting was all over, I—

Mr. Bolan: Is she a member of the cabinet?

Hon. Mr. Bernier: No, she is not a member of the cabinet and she was not invited. She was there. I am sure there wasn't anybody checking the identification of those who were there because there were 40 to 50 people there.

Mr. Bolan: What if I had shown up? Would you have let me in?

Hon. Mr. Bernier: I am sure you would have been allowed to go in.

Mr. Bolan: Fine. I will do that Wednesday when you are up there with the chamber of commerce.

Hon. Mr. Bernier: It wasn't that secret a meeting, let's put it that way. They were there and they didn't participate in any of the discussions—I can assure the honourable member of that—although the member from the North Bay council, Mr. Ed Diebel, did. In fact, he made one of the presentations that MAC had pulled together. He did a very good job on it, I might say.

The MAC executive would also have a say as to who should be there and who not. We asked for the meeting from a ministry point of view. The invitations, as I said earlier, went just to members of the cabinet and not to anybody else.

Mr. Bolan: I have a followup question. Does that mean that I am invited as a member for the Nipissing riding at the chamber of commerce meeting your ministry is hosting in North Bay on Wednesday?

Hon. Mr. Bernier: I have no objection at all if the member for Nipissing is there. It is an informal luncheon. I am going to North Bay. In fact, I find myself spending more time in the northeastern region than I do in my own riding, the great riding of Kenora. I am looking forward to meeting with the North Bay Chamber of Commerce in a very informal way, after which I will meet with the directors of the Ontario Northland Transportation Commission in the afternoon.

It is a full day. If you are there, join us.

Mr. Germa: He'll have to buy a ticket.

Mr. Bolan: I will be there. Thank you.

Item 3 agreed to.

On item 4, project development and implementation;

Mr. Germa: Mr. Chairman, I know you don't have time to read the minister's speeches. I would like to read you another paragraph as I am sure you enjoyed that first one.

Mr. Chairman: Thank you very much.

Hon. Mr. Bernier: I am honoured.

[3:45]

Mr. Germa: This is still in Kirkland Lake at the chamber of commerce on January 21, 1978. On page seven the minister says:

"For instance, when we consider a proposal to build a hydro generating station we have to be convinced that it will yield permanent results worth far more than capital costs involved. We're happy, of course, if the construction will require X number of tradesmen and labourers who might otherwise be without work. It's satisfying, too, to realize that the generating station itself will employ Y number of persons in permanent jobs.

"But all of those jobs are really just bonuses. The big payoff will come from the way a new source of power will attract new industry which, in turn, will encourage commerce and development and the way in which all three will generate jobs. Some people might describe this process as a spinoff but that term does not appeal to me in this case because it implies an end result that is secondary and almost accidental. That is certainly not the right way to describe the long-term benefits towards which we are deliberately working."

The minister has made brave words that there is no hit or miss, or there is no chance any more in capital expenditures. I would presume the minister would have no trouble in telling me how many studies, or what studies he has done as a result of the Atikokan generator installation, and what the results are to be down the road, say 10 years hence? First of all, tell me what kind of studies you've done?

Hon. Mr. Bernier: Could I just describe to the member the activities of the project development branch? I think it's worthwhile to put them on the record because they will maybe clarify some points in the member's mind both now and in the future. There are a number of points here, if I could just go through them with you.

The first spells out the works in concert with municipalities. This is the activity descriptions function: 1. Work in concert with municipalities and other ministries in planning development strategies to improve northern community conditions and to respond to local needs; 2. Negotiate agreements with community representatives and local government officials on ministry-funded projects; 3. Provide administrative technical support to the program delivery functions at the regional level; 4. Review and monitor projects to improve government program thrusts; 5. Provide project development and co-ordination; 6. Undertake projects relating to the possible expansion of the economic base of the region; and, 7. Conduct a project into

the economic life of northern Ontario to determine the potential for development.

That gives you a very broad description of the function of that particular activity within the ministry.

As to the actual studies that have been completed, there are a number of studies completed by the former section, which was Treasury, Economics and Intergovernmental Affairs, leading directly to the problems of Atikokan—the social development problems that would occur if the mines were closed. Those have activated a number of ministries in doing something for Atikokan.

For example, when I was in Natural Resources we embarked on a very ambitious program to have another waferboard plant established at Atikokan, in co-operation, I might say, with the municipalities themselves. Now we have Pluswood established in Atikokan employing about 125 to 140 people, using a species of the forest—the poplar and the birch—that was, up until this time, not being utilized by the major pulp and paper companies who own large timber limits in that area. So it was that kind of a thrust that prompted us to go in that direction.

Also, I might say, the Ministry of Northern Affairs has taken on the lead ministry role for the town of Atikokan, as we have for Pickle Lake, so we will be cranking up our presence with that community in trying to come up with some solution in co-operation with the municipalities. I don't see us providing all the answers to all their problems. I think we'll work very closely in co-operation with the council and with the municipality itself because I think the thrust and that desire, that drive, to be really successful has to germinate with the community. Sure, we are anxious to give as much support as we can, to give the benefit of the expertise within the government, but we want to do it in concert with the municipality itself.

Mr. Germa: I think I still didn't get an answer whether a study was done to determine what the benefits are going to be to that area as a result of the Atikokan generating station.

Hon. Mr. Bernier: I am not aware of any direct study that has been completed at this time. We are in the transition stage, as the honourable member knows from getting many of these reports and studies over from Treasury, Economics and Intergovernmental Affairs. It may well be there's something going on that I am not aware of.

Mr. Germa: It gives me reason then to criticize the minister's statements when he goes around saying that nothing happens in

northern Ontario until we determine what the benefits are going to be, and there's not going to be a thing known as a spinoff or an accidental benefit.

I seem to get from this that despite the expenditure of \$2,740,000 we are still walking around in the dark up there as to whether there are going to be some benefits as a result of the Atikokan generating station. If there are spinoff benefits we don't know what they are going to be. Otherwise, I am sure you would tell me that within 10 years this is going to create x, y and z in the communities, it's going to increase the population.

These brave words you give as you go around talking to the chambers of commerce—I think you have to try to contain yourself and not give the people too much hope. When the hopes are not realized, then the disillusionment is so severe that there could be a reaction to the whole Ministry of Northern Affairs.

Mr. T. P. Reid: Can the minister indicate under salaries and wages how many people are involved? Line staff, officers; what they are doing and where are they employed; are they in the north or in Toronto, and exactly what do they do in regard to this vote?

Hon. Mr. Bernier: What area, Mr. Chairman?

Mr. T. P. Reid: Under vote 4 you have \$1,355,000 for salaries and wages. Who does that apply to? How many employees? How many of them are directly involved in program development and implementation? Where are they accommodated? Are they in Thunder Bay? Are they in Sault Ste. Marie? Are they in Sudbury or are they in Toronto?

Hon. Mr. Bernier: I can give you a breakdown, Mr. Chairman. We have 15 people in the northwest region who are under the direct responsibility of William Calvert located at Thunder Bay. We have 14 with the financial program planning branch under the direction of Andy Morpurgo here in Toronto and we have 23 in the northeastern region under the direction of George Ormerod at Sudbury. That gives you 15 in the northwest, 14 here in the finance and program planning section and 23 in the regional and community division section.

Mr. T. P. Reid: What do these people do? We are trying to sort all this out. We have been through the regional and community relations people and your northern affairs office. What do these people do specifically then? What's their job descriptions? Do you have the range of salaries for these people?

Hon. Mr. Bernier: Yes, we have. The main people—Mr. Calvert, Mr. Morpurgo and Mr.

George Ormerod—are in the \$30,000 to \$37,000 bracket. Then there are secretaries and clerk-stenos, clerk-typists, community planners. They range from \$21,000 to \$26,000 and economists from \$28,000 to \$35,000. Economist 5, \$25,000 to \$31,000; economist 4, 24,000 to \$30,000; economist 3, \$20,000 to \$24,000; economist 2, \$16,000 to \$19,000; and secretaries from \$9,000 to \$11,000.

They are involved in a broad range of activities on a regional basis, such as the planning for the 2001 conference; a lot of that work was done by the local staff. The contact with the Manitoulin Economic Development Association; working very closely with the Ministry of Transportation and Communications with regard to setting priorities for new highway construction programs; the airstrip development program with MTC—all that work is done by the staff out in the field. There is a lot of work to be done there; in fact, we are only just cranking up and beginning to scratch the surface of the amount of work that we have to do.

Mr. T. P. Reid: These salaries we are paying boggle my mind. Possibly that's because I have been here for 11 years and have been working for a lot less. But with all due respect to some of the people in the ministry, does it not bother the minister that an economist is getting \$35,000? It doesn't. I would have been better off to have finished my MA, come back here and have little responsibility as a civil servant—I don't mean the senior people. Really, it's out of line. Does the minister not feel that the salaries he is paying are out of line?

Hon. Mr. Bernier: No, I don't.

Mr. T. P. Reid: I didn't think so.

Hon. Mr. Bernier: The honourable member must realize these are well within the civil service qualifications and criteria. These are well laid out by the civil service. If the honourable member has an objection to those high salaries, he should make it known to the Chairman of Management Board (Mr. Auld), who deals directly with the Civil Service Commission.

Mr. T. P. Reid: I appreciate that some of those salaries are by way of negotiation, but a lot of what we are talking about here, higher-echelon positions, don't come under the collective bargaining process.

Let me go back to something the minister said, because it really concerns me. He talked about the airport and the highways programs—and we will get to those specific votes in a few minutes—but what did we do before we had the northern affairs officers out there in the field with their "expertise" de-

ciding where airports and roads went? What function are they fulfilling with respect to the project ministries, such as MTC? What are they doing? Are they getting together with good old Harry in MTC, who also is getting \$35,000, and Harry says to Joe, "Joe, I think the road should go here," and Joe says, "Well, we think maybe it should go there." "All right, we'll put it in between"? Seventy thousand dollars, and where are we?

What exactly are they doing? Are they running around northern Ontario figuring out new projects? My concern is that I am not sure these people are doing anything more than touching those tax dollars as they are going by and costing the taxpayers more money to arrive at and implement decisions that have already been made within the operating ministry.

I was talking to somebody in MTC in Toronto the other day, and I said, "What about all these road projects?" He said, "Frankly, we used to proceed a fair bit faster, but now we have to co-ordinate with the Minister of Northern Affairs." It has not only slowed the program down but also with all due respect to our highly paid people, we now have somebody within this ministry who supposedly is making the decisions, as I understand the words of the minister as have been read to us, as to where roads and airports and everything else should go; I wonder, quite frankly, whether or not they have the expertise to do that.

I know the minister will point to Mr. Aiken and others and say, "They were with the ministry; so they have that kind of expertise." But I tell him, the feedback I get from some of the other ministries is that his ministry is slowing down the process rather than speeding it up, and that we are using more tax dollars in order to arrive at perhaps the same goal as maybe we were approaching.

[4:00]

Hon. Mr. Bernier: I think the honourable member will have to realize that within an organization as large as the Ontario government, when a new ministry is established that looks after the regional needs of an area—that area north of Parry Sound to the Kenora area—and taking over the function, the co-ordinating and priority-setting responsibilities for certain programs that up to this point in time have been the responsibility of another ministry. It takes a little time for some readjustment. I think you have to accept that. Some civil servants just don't want to let go, they still want to make those decisions.

The responsibility for making those decisions has been transferred to this particular ministry. We're cranking up and it's certainly not our intention to create delay. We want to accelerate some of these decision-making processes. It's something the northerners want, and as I've said many times, that is a direct input.

We've cried in the north so many times that decisions have been formulated and brought together by people in southern Ontario. You say, "Why have a separate ministry, why couldn't the other ministries do the same things we're doing today?" I have to remind you, sir, that we are just going into our second year. The budget of the Ministry of Northern Affairs, if you will look back, has been increased by about 40 per cent since it was established.

The programs we took over were budgeted at \$99 million. Last year we got in excess of \$120-odd million. This year we're asking for \$139.9 million. There's been a tremendous acceleration and increase in the amount of our budget. That takes extra people to administer.

Mr. T. P. Reid: That's right, that's the problem.

Hon. Mr. Bernier: Sure that's right.

Mr. T. P. Reid: That's the problem. We wonder if the administrative costs are worth it.

Hon. Mr. Bernier: You can't say that our administrative staff is large. When you look at the numbers we have, our total complement will be 170 or less right across the north.

Mr. T. P. Reid: But your salaries are large; there's nothing wrong with your salaries. John Rhodes is applying for a job right after the next election; so am I.

Hon. Mr. Rhodes: I stand a chance of getting one.

Hon. Mr. Bernier: I make no apologies. I think that we're off and running and that we're satisfying the needs of northern Ontario very well.

Mr. Wildman: I have some questions in regard to the description of the function of the ministry under this vote, as described by the minister at the outset. I'd like to relate it to some specific studies and some specific project development plans and co-ordination the ministry is doing in my riding.

First, I'd like to know if the minister could clarify once again the present position of the Hornepayne town centre project. I understand that in the press recently in Thunder Bay Mr. Balmer, who is the head

of Hallmark Hotels, made a statement that he expected that the contract would be let in the first or second week of June. I'd like to know if that is correct; are we at that stage yet?

Earlier in the estimates the minister indicated to me that the government had just opened the tenders, that they were being studied, and that the various ministries involved, and CN and Hallmark, were determining what they were going to do about the project. As the minister has indicated, the reeve of the township of Wicksteed-Hornepayne—has made some statements recently expressing concern about the high cost of tenders coming in for various projects. Could the minister clarify what stage we're at in plans for the Hallmark town centre in Hornepayne, and does he expect the project to begin in early June?

Hon. Mr. Bernier: As I indicated during our last session, the question of the town centre development at Hornepayne has kept a number of our staff very much engaged for a considerable period of time.

I think the honourable member is very much aware of the complexities of what I think is a very exciting concept for northern Ontario, where we have the private sector on the one hand working with both the federal government and provincial government in attracting a sizeable amount of capital to develop a major centre that not only will deal with the commercial aspect of the community, but indeed the residential requirements of the Canadian National Railway. The breakdown and the costing has been very complex, to say the least.

As the honourable member is aware, this is the second time we've called for tenders for that particular development. The first one came in rather high. There was some readjustment to the concept, the design. It was felt at that time that the calling was inopportune. The way they say it in northern Ontario, the contractors weren't hungry enough. So they were called again. Much to their surprise, the second tenders came in higher than the first.

We did put a figure on it that would keep our interest in, in that we were prepared to stay with the project provided the figure did not come in over \$10 million plus 10 per cent. I understand that that's been exceeded.

Right at the present time Hallmark are going over their plans again. They're working very closely with the contractor to see if there is somewhere they can scale down the concept. Also, there have been some

changes with regard to the cost of construction as it relates to the gravel supply and also the accommodation that could be provided for the workers when the project is under way. All these things are in the works now.

I'm still confident, quite frankly, that we can work out something that will allow us to call and give the contract this year. Really, I am. Unless there is something I'm not aware of at this point in time, then at this point I would have to say to you that I'm confident we will get something going.

Mr. Wildman: Thank you. I'd like to refer to a couple of other matters. While the minister was in Wawa we had a pleasant dinner with the officials of the township of Michipicoten and other guests, and the reeve of the township raised a couple of concerns that have been major concerns in Wawa for some time. One is in relation to a study that I believe the ministry is involved with, and the other was a matter the reeve wanted the ministry to get involved with. In both cases the minister replied that he was concerned about them, that he was aware of the matters and that the ministry was involved or would get involved.

Specifically, one was the study regarding the improvement of television communications along the northeastern shore of Lake Superior affecting communities like Hawk Junction, Wawa, Dubreuilville, White River and perhaps farther along the shore. I understand the Ministry of Transportation and Communications is involved in a study and that the Ministry of Northern Affairs is somehow involved in that.

Could you explain your exact involvement in that study; and do you anticipate, as has been rumoured, a conclusion of that study by June or early summer? If you do, could you explain how that is going to be co-ordinated with the recent decision of the Canadian Radio-Television and Telecommunications Commission giving Dr. Young, of Chapleau, a licence to provide cable service for Wawa, considering your stated position in these estimates that the ministry is not interested in subsidizing cable systems? Can you respond to that and then I'll raise the other matter.

Hon. Mr. Bernier: I have a little briefing note here. Maybe I could just put it into the record for the benefit of the members. I might say at the outset that my colleague, the member for Sault Ste. Marie (Mr. Rhodes), has been pressing and spending a lot of time in these discussions with myself and the Minister of Transportation and

Communications (Mr. Snow) because of his desire to get a broader coverage of that service into the northeastern part of the province. I've just given him a copy of the briefing note that I'm going to put on the record.

I'd just point out to the honourable member that the Ministry of Northern Affairs and MTC made a joint presentation to the CRTC in Sudbury concerning broadcasting services in northern Ontario in November 1977. If you haven't got a copy of that, I will be glad to get you a copy.

Mr. Wildman: I have a copy.

Hon. Mr. Bernier: The submission expressed at that time the government's concern regarding the deficiencies in the availability of broadcast and cable services in the north in view of the importance of broadcasting in the social and economic life in northern Ontario. They also outlined Ontario's communication policy objectives for northern Ontario. These included: 1. A basic television service consisting of CBC services, and CTV would be available to as many communities as is technically and economically feasible.

Mr. T. P. Reid: That's what you said, it isn't what you have done.

Hon. Mr. Bernier: That is what we said and that is the route that we are going.

2. Ultimately this basic service should be available off-air to as many residents as possible. Cable television might be used as an interim delivery method but cannot be viewed as a permanent substitute provision of the basic service in northern Ontario.

In other words, here we are saying we are going to have the same type of service as they do in southern Ontario.

3. The provincial objective for the Ontario Educational Communications Authority broadcasting services has been to expand TV Ontario to those communities listed in the phase three plan, as funds become available. I can get you those names.

4. A cable system should be established to those communities that are presently unserved and that can support them to provide sources of greater choice and diversity of programming.

5. There should be an improved source of cable channels which are reliable and of good quality.

6. There should be available a basic radio service consisting of CBC radio services and at least one alternative AM radio service to as many residents in northern Ontario as is possible.

7. More programming should be developed—both English and French—either produced in northern Ontario or relevant to residents of this part of the province.

I think that that is very important and it was brought home to me very clearly that Confederation college at Thunder Bay has some excellent facilities and with additional capital could broaden and, of course, could provide the northern atmosphere and attitude to those programs that are being broadcast in northern Ontario rather than having them manufactured and produced here in southern Ontario.

The commission was requested to act upon Ontario's objectives and suggestions, in particular the need for co-ordinated regional solutions encompassing both broadcasting and cable, to be discussed at regional hearings.

The submission identified two areas of particular need. The area north and west of Sault Ste. Marie along the north east shore of Lake Superior. The one that the member for Algoma-Manitoulin (Mr. Lane) and my colleague, the member for Sault Ste. Marie, is very much involved in. The other area, of course, is that area west of Thunder Bay west of the border, and as far north of the 51st parallel.

Both areas lack CTV service and top quality alternative distance signals for cable subscribers. The submission expressed Ontario's concern over the high cost of microwave delivery in northern Ontario and suggested that this issue might be pursued in regional hearings.

The Ministry of Northern Affairs is participating with the MTC to ensure that solutions to TV service in the area north of Sault Ste. Marie—Wawa, White River, Chapleau, Hornepayne, and Dubreuilville—provide satisfactory TV service, both off-air and cable, to the maximum number of people possible. So we are working very closely with them.

DGB Consultants Limited are currently completing a study that will determine the economic and technical alternatives for the area and their cost implications. The study includes an evaluation of the proposal put forward by Dr. George Young, of Chapleau, to provide a cable system in the Wawa area.

In northwestern Ontario, you might say that the government is aware of three regional proposals to improve TV service in that area. That is the area west of Thunder Bay. I am sure that the honourable member for Rainy River is aware of these. The Norwont and Norvideo of Atikokan and Fort Frances proposal, the Kenora Cablevision of Kenora proposal, and the CKPR-TV and CHFD-TV proposal from

Thunder Bay. All proposals, of course, are at the formative stage only.

CRTC when reviewing Kenora Cable-tv's licence stated that the economics of broadcasting in the region may demand unique proposals to effect solutions and that all broadcasting options for the region should be addressed. In particular, a complete and viable plan for the introduction of CTV in the area was considered to be of paramount importance. It is very encouraging to note that the CRTC decision is reflecting Ontario's policies and priorities for improved TV service throughout northern Ontario.

I think that is very important, because many of the things we suggested in those hearings in Sudbury have attracted the imagination and the interest of the CRTC and it is moving ahead on them.

I might say on this point that David Brough, who is providing many of the smaller communities with a form of entertainment—Is that the way to put it?—

Mr. Wildman: That is a good way of putting it.

Hon. Mr. Bernier: —has in essence, you might say, in a formal way received some form of sanction from the CRTC, in that he has not been licensed but he has not been put out of business; it is kind of a no decision. The point I want to make is that here is an entrepreneur who is providing a form of entertainment in some of our communities.

It is relatively costly. I was up in Pickle Lake about a month ago and they informed me that the community had bought the facilities for \$3,000. It is being operated out of an individual's home. In fact, the system is sitting right in her kitchen, where it is easy to operate. She gets two 12-hour tapes a day with a suitable program that is delivered to the 108 residents of Pickle Lake, who each pay \$10 a month. They have contracted with Mr. Brough to provide them with these tapes at \$1,000 a month.

The reception was very good the day I was there. That is the entertainment channel, and if you want news or a sports event then you turn on CBC. They were quite satisfied with what they were getting, albeit they did think that \$10 a month was a little high and sometimes there is a delay in getting the new programs in and there is repetition. Nevertheless, I have to say to you that here is an entrepreneur who is doing something in northern Ontario that maybe some of the higher levels of other organizations or corporations should have been doing earlier.

Mr. T. P. Reid: Mr. Chairman, I was speaking to someone this morning about Mr.

Brough's setup, and the minister made me think of something—as a matter of fact it was my brother, the federal member, who I understand the minister is supporting in the next federal election.

Hon. Mr. Bernier: You said it, not I.

Mr. T. P. Reid: He apparently was in Red Lake recently and appeared on the community channel and said that while he was in the studio, if that is the word, they were showing reruns of I Love Lucy and she looked like she was about 22 years old; so some of the programs leave a little bit to be desired. Perhaps I might share with the House the latest information that I have, that Mr. Brough finally got around to trying to license himself to the CRTC, which apparently turned him down because of the quality, I presume, of the application that he made. I am happy to hear that Red Lake has bought the system. Mr. Brough owns the one in Ignace, I believe, and I think the rest are all community owned.

I want to go into this to some extent. Does this come under this vote, project development and implementation? Is that part of this particular vote?

Hon. Mr. Bernier: No.

Mr. T. P. Reid: Who in your ministry is responsible then for this aspect, because I spend a lot of time talking to people in MTC. Who can I bother in your ministry? I don't notice anybody waving their hands.

Hon. Mr. Bernier: I will just get the name of the individual.

Mr. T. P. Reid: While that is coming forward, I would like to go back a few years, if I may. As I recall we gave a gentleman in Thunder Bay—I believe with CKPR—an NODC loan for I think \$650,000.

Mr. Wildman: Conrad Lavigne got one in Timmins.

Mr. T. P. Reid: The object of which at that time—I think it was 1971 or 1972 or maybe earlier—was to provide an alternative TV network to CBC, not only for Thunder Bay, but it was supposed to be expanded to cover Ignace, Atikokan to the west and also east to Wawa and along the north shore to Schreiber and so on.

I can't recall if that was a forgivable loan, but I do know that nothing ever developed out of that \$650,000 of taxpayers' money outside of the city of Thunder Bay. I appreciate these are very costly projects because I've been involved in trying to get an alternative television station for Rainy River, Emo, Ignace and so on.

I wonder if the minister can recall any of the details? He can't. Has he got the name of the person who will never be at the end of the phone when I want him?

Hon. Mr. Bernier: The person you should contact in our ministry who is dealing with television and radio approvals in northern Ontario is Margaret Rodrigues.

Mr. Wildman: Any relation?

Hon. Mr. Rhodes: Absolutely not, you may rest assured.

Mr. T. P. Reid: She remains in Toronto?

Hon. Mr. Bernier: Yes, she is in Toronto.

If I may just follow up on the honourable member's comments with regard to CKPR, I believe that was a performance loan. In other words, if the owner performed according to the agreement, then the portion in question was forgiven. I believe that he has performed and that the services he was to provide for Thunder Bay have been and are being provided.

The extension of services west of Thunder Bay was a separate application. It would have been a separate project entirely. Additional funds, as the honourable member has correctly pointed out, would have been provided because it is extremely costly. Since then, as I pointed out in my earlier comments, there have been two additional proposals put forward. I suppose that has made it difficult for CRTC to make a decision, if it has gone that far, and to get the support of all those involved. We've got Norwont, Cablevision and CKPR; the three are still sitting there. I understand that they're not in a detailed way or in a form they can be presented to the CRTC for its close scrutiny. Some of the areas are pretty general and there must be some further refinement to their proposals.

Mr. T. P. Reid: I wonder if the minister would indulge me by answering this. I know the gentleman who is involved in the Norwont application extremely well. He happens to be the president of a Conservative association. They have been trying to make a deal with Bell Canada. I would presume that our mutual friend, Mr. Johnson from Kenora, is having the same problem. I understand from Norwont that they can't arrive at a reasonable figure with Bell to use their facilities so that they can provide that service to the people in Ignace or Emo or Rainy River at a reasonable cost.

Has the minister been involved in any of these negotiations? Has he been able to apply any pressure through his ministry? I must say I don't know whether what they're asking for is reasonable or not. I do know that if

they get anywhere what they're asking for, there's no way the people in these communities can afford those kinds of rates for an additional television channel, or two or three. That is one question.

The other question is—and I have no concept of what the technology is—is there any other way of providing the service outside of the facilities of Bell Canada and/or the kind of bicycling business that Mr. Brough and the northern access network do?

Hon. Mr. Bernier: To answer the first part of that question, I would say we have had some discussions with the various groups. They have been in to see us and have presented their various proposals to us. Our thrust and our support is for improved services in northern Ontario, as we indicated to the CRTC at the Sudbury hearings. Of course, that falls right on the doorstep of Bell Canada and CNCP Communications.

It has been said to us, and I have no way of verifying it, that the figures Bell originally came up with were just astronomical and absolutely ridiculous.

I'm told, further, that these are always negotiated. In other words, Bell in a monopoly position, comes in with a very high figure and as time goes on and as pressure mounts and negotiations continue down the road there is always some readjustment. How far that will go, I don't know. I think it is fair to say that our ministry is the one responsible to a degree for the improvement of the quality of life in northern Ontario, and we consider television services to be of prime importance. We have had some very good discussions with MTC where we're putting as much pressure as we can through the normal channels, but we haven't been involved directly with the private sector as far as supporting one proposal vis-à-vis another in their submissions to Bell.

I don't know when that will come or if it ever will. I think that our effort has to be to impress upon those involved in bringing this service that we want it, it should be there, we're entitled to it and we're going to do everything possible as a government to make sure that it's brought about. Hopefully, it will be done by the private sector. I think they should do it. If there are other ways of bringing that kind of service to parts of northern Ontario—a number have been suggested; even receiving from satellite, although it is only limited to a specific period of time and extremely costly.

Of course these proposals are all different. I don't know if you've seen the Kenora cable one. It is quite different. It pulls from

Winnipeg and it comes down the other way through a microwave system. They're all different in some way or in some form. But outside of the Brough proposal or the microwave and the satellite, I don't know of any other way that we can get those services in our area.

Mr. T. P. Reid: If I could be presumptuous and sum up for the minister then (a) you have no concrete program for providing this kind of TV access in northern Ontario outside of your Indian reserves farther north; (b) that being so, and I can understand and appreciate the difficulties, what does Margaret Rodrigues do?

Hon. Mr. Bernier: Margaret Rodrigues is heavily involved in these discussions, keeping us up to date on the various proposals. She also expresses that northern point of view because she pulls in from all over northern Ontario and co-operates very closely with MTC. She is the key person within the ministry with regard to television and radio services improvement for northern Ontario.

Mr. Wildman: Mr. Chairman, if I could follow on from that, could the minister indicate when he anticipates the consultant's report that he mentioned to be completed, or does he have some indication? And could he estimate how much this consultant's study is going to cost?

Hon. Mr. Bernier: I don't have the date of that but maybe I could get it from my staff if any are here.

Mr. Wildman: While we're getting that, did I correctly understand you to say that the study in the northeastern Superior shore involves Dr. Young? He has a licence in the Wawa area and he's talking about starting some kind of operation this fall. But having said that, you're still not interested in somehow funding a service that the residents would be paying for—that is a pay-TV type of service?

Hon. Mr. Bernier: No, Mr. Chairman, I think I've made it very clear on a number of occasions that we are not interested in giving financial assistance to a cable television system. I'm told that the consultant's report is expected to be completed during this summer and we should have some further information that we can pass along; I don't have anything on the cost.

Mr. Wildman: I just want to finish that up, Mr. Chairman, by indicating that, in terms of Mr. Brough's operation in Wawa, right now nobody seems to know exactly what is happening there, since the people who are receiving the service as yet are not paying

for it. They're not kicking, but Mr. Brough has apparently not been available since the CRTC denied his application. He is now in northern Manitoba, I understand, trying to set up a similar network there.

[4:30]

Are you involving him in your study as well or is he just sort of left, as the CRTC seems to have left him, in the sense of saying: "Okay, as long as there isn't any other service there we'll put up with you, but as soon as some other service comes in then you had better shut down"?

Hon. Mr. Bernier: No, Mr. Chairman, the Brough program is not involved in these studies. As the honourable member well knows, he is unlicensed; therefore it is totally illegal.

I was interested in one newspaper report that I read where the CRTC encouraged the municipalities to go along the route of the Brough system. In other words, the municipalities purchase the equipment, do their own programming and funnel it out to their residents, so he must have something there that is very worthwhile.

Mr. Wildman: In the improvement district of Dubreuilville they are doing that. They have the system they are setting up. They're getting French tapes in, French television, and they are providing the service for the community. Basically, I don't know how to say it exactly, I guess they bought the technology from Mr. Brough and they are now carrying it out. There have been some complaints and some dissatisfaction in Wawa with the quality of some of the programming with Brough and the council is considering going ahead with the kind of thing that Dubreuilville has done, but they're in a rather confusing situation right now since Dr. Young has been awarded a licence for cable and they seem to be kind of confused.

The other thing I wanted to raise with the minister was the question of residential care facilities for the elderly and disabled in Wawa to serve the north end of Algoma. This matter has been discussed with the Ministry of Community and Social Services off and on for some time now. There have been a number of various proposals made by the senior citizens, the township council and the Algoma district social family services board.

At the time of our visit to Wawa, the minister indicated that he was willing to explore this whole problem with the Ministry of Community and Social Services. I wonder if he could indicate what person in his ministry has the responsibility for that kind of co-ordination of social services for northern

Ontario, and could he bring us up to date on what kinds of studies or liaison his ministry has had with the Ministry of Community and Social Services?

Hon. Mr. Bernier: As the honourable member is very much aware, we're very interested as a ministry, of course, and concerned about those very unique requirements of northern Ontario. I think the establishment of a home for the aged is one of them, where we have over the years developed large homes for the aged and had to transport some considerable distance those residents who might not be familiar with that particular area. I know that in my own area of Sioux Lookout and Dryden and Red Lake, where there were some 150 to 175 miles from the Pinecrest home in Kenora, there was a considerable outcry, you might say, in the Red Lake area because of this.

We were able to build, under new amendments to the act, a satellite to the home for the aged. Now we're using the old Margaret Cochenour Hospital. It's been completely renovated and it is a satellite for the Pinecrest home for the aged in Kenora that fills that need. The residents of Red Lake don't have to travel that distance and be thrust into an unfamiliar environment, one that they're not accustomed to and one that they haven't lived in at all.

I think the same situation exists within the areas to which the member refers, the Wawa area. Indeed, I was very much impressed with the attitude of the council and the whole community to get something going as quickly as possible. There has been a start on these discussions with the Ministry of Community and Social Services by Assistant Deputy Minister Herb Aiken and my own deputy, Tom Campbell. We are just starting to move ahead but that, in a nutshell, is our thrust.

I have to say to the honourable member that I realize there is a lack of capital dollars and the cost of operating small homes for the aged is very high; this, of course, will place additional burdens on that particular ministry which may have to be looked at very carefully.

Mr. Wildman: There's only one other thing, Mr. Chairman. Earlier in the estimates, when we were discussing the policy on cottage lots, I raised the question of the problem of people who live and work in small communities in unorganized areas of northern Ontario who have a very difficult time in purchasing any kind of property for building lots of permanent housing

This is a problem in a large number of small communities in unorganized areas,

sometimes because there isn't land available but also, even when there is land available, because there's a great deal of confusion about title and who owns what, and the surveys seem to be in a very confused state. That certainly is the problem in my area and, I understand, in many other areas of northern Ontario.

I wonder, is there anyone in the Ministry of Northern Affairs who is talking to the Ministry of Housing about this kind of problem with a view to doing the kinds of surveys and title searches necessary in areas where there is that kind of confusion and to make land available with the Ministry of Housing and the Ministry of Natural Resources?

It seems to me that one of the problems we have got is that these two ministries, Housing and Natural Resources, can't seem to get together to deal with this problem. I wonder if the Ministry of Northern Affairs is playing any role in co-ordinating these two ministries to try to deal with that problem.

Hon. Mr. Bernier: Mr. Chairman, our thrust to date has been directly involved with regard to summer cottage lots. We have strongly felt that there should be a larger number of summer cottage lots available in northern Ontario. The Ministry of Natural Resources has some lake development plans for many of the lakes in northern Ontario. To ensure there is that continued thrust and movement with regard to the development of more lots, we have earmarked an additional \$144,000 in our ministry which we will be allocating to Natural Resources and which is on top of their half a million dollars for development of summer cottage lots; so it's that kind of a thrust.

If the honourable member has some specific communities that we should be looking at and has a problem, particularly in the unorganized areas—and I know there is some reluctance to embark on opening up a large number of lots in these unorganized areas because the tax base is so small; in my home town of Hudson, the tax load on these properties is so small that it costs nothing to keep a lot vacant. Why sell the lot when you are paying perhaps only a few dollars annually for the local roads tax and maybe a small amount for the board of education, and that's all? There is no municipal tax at all; so there's no encouragement to have fill-ins. This causes a problem when there are all kinds of vacant lots there; the individual says: "For all I will get out of the sale, I might as well keep it. There may be something come up somewhere down the road."

If the honourable member knows of specific communities in the unorganized areas that

we should be looking at, then we would like to hear from him so we could lend our support to getting a few lots. I don't think we would embark on a massive development plan to put in 50 or 60 lots when there's only maybe four or five needed over a period of two years, but we would be glad to look at it.

Mr. Wildman: I am glad to hear the minister say that, because I think that before we even discuss anything about cottage lots we should be looking at people who live and work in the communities and deal with their problems in terms of housing.

A specific community in my area, Missanabie, is a problem. There's a great deal of confusion about who owns the private land and whether the private lots that are available are large enough to meet the Ministry of the Environment's standards. There seems to be confusion between the Ministry of Housing and MNR regarding whether or not there's any crown land available. I've had extensive discussions with the Ministry of Natural Resources about that. I'm told by both the Ministry of Revenue and the Ministry of Natural Resources that there's a need for a resurvey, a title search, before anything can be done. I'd appreciate it if the Ministry of Northern Affairs would look into that.

I'm sure also that the member for Lake Nipigon (Mr. Stokes) could point to a number of specific communities in his area. I imagine, with the minister's commitment, that the Ministry of Northern Affairs will be hearing from him.

Hon. Mr. Bernier: There is a role that Northern Affairs can play in co-ordinating an examination of a specific problem like that. Certainly, we will take that up to make sure that somebody's there to work closely with you.

If I could elaborate further on my earlier comments, what we're seeing in northern Ontario is a real movement to the mobile home. They're becoming the thing in northern Ontario. They're creating official problems for these small communities in that their owners move in quickly and move off quickly.

The ease with which a young couple can buy a mobile unit today is tremendous. With a few thousand dollars down, they can have a home that's totally modern and complete with all the facilities after they get in the water a sewer hookup. They're very attractive for northern Ontario living.

There's some feeling against them in southern Ontario and in many municipalities in the north where they don't want mobile units put in. In the unorganized areas they're an

acceptable thing. We're getting the message across to some of the planners that mobile homes are here to stay—let's make no bones about it—and we should be adjusting our planning accordingly.

Mr. Wildman: In response to that, I don't think the minister has to indicate anything to me about mobile homes. We have an awful lot of them, as the member for Sault Ste. Marie (Mr. Rhodes) could attest, in the area around Sault Ste. Marie.

I want to respond to one thing he said. I'm sure in small communities, such as bush camps or mining communities, where the employment situation is less stable, mobile homes can be used for people to move in and move out. I want to point out that studies have been done across the country that indicate that about 80 per cent of the mobile home purchases are not mobile in the sense of being moved around but usually stay in the same lot where they're first located.

Mr. Germa: In conjunction with cottage lots, as was raised by the member for Algoma, there is a new thrust by the Ministry of Natural Resources in going from leased lots to the sale of cottage lots. The Minister of Northern Affairs recited what happens in these small communities where a person gets title to a lot and, because the taxes are low, refuses to transfer this lot to someone who really needs it. The ministry refuses to call or identify that activity by its real name, which is land speculation, even though it is on a small scale. Why don't you say it as it is? You should also say you're not in favour of land speculation by people holding land off the market when someone else has a need for it.

Here we have the Minister of Natural Resources going into a new project. Since 1970 we have had a program of leasing cottage lots to people. Now we're going to a system of titles through sale. You know what's going to happen. There's going to be speculation on these titles. Once these people get title to the land, speculation is going to come back into the system again, much as it was before 1970.

What I'm asking the minister is what input did you have? Did you recommend against that thrust by the Minister of Natural Resources. If you didn't, why did you not, given your attitude and your criticism about people who hold land off the market to speculate?

[4:45]

Hon. Mr. Bernier: Let me say that I heartily endorse the new policies of the Ministry of Natural Resources that allows Ontario residents to purchase and own summer cottage lots in the first year of sale, gives

Canadians that right in the second year of sale, and provides non-Canadians only the right to lease; I support it 100 per cent.

There is no question in my mind; I am not concerned, I have no fear, that this will add to speculating in the summer cottage lot program. An individual will be able to buy one lot in his own name. He will have to spend X number of dollars. I think it's something like \$7,500 in the course of two years before he gets a title.

My experience in northern Ontario indicates that people will cherish those summer cottage lots. In fact, many people have said to me, "I would sell my home in the city before I'll sell my summer cottage lot." There is that much attachment and desire to own a summer cottage lot.

We just have different political philosophies. I believe in ownership. I see nothing wrong with ownership. The member for Sudbury doesn't believe in that philosophy. I just can't see that fear. I know the member for Sudbury East (Mr. Martel) raises it on a continuing basis, but when I travel in northern Ontario I see a massive amount of land that's available, that's not being used.

Every time I go into a northern community the first cry I get is, "Why can't I buy a summer cottage lot? There are millions and millions of acres up here. Undeveloped land is just sitting here and you won't let me enjoy the benefits the way I would like, the way the people in southern Ontario have done for so many years."

I don't see that as a problem. We are supporting the Ministry of Natural Resources with moneys from the regional priority budget to get on with the job of creating more cottage lots in northern Ontario and making more Ontarians owners of their own province.

Mr. Germa: It's unfortunate that I am not blessed with as short a memory as the minister might suppose, because I remember him administering a program, as the Minister of Mines and Northern Affairs, when leased cottage lots were the only type of lots going. You cannot have it both ways. Presumably, you must have supported the leased lot program, otherwise you wouldn't have administered it.

Now, just like that, in the twinkle of an eye, you turn around and say, "Now I support another program;" when we had the other program in the beginning. Prior to 1970 we did have title for cottage lots. Your Ministry of Mines and Northern Affairs for a reason, which I know, went to the leased system of cottage lots. Here we are, seven

years later, and you've reversed yourself again. Can you go through this once again with me very slowly, starting way back. Let's start in 1969. What happened in 1970 and what's happening in 1978? The world has gone full circle, apparently, and you are the man right in there. You should be standing on your head now because you're upside down.

Hon. Mr. Bernier: No, I don't think it's quite that way. In 1971 there was a move to control foreign ownership; that is the sale of crown land directly to foreigners, that was the thrust. We went to leasing, that's seven years ago. Times change, attitudes change and I think that the attitude of the government today is to provide—

Mr. T. P. Reid: Governments become minorities.

Hon. Mr. Bernier: That's right, that's happened too. We responded to the demand of the public; and they have expressed their point of view, very sincerely and with a great deal of enthusiasm—

Mr. Grande: Weak link.

Hon. Mr. Bernier: —that they wanted to purchase crown land and we've adhered to that request. Again, I don't have any qualms or fears that we'll go on a massive program of Ontario residents getting a summer cottage lot, spending \$7,500, getting a title and then putting it on the market for non-Canadians, when that non-Canadian can lease land. I think we're serving two purposes here. We're allowing the Ontario resident ownership of his cottage lot, which he can build and develop. He has title to it, and he can pass it on to his children and his children's children; it's there within their family. If he wants to sell it after making an expenditure of that size, that's his right as an Ontario resident. If the non-resident wants to move and to obtain crown land, he can only do it through the lease basis. I think the program we have come forward with now satisfies all our requirements and all the needs and the feelings of the public at large.

Mr. Germa: That is the identical program that we had going seven years ago. The minister has said nothing new. He hasn't explained anything at all. I want to register a complaint. Whether this cottage lot is in lease, or in title, and apparently it is going to be in title, I object strenuously to these lakes being encircled by private property owners and denying the general public access to these lakes.

There are eight lakes in the regional municipality of Sudbury and I can hardly get

on to any of them unless I enter on a street allowance, the 50-foot street allowance or the 66-foot street allowance that runs to the lake. That is where the average, normal person enters a lake. You could go to one of the biggest lakes in northern Ontario, Lake Nipissing in North Bay. I went there. A beautiful beach goes for six to eight miles and the only way that I can enter Lake Nipissing is through a street allowance of 66 feet. These private owners put all sorts of obstacles on the beach to prevent the people of northern Ontario from spreading out from that 66 feet. We are lying there like sardines on the 66-foot beach and the rest of the miles are all vacant because of your attitude towards private ownership. This is just going to make it worse.

What I am asking you is to have some input with the Minister of Northern Affairs. Apparently it is going to go and I don't have the facility to retard this program. If he is going to develop these lots, I would ask that it be done not on a waterfront basis but to be done on a subdivision basis with common access for that subdivision to the lakefront. Surely, this is more economic? You avoid and prevent those problems of pollution that you just cannot police.

You get eight or 10 steambaths on the shore of a lake, 10 feet from the lakefront and you know what happens; you cannot have that many inspectors. When you get these camps and cottages all the way up we are ruining lake after lake. I would like you to have a talk with the Minister of Northern Affairs and point out to him—

Mr. T. P. Reid: Natural Resources.

Mr. Germa: He used to be Natural Resources. Now he is Northern Affairs.

Mr. Grande: He is no longer what he is nor what he was.

Mr. Germa: That is my great concern of what is going on with cottage lots in northern Ontario.

Hon. Mr. Bernier: Mr. Chairman, if I could respond briefly, I share the member's concern. I think we all accept the fact that there has been a lot of mistakes with regard to lakeshore development and the lack of planning. We know that is not the case today, because before any subdivision or any development of a lake is undertaken the Ministry of Natural Resources does a very intensive lakeshore and lake study. It is done with a great deal of care and caution and local input, I might say.

The point the member raises about cluster development is a very valuable one and we

have already expressed our point of view on that. Having common access for a number of cottages is certainly in keeping with our thinking and we appreciate your comments on that. We share that view.

Mr. Germa: I understand there are a couple of developments going ahead on this basis. Is that correct?

Hon. Mr. Bernier: I am not sure. The Minister of Natural Resources (Mr. F. S. Miller) would know better than I would. We just put a general policy thrust forward.

Mr. T. P. Reid: I have two questions, if the minister would help me out. I would agree with him that the original policy—and I was one who advocated that—was that too much of our crown land was going to non-Canadians.

Of course, in the government's inimitable style, it did nothing until almost all of the land was gone—at least in the Rainy River and some in the Kenora area—and then it turned around and banned the sale to everyone. If I now understand the policy correctly, Americans, even after the first year or second year, can lease but they cannot purchase property.

Hon. Mr. Bernier: Crown lands.

Mr. T. P. Reid: Right. Now my question is this. If Patrick Reid buys a lot in title, puts a \$7,500 cabin on it—and I don't know where the government got that figure but that certainly puts it in the hands of the wealthy too, I might think; \$7,500 in two years is a lot of money.

Hon. Mr. Bernier: You wouldn't build a cabin for that.

Mr. T. P. Reid: I don't know where I would get that money.

Mr. J. A. Taylor: You are losing your credibility, Patrick.

Mr. T. P. Reid: The only way I think I could afford it is to become one of your staff, but then I'd have to live in Toronto so that wouldn't do me any good.

An hon. member: Take it out of your petty cash.

Mr. T. P. Reid: My question is this. What's to prevent me from buying a lot, putting the \$7,500 cabin on it, and then turning around and selling it to my friend in Minneapolis? Or in fact what's to prevent me from having it set up through a blind—not a blind trust; that isn't what a blind trust is, but certainly being a sort of bulldog for him and buy the lot, build the cabin, and then as soon as I got the deed, turn it over to him for the nominal sum of a dollar or, in fact, use his money to do these things?

Mr. J. A. Taylor: You said that was your problem.

Hon. Mr. Bernier: There are always ways and means and loopholes to get around some of these things.

Mr. T. P. Reid: That's why you went to the other program in 1970.

Hon. Mr. Bernier: Yes. Times have changed. Now, as the member correctly points out, a non-Canadian who wants to buy crown land can't. All he can do is lease it. If he wants to buy it from the crown, he can't purchase it. He can't get a title for it; he can only lease it.

Of course, if the lots are available, because Ontario residents and Canadian residents will have the first and second year options and the right to—

Mr. T. P. Reid: But there is nothing to prevent this situation.

Hon. Mr. Bernier: That's right. If there are still lots available in that subdivision that haven't been picked up by Ontario residents or Canadians, then he has the right to lease that land. If Patrick Reid—and I don't think he would ever do it; I would hope he wouldn't—speculated in summer cottage lots, I am sure that the Minister of Natural Resources would single him out very quickly if he had made a practice of buying crown land in a subdivision under his name, spending his \$7,500—included on top of that, of course, would be the purchase price—and selling it to a non-Canadian. I think that might cause some concern in that ministry; I don't know, but it would be worthwhile watching for it.

Mr. T. P. Reid: All right, that's what I'm getting at. Is there going to be anything in the act or regulations that in fact says, "You, Patrick Reid," or "You, Patrick Reid family, are only entitled to one crown lot for every five or 10 years or whatever" to deal with this situation? This is why you went to leases only for Canadians and Americans originally, because you couldn't come up with some kind of legal mechanism that you could put apparently on the title and say, "This land can only be sold to Canadians." Now you've turned around and reversed that policy as well.

While I'm on my feet I might also say to my friend from Sudbury, I have some land that I have been trying to get a subdivision on for over two years. If they don't act any faster with the government itself than they have with me, we don't have to worry about any lots being sold or leased to anybody.

Hon. Mr. Bernier: There, I say to the member for Sudbury, he is a land speculator, you see. And he intends to make a profit on it.

Mr. T. P. Reid: If I don't go bankrupt first.

Hon. Mr. Bernier: At this point in time, I am not aware of any regulations that would control that. I would point out to the honourable member that if he were living in Rainy River and had a summer cottage lot there that he bought under this new program, and then was moved, because of his employment, to Thunder Bay, that he shouldn't be denied—

Mr. T. P. Reid: I appreciate the problems.

Hon. Mr. Bernier: —the right of maybe buying a summer cottage lot in the Thunder Bay area or the Wawa area or the Sault Ste. Marie area. There are all kinds of problems attached to any kind of regulation like that.

Here, again, I guess I'm endowed with a great amount of faith in our northern Ontario residents in that I know and I appreciate how they feel about their summer cottage lots. There is not that kind of speculation in summer cottage lots among Ontario residents. The member for Rainy River shakes his head and agrees with me.

Mr. T. P. Reid: There will be. I mean, I know people who will speculate.

Hon. Mr. Bernier: We're in the year 1978 and in my experience in northern Ontario I have never seen speculation in summer cottage lots and I don't expect that this will encourage it.

[5:00]

Mr. T. P. Reid: I am not saying there is going to be speculation. I am just saying if I have a friend from Minneapolis or International Falls, Minnesota, or from Timbuktu, who comes and says, "Pat, I would sure like to have a cabin in northwestern Ontario. How about you buying this particular piece of property for me? I will give you the money. When we can go and transfer the deed, we will just transfer the deed." As he is my friend, I would say, "Sure, Charlie, I would be glad to help you out." Then he speculates.

Hon. Mr. Bernier: There are always going to be loopholes. I don't think you can plug every hole. There is no question about it, that may well happen. I hope the member for Rainy River wouldn't be involved in that. I am sure he wouldn't. Knowing him as I do, I think he wouldn't.

Mr. T. P. Reid: I wouldn't, but there is the odd Tory still left in Rainy River and you can't trust them.

Ms. Bryden: Does the minister recall a study of the sales of cottage lots which was done about 1969 or 1970? I think he was Minister of Natural Resources or Lands and Forests at that time. In that study there was an analysis of whether leasing or sale was the best method of attaining the objectives of the ministry for meeting the recreational needs and looking after the environmental concerns and land-use policies of the ministry. The conclusion of that, in very strong terms, was that leasing was much the preferable course in order to retain control of the land.

I would like to know if any new study has been done by officials of the ministry or if he knows about any by his colleague, the Minister of Natural Resources (Mr. F. S. Miller), to indicate that that decision was not a correct one and that the objectives of the ministry and of the government for meeting these goals can be met by alienating the land to private owners. That means if you want to get it back, you either have to purchase it at whatever the going market price is or you have to expropriate, both of which can be quite costly as well. Usually you expropriate at market price or something very close to it.

That is my first question. Has there been any new study of the best method of attaining the goals and, if so, has it been published and can we have a copy?

Second, you say the public wanted to buy cottage lots in the north. I would like to know what sort of a survey was done of what the public thinks on this subject or whether it was just a few of his friends who told him they would like to buy cottage lots.

It seems to me if you are going to make a statement like that, you should have some sort of actual survey taken and be able to table it for us to show us exactly how many people want cottage lots up there. If there is a long queue, then it seems to me there is going to be speculation. The new regulations the Minister of Natural Resources has brought in have no provision against speculation. Once the cottage lot is acquired by an individual, he can sell it to anybody he wants for any price he can get.

If there is a scarcity, there is bound to be this type of speculation. As other members have mentioned, I don't think there is any provision in the regulations to prevent any person buying more than one lot or a family acquiring more than one lot. This also can create great unfairness if there is a scarcity. Have we any study of the demand and do we know what the situation is?

The library has just sent me this report.

It is entitled Ontario Department of Lands and Forests, January 1971; A Report on the Disposition of Public Land for Cottage Purposes in Ontario, Other Canadian Provinces and Neighbouring States. In the summary of evaluation on page 15, it says: "It appears that the present method of disposing of crown land falls short of the new departmental goal and objective because it does not meet the environmental standards and the social and economic benefit criteria of these objectives. To meet these criteria would require revision in the rate structure and the imposition of more adequate control over land use." Their conclusion was that leasing would be better than sale.

Hon. Mr. Bernier: Mr. Chairman, I'm not aware of any in-depth studies as to the demand for summer cottage lots, but I can assure you that, as a northerner, one would have to just spend a little time in northern Ontario to realize for himself that he wouldn't need any studies. It would just be a waste of time and a waste of money.

The requirements are there. There is no question about it. You can go anywhere in northern Ontario, and I would invite you to go up and travel the north and go in and ask that question of anybody. There is no need to go through a long charade of having a study as to need. When you see the line-ups that occur at the Ministry of Natural Resources offices when they have their draws for the cottage lots, it is certainly indicative that something had to change.

Again, we believe that the desire to own crown land on the part of Ontario residents and Canadians is strong. We don't, as I said earlier, believe in the philosophy of the New Democratic Party, which doesn't believe in that type of ownership. Let's be honest, there are two different political philosophies.

Ms. Bryden: You didn't believe in it from 1970 to 1978.

Hon. Mr. Bernier: At that time there was a move to control foreign ownership and we went that way and maybe went too far. We're readjusting it now and, of course, the economic desire that we wanted to get into the summer cottage lot program has been generated by the new requirement of \$7,500 which has to be spent in addition to the purchase price, the survey and the cost of the road. We're getting the economic impetus that we want with this new program and I'm confident, as I said many times, that there will not be the speculation that the third party is concerned about.

One has to feel that in the north. It's not like in southern Ontario where there is a

real shortage of land. As I said, I flew from Kirkland Lake to Kenora, four and a half hours, in a twin-engine airplane, and for four and a half hours I flew over crown land. If you flew four and a half hours in southern Ontario, my God, where would you be? You'd be from Windsor to Quebec City, I guess.

Mr. J. A. Taylor: Further than that.

Hon. Mr. Bernier: Further than that? I don't think southerners really appreciate the size of northern Ontario. That's what I'm trying to say. Ninety per cent of the land mass is north of the French River, but only 10 per cent of the population. Surely, we have a right as northerners to own some of the land ourselves? Those of us who live there should have that right. Is that asking too much, that we own a summer cottage lot?

Mr. J. A. Taylor: No, right on, Mr. Minister.

Hon. Mr. Bernier: To hear some people speak about it bothers me. I see the member for North Bay agreeing with me.

Mr. Bolan: Nipissing.

Hon. Mr. Bernier: Nipissing, I'm sorry. I keep saying North Bay. I don't know of any studies that relate to need, but I can assure you from my own experience that the need is there.

Ms. Bryden: Mr. Minister, with respect, it seems to me the same building could be put under the regulations on a leased lot as on a purchased lot. You could require that they don't get a lease unless they build a \$7,500 building, so you would get the same economic activity. As far as whether there is going to be speculation or not, you're not suggesting, surely, that you could drop a cottage lot anywhere in those hundreds of miles that you flew over.

Mr. J. A. Taylor: Thousands of miles.

Hon. Mr. Bernier: Thousands.

Ms. Bryden: They do have to be planned and they still are going to be relatively scarce. This is the problem. If they're going to be scarce then it seems to me that you have to somehow retain control of them or there will be speculation.

Hon. Mr. Bernier: I think one thing that is not being accepted is that there will be a very careful plan. The Ministry of Natural Resources has been studying many of our lakes for the last several years for summer cottage lot development. The desire now is to come forward with at least 1,000 lots per year in northern Ontario. We think that will more

than meet the demand. In fact, it will keep the price at a reasonable rate.

When you think the people in a community—you know, in Metropolitan Toronto they can go out and buy a lot. They put their home on it. They get title to it. If the government wants to put a road through there, then they have to expropriate it. The structure is there and the same thing should apply in northern Ontario.

Why should we be treated any different up there? Really, I have a hard time accepting it. They want a different set of rules for the north than for the south. If there's going to be a provincial park on a certain lake and it's in the best interest of the public, then I say let the public carry the cost of expropriating that and for that development, if it wasn't included in their original planning.

I am sure that with the finite planning that we have now islands will not be allowed to be sold. Beaches are retained for public use, so there are all kinds of protection under the Public Lands Act; even 25 per cent of the usable shoreline must be retained in the public interest. But I have to tell you there are still hundreds and thousands of miles of shorelines that can be developed in the best interest of northerners.

Item 4 agreed to.

Vote 901 agreed to.

On vote 902, northern communities assistance program, item 1, community priorities:

Mr. Bolan: I would like to address myself to the question of community priorities. I think the minister is probably aware of what I will attempt to talk about and that's the DREE programming which, as you know, is laid on for the city of North Bay. However the federal and provincial governments are bogged down on the amount.

I am not here this afternoon, Mr. Minister, to harangue you or to harangue the Treasurer (Mr. McKeough). I can assure you that I have harangued my federal counterpart. I can assure you of that. I can also assure you that I have harangued Mr. Lessard; in fact I did last February when we met here in Toronto. However, I would like to put it to you on the basis that it's better to have a bird in the hand than two in the bush. You are a reasonable man and as such I would ask you to convey these very—I would suggest—reasonable words to the sometimes very reasonable Treasurer.

It starts off, as you know, on a DREE plan which was prepared for the city of North Bay. It goes back some time. The first

application I think was made some time around 1974.

In 1975 there was an agreement prepared between the federal and provincial governments. I saw that agreement; it was dated August 1975. I saw it in my capacity as a member of city council at that time. It called for the total expenditure of \$9.5 million. This was for the creation of the industrial park, the various access roads and the infrastructure. I don't have to go into details. It did not at that time include a package for the Marshall Avenue interchange with Highway 11.

That was acceptable to the province. It was acceptable to the federal government. Somehow the deal fell apart. In any event, it did.

One of the things that happened there was an overrun on the Thunder Bay DREE fund. It could be that some of the funds designated for that part of northeastern Ontario were transferred to northwestern Ontario to cover the Thunder Bay package, which was sorely needed and an excellent job was done of it as well. But, in any event, we ran out of dough, to put it very plain and very simple, and I think that's the reason why the project was not completed.

The project was revitalized in 1977 and I have some correspondence here to that effect. This is correspondence between the director of planning and works in North Bay and TEIGA. This goes back to February 1977.

[5:15]

The federal and provincial governments got closer and closer. They reached the point, Mr. Minister, where as you know there was an exchange of letters this year between yourself and Mr. Lessard. The first letter, if I may be allowed to use excerpts from it, was from your ministry, from yourself to Mr. Lessard, dated February 24, in which you say you're pleased to see that you seem to be approaching completion of the North Bay amendment to the northeastern Ontario subsidiary agreement. As you know, there was a whole DREE agreement and whatever happened in North Bay would be an amendment to that entire agreement.

You then go on to say: "Notwithstanding the foregoing, I was rather distressed to learn that DREE staff have omitted some rather important items from this development package. I'm advised by my officials that railway grade separations on Marshall Avenue and the interchange at Highway 11 are not included in the schedule." In other words, the DREE people were excluding the Marshall Avenue interchange and the two railway

overpasses as well. "It seems to me that we cannot develop an industrial park without a properly completed access road."

I'd just like to stop on that point, Mr. Minister, and advise you that right now there are three access roads into that proposed area for the industrial park. The access roads are these: Highway 11B south, Highway 11B north—that's the old Lakeshore Road which runs right through North Bay where the old road used to be. I don't know if you've ever driven down to Toronto some 20 years ago using that road, but it was a long run. Then there's also Birch's Road. Birch's Road runs from Highway 11 right down into Lakeshore Road. So you have three access roads to the industrial site right now.

Part of the funding would be used to create another access road and that is the extension of Chippewa Avenue, which would run parallel to Lakeshore Drive and run right into the industrial park. That would be another access road. In addition to this, there eventually would be the extension of Marshall Avenue in an easterly direction over to Highway 11, and this is where you get into the question of the interchange. My only reason for mentioning that is that in your letter you say: "It seems to me that we cannot develop an industrial park without a properly completed access road." I raise these points to bring out to you the fact that there already are existing access roads to that particular proposed site.

Then you said: "This omission leaves the commitment incomplete, with the prospect of additional financing requirements a few years hence to be borne by North Bay and the province." That would be for the interchange and the two railway lines, and I believe the cost of that would be 75 per cent for the province and 25 per cent for the municipality. I think that's what the split would be.

"In my view, this would result in a difficult, if not impossible, situation for the municipality, given its current financial limitations." That's absolutely correct. There's no question about that at all. The whole application for the DREE grant was made on that basis, that they were really strapped for funds and that was something they could not undertake on their own.

"In our estimation, the admitted requirement is of the magnitude of \$3.4 million in gross." That's about right. "I urge you to give the matter your favourable consideration and to join with us in funding the project to completion. In anticipation of your favourable response, I have proceeded to obtain an order in council authorizing the full package. We

shall be in a position to sign the documents early in March." The government of Ontario was ready in March to sign that package for about \$14 million, or whatever it is.

Following this, a letter was written to you by Mr. Lessard. This was written to you around March 17, in response to your letter to him of February 24. He concurs with you about the importance of this major development. You both agree that it is a major development of great importance for the city of North Bay.

Then he goes on to say: "I would like to assure you that we are prepared to carry out our equal share of costs for all of those elements which are judged to be critical to the successful operation of this industrial park. However, at this time, I'm not persuaded that the two railway grade separations on Marshall Avenue and the interchange at Highway 11 are critical for the success of the park; and as well, there is still much uncertainty about the cost and timing."

He raises two factors here which he claims are not vital to the success of the park: a) the question about it being critical; and b) the question that there still is much uncertainty about their cost and timing. Then he points out what I have just said to you.

"Access from the park to Highway 11 and Lakeshore Road is now available along Highway 11B and Birch's Road, and later will be available along the proposed extension of Marshall Avenue at grade level to Highway 11. It is obvious it will be a number of years before there is any significant buildup."

Hon. Mr. Bernier: I'm listening.

Mr. Bolan: Mr. Reid is not though, that's the problem.

Mr. T. P. Reid: Do you want to start that all over?

Mr. Bolan: "It is obvious it will be a number of years before there is any significant buildup of commercial traffic originating from users of the park."

This again, Mr. Minister, is quite significant, because if you look at the proposed project—and I have it here, this is the proposed construction stage by stage—starting back in 1977, which was the original target date for construction, you don't reach the Marshall Avenue grade separation until 1980; so you're looking at four construction years down the line.

Assuming that this project were to start on stream in 1979, you would not be running into the proposed construction of

Marshall Avenue until 1982. So it is something which is not immediate, it's something which must not be decided right now.

"The preferable option—" this again is Mr. Lessard—"to deal with this traffic problem will be much clearer and certain at that time. Officials of my department have advised your officials that we would be prepared to consider another amendment at a later date if analysis at that time justifies the provision of imposed access to and from the park. I expect to be in a position to sign this amendment by the end of March."

What he's saying is that he's prepared to sign the one excluding the Marshall Avenue interchange, which is about \$10.5 million or \$10.8 million. "But I am not, at this time, seeking authority to include the railway grade separations or the interchange in the package. I urge you to consider signing this modified amendment for the present, with the clear understanding that the federal government will consider additional items later should they prove to be essential for the success of this industrial park."

The next thing to follow from this was a letter which the Treasurer (Mr. McKeough) wrote to the mayor of North Bay. At that time the Treasurer reiterated more or less what you had said in your letter to Mr. Lessard of the 24th. Basically, it is this, that the city of North Bay is caught in a squeeze because the two senior levels of government are being stubborn; there is no question about that at all.

I can understand what the Treasurer is trying to do. If you look at it that way, it really is not unreasonable. What he's really saying is this: "We're eventually going to have to build an interchange there. Let's squeeze an extra \$2 million or whatever the federal government's share is of that interchange, let's squeeze it out of them now." Looking at it that way, there's nothing wrong with it; but the fact remains that the whole thing, the whole deal, the whole \$10.8 million, might go right down the drain. I think that is wrong; and that's what I mean, Mr. Minister, when I said at the beginning of these remarks that a bird in the hand is better than two in the bush.

I'm suggesting to you, sir, that you should sign this agreement now, or convince the Treasurer that the agreement should be signed now. I am told that TEIGA officials agree that this agreement of \$10.5 million should be signed now. I agree also that there is no firm commitment from the federal government that they will

pick up half of the tab when it comes to Marshall Avenue later on. However, they clearly indicate that they have every intention of negotiating the matter. I would suggest to you if you can show at that time that there is need and when you have some actual costs related to the construction of it, then you should enter into further negotiations.

Even if they say they are not going to pay part of the costs of the interchange, it still means that the province is getting a better deal than by not having the agreement signed at all. If you don't sign the agreement at all, then it means that eventually, some place down along the line, that industrial park is going to be built—there is no question about that at all, whether it is 10 years from now or whether it is 15 years from now—but I suspect that it is going to be at the expense of the already hard-pressed taxpayer in North Bay. He's already right up to his throat in it.

So I am saving to the minister to take the \$10.5 million or the \$10.8 million or whatever it is. Take what they are offering you now and at least you have got the largest part of your project done. I can assure you that I am very familiar with that area. That industrial park can exist and can function extremely well, even without going through the process of interchanges and of the actual extension of Marshall Avenue right into Highway 11, because you will have all these other routes of access to that particular highway.

I realize you were in North Bay on Friday. My understanding is that there was no headway at that time. I ask you to reconsider the matter. I ask you to go back to the Treasurer and to suggest to him, just as I have suggested to you, that it is better to take the \$10.5 million rather than to risk the whole thing. As I say, the people there are the ones who are caught in the squeeze. The last thing that I would want to happen is to have the whole package lost.

Hon. Mr. Bernier: To respond to the member for Nipissing, he has laid out the case and the problem extremely well. He has gone through the various steps and negotiations with the federal government. At the outset, I must say that I just find it unconscionable. Here we are as a province anxious to do the best for North Bay possible. We have a \$15-million package that would really tie up that community and do for it what the town fathers have been wanting to do for so many years; yet we find the federal government renegeing on a total package that is part and parcel of the whole concept.

I find it unconscionable. I find they are totally insensitive with all due respect to the federal member there. I know Jean-Jacques Blais has as much interest as you and I do in this development at North Bay. Why they are dragging their feet and why they are not in more agreement to getting on with doing this particular job is beyond me, because here in a period of constraint and in a period of tight dollars in the province we are anxious to get on with a \$15-million package instead of a \$10-million package.

As the local member, you would want us to go on. I can tell you that as soon as the \$10-million package is signed, you will be back on our doorstep looking for that other part. Let's be honest; it has to be done sooner or later. It takes a long period of time, in our experience with the DREE agreements and the negotiating aspect. They are just too long drawn out, and quite frankly we don't have the trust that we should have in some of those statements because we have been conned too many times. As a northerner, I find it really difficult. Here we have northern Ontario designated under the DREE agreement getting crumbs off the table, and the city of Montreal received \$400 million from DREE. I know you share that view with me. It's insensitivity, that's really what it has to be.

[5:30]

The honourable member pleads a good case, that we take the \$10 million and get on with the job. I have to look at it from an overall point of view in the best interests and the long-term interests of North Bay. I know they would want that total package down the road. You find the DREE officials saying that the overpass and the interchange are a total provincial responsibility and they shouldn't be involved at all, you've heard that comment.

I have to relate it to what happened in the Kenora area. Here we had a federal airport and the town of Kenora, indeed the whole region, was anxious to get on with the job of improving that airport facility. The federal government dragged its feet. The Department of Transport wasn't interested in expanding that facility. Finally, we got DREE interested. DREE said reluctantly that it would proceed. But here the province had to put up 50 per cent of those dollars to complete and upgrade a federal airport. It shows what they think of northern Ontario.

Mr. T. P. Reid: Oh come on.

Hon. Mr. Bernier: Sure, we've put in some minor improvements in the Minaki Road. The member for Rainy River agrees with me; in fact it was his brother—thank God for his

political help or we wouldn't have got it anyway.

On that point, I would just like to ask the House to look around northern Ontario, in areas designated under the DREE agreement, and see where all the major dollars have gone.

Mr. J. A. Taylor: Quebec.

Hon. Mr. Bernier: In northern Ontario, I mean. They've gone to Quebec, there's no question about that.

Mr. Bolan: Not in North Bay.

Hon. Mr. Bernier: We had a good representative in the Kenora-Rainy River riding, so we got some assistance there for the Kenora situation. Then there was Thunder Bay. How many millions of dollars did we pour in there—\$33 million?

Mr. Bolan: Oh, more than that.

Hon. Mr. Bernier: You have the honourable—what's Mr. Andras's position now—Manpower and Immigration, is it? I can't keep up with these changes. You have a federal cabinet minister there.

Mr. Bolan: The provincial member, who was a Conservative, benefited from it as well. In fact they both raided the kitty, that's what happened.

Hon. Mr. Bernier: You have a Liberal member representing Timmins. I have to tell the member for Nipissing to lean on his federal member, his federal minister—

Mr. Bolan: I am, I am.

Hon. Mr. Bernier:—because it seems to me that they follow a political pattern across northern Ontario.

Mr. Worton: Something like they do here.

Hon. Mr. Bernier: As long as it does things for northern Ontario and gives us the things we want, far be it for me to complain. We have to put 50 per cent of the dollars but we're anxious to get on with this. I would like to see the member for Nipissing turn it around a bit and say, "Here is a province that is practising constraints, far more than the federal government; and we are prepared in this province to put up our share of the \$15 million."

Surely the time has come for the feds to recognize the real important needs and the financial position of the city of North Bay; let's not forget that. As the member has correctly pointed out, we are certain the OMB would not approve of any major borrowing on behalf of that development. They are strapped, as he correctly points out. They're the ham in the sandwich, there's no question about it, between the provincial and the federal governments.

We will continue to press for an early resolution to this issue. We want to get on with it. We think it's very beneficial to North Bay or we wouldn't have gone this far with it. All I can say is let's lean on them together, please.

Mr. Bolan: Just one question, if I may put it to you this way: What's the bottom line?

Hon. Mr. Bernier: Our position is very well known. We have the overpasses and the interchanges to include in the whole package.

Mr. Bolan: Fine.

Hon. Mr. Bernier: The dollar figure is, as the member has correctly pointed out, not nailed down to the actual cent, but don't forget the agreement is over a three- or four-year period. There is going to be some escalation in the cost, there's no question about that. I think the whole package is one that will best serve the interests of the North Bay area and it should be proceeded with forthwith.

Mr. Bolan: Is the minister saying that he is not prepared—neither he nor the Treasurer—to enter into this DREE agreement unless it includes funding for the grade separation on Marshall Avenue and the interchange at Highway 11.

Hon. Mr. Bernier: I think we've made our position explicitly clear. That would be our position, really.

Mr. Bolan: That's what you are saying?

Hon. Mr. Bernier: Yes, that's what I'm saying. Yes, let's have the whole thing together and get on with the job—

Mr. J. A. Taylor: Don't sell your people short, Mike.

Hon. Mr. Bernier:—because we have a real interest, and quite frankly we're not getting our fair share of DREE dollars. Every time we come to signing an agreement for a DREE program it's the same hassle. It took us about a year and a half to two years to sign the DREE agreement for White River. It's so frustrating. I don't know what all that staff does here in Toronto. DREE has a big staff in Thunder Bay and a big staff in Toronto, for the amount of agreements that we sign, my deputy could do that in his spare time in the evening.

Mr. J. A. Taylor: What spare time?

Hon. Mr. Bernier: What spare time? That's a good question. But to have that large staff here in Toronto and to bring forward very few programs, it's very frustrating indeed, really it is.

Mr. T. P. Reid: Can I ask the minister under this vote about the Rainy River land

clearing project? I've had conversation with your deputy minister about this lately and I understand from other people that there has been some kind of money set aside to do a study on the feasibility of the project that was put forward by the Ontario Federation of Agriculture in the Rainy River district for a land clearing project which would come to something \$17 million. The minister will recall that some promise or indication, shall we say, was made at the time of the election, mostly by the defeated Tory candidate, but I was wondering what the status is of that. I understood there had been \$65,000—the figure was given to me not by your deputy minister but by someone else—for a study of the feasibility of carrying out this project which was presented by the local OFA in the area. Can you give me any information on that?

Hon. Mr. Bernier: Yes, Mr. Chairman, I can give you something on that. I do remember some discussions being undertaken, but I don't have the specifics with me at this time.

Mr. T. P. Reid: May I raise a point of order while we're waiting for that information? It used to be the practice in the House that the minister had his staff in front of him. Is there any particular reason why he doesn't? He obviously needs assistance.

Hon. Mr. Bernier: No, I think the deputy felt that he could operate more effectively from the sideline and I think he is doing very well.

Mr. J. A. Taylor: The minister can stand up on his own; he is a very able fellow.

Mr. T. P. Reid: I was just inquiring. I see the table and chairs there. I thought maybe he did not want to be seen with you.

Hon. Mr. Bernier: I have just been informed that the agriculture program had about \$500,000 in it. Is it for this year? Yes, but they added another \$100,000 to that. There was \$600,000. These funds are based on local committees and they can decide on the type of program that they want for their specific areas.

Mr. T. P. Reid: Mr. Campbell provided me with that answer, and I understand there was an enrichment of \$100,000 or so this year, but my question was whether or not, either through your ministry or elsewhere, there had been some money budgeted to do a study on the feasibility of the suggestion or brief put forward by the OFA.

Hon. Mr. Bernier: I don't have anything in my notes here under the community priorities activity. If there is something under regional I don't seem to have it here.

Mr. T. P. Reid: While everyone is searching frantically, or not frantically, does the minister have anything to do with the community employment program, which is a joint program between the federal and the provincial governments in which committees were set up at the local level to come up with employment projects? I realize it's through the Ministry of Labour, primarily, but do you have any input into that?

Hon. Mr. Bernier: Yes, we do. We have a grant this year of about \$15,000 and the remaining \$21,000 will be borne by the federal government. That would be about \$36,000 to stimulate the economy in the Fort Frances-Rainy River areas through agricultural development.

Mr. T. P. Reid: Is that for the study?

Hon. Mr. Bernier: It's for the community employment strategy committee to assist with a project to determine the agriculture potential of the Fort Frances-Rainy River areas. That's the study.

Mr. T. P. Reid: And that's for the \$36,000?

Hon. Mr. Bernier: Yes.

Mr. T. P. Reid: I, along with the people in the area, am a little disappointed; but understanding that \$17 million was perhaps a little much, I'm presuming that \$36,000 will be enough to dig up some facts and figures and come up with some other ideas. The project has been supported by the community employment group, which is made up mostly of Conservatives. I don't know why that is so in that area; it's hard to understand.

Hon. Mr. Bernier: Did you have anything to do with it?

Mr. T. P. Reid: They have, in fact, endorsed the program. It's just one of those anomalies where you have a government agency, or the federal-provincial government setting up a group to suggest employment opportunities, and then the Ontario federation came along and said: "Here's an opportunity to provide employment for land clearing and the potential for agriculture in the Rainy River district." This is endorsed by the community employment people, who are the federal-provincial committee. Then this government, when it comes time to do some implementation, isn't there to carry out the program presented after these other people have carried out their mandates.

I really don't require a comment on that; but I would hope that this would still be an item, perhaps for next year's budget where, if the facts and figures can be proved you might see your way clear to carrying out that program.

Item 1 agreed to.

On item 2, isolated communities:

Mr. T. P. Reid: Are we on isolated communities?

Mr. Deputy Chairman: That's right.

Mr. T. P. Reid: Does the minister have anything further to tell us about the isolated communities? Are we going to have any legislation? Can he tell us where we're at other than that the budget has been enriched by \$130,000? He's nodding his head.

Hon. Mr. Bernier: I'm pleased that the member asked that particular question. We have been grappling with that particular problem. I think I have mentioned publicly on a number of occasions that we would piggyback on the Local Roads Boards Act to assist those unorganized areas in assessing their home owners for fire protection services.

We've had a go at it within a number of ministries. We've run into a few problems. We've asked the UCANO, both east and west, how they would view a structure or an act operating in the unorganized areas. We're concerned that we're going to leave the impression that this is a first step towards organizing a municipality. I think there's some concern there.

Frankly, we're going to use the course of the summer to have further discussions with UCANO and with other unorganized communities to pull together something that's acceptable to them and of course to the government. Hopefully, we'll be prepared to bring forth legislation in the fall session.

[5:45]

Mr. Martel: Mr. Chairman, I want to speak about the unorganized communities, because if there's an area that needs some work and on which this government has really fooled the people it has been on the unorganized communities as a whole.

Bill 102, or something, got introduced into this Legislature a couple of years ago and ultimately collapsed. We in fact have many municipalities in northern Ontario which outside of a very small budget have no access to any of the amenities necessary in the unorganized communities.

You will recall a year ago I suggested, in some amendments I proposed during the creation of this ministry, that the two most important areas concerning northern Ontario were the proper development of natural resources and the unorganized communities. We attempted to give the minister some power to work within those communities, but nothing has changed from the time

McKeough or Don Irvine introduced that bill many years ago. Nothing has really happened to change life in the unorganized communities except that there's a very minuscule budget from which you give a little financial assistance, a bit here and there very deliberately. In fact, I maintain that the government deliberately keeps it confused so they can't get a focus on it.

What the government should have is one group representing the unorganized communities. What you in fact want is everybody to stake his own claim so that you might have four, five, six, or seven different groups in the same community asking for any number of funds for some project, whereas if you had one group somehow duly elected to represent the community, they could focus on the most important needs in each of those communities. That doesn't occur now because that type of unity isn't there.

Various groups make various requests for a variety of things—including some I have made, for example, for fire protection equipment. But there's no ability to focus their priorities and it's to your advantage, Mr. Minister, to keep them disorganized, it really is. I am not saying it's the minister himself who is doing that, I am saying it is the government of Ontario. The more groups making representation, the better it is. If we had one group in each community representing those unorganized communities, they could then sit down and focus on what the real needs are.

If it's in a municipality like Alban, they may need a community centre; they could then say this is our concerted effort for this year. But as it is you might have somebody from Alban wanting a community centre and somebody else wanting a piece of fire fighting equipment; there's no focus on what the most pressing needs of Alban are, particular in view of the limited funds available.

If the pit was bottomless and we had all kinds of money, then you could meet any number of requests from those municipalities, but that isn't so. I think it's to the disadvantage of those communities, Mr. Minister, that we don't have some sort of mechanism for establishing some sort of elected community representation that can, realizing there's a shortage of funds, identify a number one priority for this year; that means the minister or his staff then has to sort out what the real priorities are.

That's not our function. Surely our function is to provide funding. Once a municipality determines what its basic need is for

this year we move on it. I think this is a real failure, particularly in view of the fact that the legislation was long promised. I understand the difficulties with the unorganized municipalities, having quite a number of them like the minister has. They are starting from scratch. No matter what it is that they want, it's right from the beginning, even if it's a street light. Yet we really don't have anybody in those communities we can deal with.

If there was something I would ask this minister to do, if he had the power to do one thing, it would be to get some type of apparatus in place to do that. Then we might start to see some orderly development. They might, for example want to ask the Ministry of Housing to do a plan of their area; and that request would come from someone that was recognized in the community as representing the total community; or it might be a piece of firefighting equipment, it might be a recreation centre; it might be something they need, based on a commitment from the community. That this government doesn't do that is really, to me, a disaster; we're just fooling the people, Mr. Minister. We don't have the funds—I understand the amount it would take with the number of municipalities that are unorganized—but what it might stop, too, is the development of other unorganized municipalities that are getting bigger and bigger; and that's still going on.

If one looks at the regional municipality of Sudbury, people are now leaving the region and trying to get into the unorganized townships. All we're doing is exacerbating the problems that are already there. That's how many of these problems were created in the first place.

If we started and brought those small municipalities we have into some sort of cohesive group, we might avert other problems developing down the road. If we don't do it, those problems are going to occur as I stand here. I've just talked to some of the government officials in the Sudbury area and they tell me that the applications for amendment to the zoning orders in the Sudbury basin beyond the regional municipality are growing in leaps and bounds. When people own property they are going to say that they have a right to go there. They buy a whole farm and they ultimately move out there and the problem starts all over again.

We simply can't afford it. I don't care what government is in power in the prov-

ince, we can't afford to allow other unorganized municipalities to develop. Maybe you're going to reintroduce the legislation—I guess it was Bill 102, that number rings a bell. That was the bill that Don Irvine brought in a number of years ago through the Treasury and it died on the order paper just prior to the 1975 election. It's been three and a half years since that election and what are we doing for the unorganized townships? Really, nothing.

Yet most of them exist—as my friend knows better than I, in his part of the province—to meet the needs of some of the pulp and paper camps. They go and develop a little settlement of 50 or 60 families, maybe not that big. But those problems have been created and the bill that was introduced in 1974 and reintroduced in 1975 would have gone some way to help. It wasn't perfect, we all knew it, and we said we were going back to the unorganized municipalities to get their input.

There's been a lot of input. I've seen all of the briefs that have been presented to the minister; there's been a lot of input. Surely we've got to act. We can't sit around any longer and allow those people living in those municipalities who pay their share of taxes—particularly in view of the fact of the services they get, which are virtually zero for the type of taxes they pay. They pay land tax and they pay gasoline tax, they pay a variety of taxes. They might not pay as much municipal tax but they have nothing. I mean nothing.

It's only by bringing in legislation that they are going to be made into municipalities of some sort. They might not be modelled on town councils as we understand them; it certainly could be of a different nature.

We move ahead. You can't sit any more, Mr. Minister. That's been in limbo and it's been discussed for as many years as I've been here and as many as you've been here. Surely you're in a position now to make the recommendations to the government and say, "We've had input now for 10 these many years. We know what the problems are. We know it's costly and it's going to take time, but we have to start somewhere."

We start, maybe, by some form of informal community council which works through your ministry on a priority basis. We start to do the planning for the rest of the province. I'm not talking about elaborate planning in terms of organizing municipalities but the type of planning which will prevent the spreading of that type of municipality.

I think it's long, long overdue. To simply operate with this type of budget and to continue this process is really nonsense.

I've asked the minister to give me in the few minutes remaining some indication of what the government's proposals are, particularly in view of my suggestion of some type of informal community council to do the priority needs for these municipalities.

Hon. Mr. Bernier: I think the member for Sudbury East is very much aware of the lack of desire on the part of the unorganized areas to be thrust into some form of municipal organization. There's just no question they're going to resist that. In fact, they resisted Bill 102 or 120—I forget what the number was—to the nth degree. That was, in essence, a start in setting up community councils, but the fear is that the government would superimpose a municipal structure that would be unacceptable to them; that they would be burdened with new services and increased taxes. There is no question about that.

I would have to say to the honourable member that we're moving with the unorganized communities in trying to get their involvement. As he knows, we are funding UCANO to the tune of \$25,000 for UCANO East and \$25,000 for UCANO West, because they have no funds. We give them some direct grants, hoping that they will go out and stimulate interest and get some input from the unorganized communities. In fact, we have gone a step further.

We are giving a direct grant to Confederation College in the Thunder Bay area to go out and hold special seminars and special courses in the small communities or to bring in the leaders of these small communities to explain to them the functions of a municipal structure and how to deal with government to give them some knowledge of how they should approach improvements to their respective communities. It's a start, but the fear of going into some form of structure is very real.

I have to say to the honourable member that there's nobody who would like to set it up in a nice square box under legislation more than I would. But we have had many discussions with the groups and they're not certain what they want themselves. We know we should have something. It may well be we're going to have to come down with a hard hand. I don't like the idea. I just abhor the idea. If they will do it themselves, I'd like to give it a try. We are going to the unorganized communities, with our Northern Affairs officers moving around now and having more rapport with the groups.

I have to say to the honourable member that in my brief experience with the Ministry of Northern Affairs and with the Isolated Communities Assistance Fund, I don't know of an area that has four or five different organizations to which the honourable member refers. There may be one or two, but if there is any nucleus of an unorganized community or a group of people who are interested in speaking on behalf of their community, we'll deal with them; there's no question about that. We are already dealing with them in a number of fields whether it is in the social field or direct assistance for a recreational centre, for a community well, for fire protection. We'll go that route, but give us the body there and we'll work with them. We're not trying to divide the community. If they will come forward—in fact, some of the groups have come forward and we have given them a grant already. Now we find the fire marshal hasn't approved exactly what they should have; so they're stymied in that aspect of it. But in other areas we're going ahead with the development of fire protection. They must have somebody to look after it. They must have the wherewithal to pay for the building it's going to be in. We'll even assist in some cases with that building. But who's going to pay for the electricity and the heating of it? Surely they can contribute a little bit to it. That's what we're trying to sort out now.

The new thrust now, getting fire packages together and providing fire trucks to the bigger areas, is working quite well. Just to wind up on this section, on Friday last my parliamentary assistant, the member for Algoma-Manitoulin, was in Gogama delivering a truck—

Mr. T. P. Reid: I certainly hope he wasn't driving.

Hon. Mr. Bernier: —along with the member for Nickel Belt. They were there to join with the community in accepting that fire truck. So things are happening and with a great deal of pride and enthusiasm. I think we're best to follow this road but, if the honourable member has some specific ways that we could deal with this problem, I would like to hear from him.

Mr. Deputy Chairman: Mr. Minister, because of the time, would the honourable minister like to move that we rise?

On motion by Hon. Mr. Bernier, the committee of supply reported a certain resolution.

On motion by Hon. Mr. Bernier, the House adjourned at 6 p.m.

APPENDIX

(See page 2902)

ANSWERS TO QUESTIONS ON
NOTICE PAPERADVISORY COMMITTEE ON
CONFEDERATION

56. **Mr. S. Conway** (Renfrew North): What groups, organizations and individuals were consulted, and/or submitted briefs to the Advisory Committee on Confederation, prior to the committee's first report which was tabled in the Legislature on April 11, 1978? [Tabled May 16, 1978.]

Hon. W. D. McKeough (Treasurer): The Advisory Committee on Confederation in the preparation of its first report did not operate by receiving briefs or holding hearings. The members were kept abreast of the most recent proposals put forward by individuals, groups or governments in the field of constitutional reform and continue to review such proposals as they become available.

57. **Mr. Conway**: Who will comprise the "small but representative conference of citizens, both experts and non-experts" who will attend a conference to discuss the first report of the Advisory Committee on Confederation? What criteria must be fulfilled to obtain an invitation to attend and participate in this conference. [Tabled May 16, 1978.]

Hon. Mr. McKeough: The advisory committee has asked the Council for Canadian Unity to bring together a cross-section of Ontarians to analyse and evaluate its first report, as well as to receive other ideas for change which the delegates would like to see considered by governments.

The conference will be entitled "Confederation '78: a colloquium on the first report of the Ontario Advisory Committee on Confederation," and will be held June 28-30 at Glendon College.

Approximately 150 participants are expected. Invitations have gone out to all those who presented briefs orally to the Task Force on Canadian Unity at its Ontario hearings; workshop leaders from Destiny Canada Destinée; members of the task force; members of the Ontario advisory committee; representatives of each provincial government; members of the cabinet committee on Confederation; and leaders of the opposition parties in the Ontario Legislature.

The advisory committee has also invited a number of experts in federalism who served as workshop leaders at the Destiny Canada Conference to attend a forthcoming meeting of the committee and comment on its first report.

SALES TAX

58. **Mr. S. Conway**—(Renfrew North): Has the government been approached about extending the federal provincial sales tax reduction agreement beyond its current expiry date of October, 1978? Is there any provision for extending the life of the program contained in the agreement between the two levels of government? [Tabled May 16, 1978.]

Hon. W. D. McKeough (Treasurer): With regard to the first question, the answer is no, we have not been approached to extend the sales tax reduction beyond its current expiry date.

As to the second part of the question, regarding the retail sales tax legislation, which is Ontario's part of the agreement provides for automatic reinstatement of the seven per cent tax rate at the end of the six month reduction period, which is October 8, 1978.

LOUDSPEAKERS OUTSIDE
LEGISLATIVE BUILDING

60. **Mrs. M. Campbell** (St. George): Did the Minister of Government Services (Mr. Henderson) authorize the installation of loudspeakers on the lamp posts outside of the main door of the legislative building? Was any effort made to find a more appropriate location? Was Prof. Eric Arthur consulted on this matter in keeping with this mandate to preserve the architectural integrity of the building. [Tabled May 18, 1978.]

Hon. L. C. Henderson (Minister of Government Services): The Lieutenant Governor's office requested loudspeakers for the activities associated with the Donald Jones Walk Around Queen's Park, which was held on May 21. As a result, the Ministry of Government Services installed the loudspeakers on the lamp posts outside of the main door of the legislative building. The speakers were installed for this temporary use only and were removed on May 23. Prof. Eric Arthur was not consulted due to the temporary nature of the installation.

ERRATUM

No.	Page	Column	Line	Should read:
69	2789	2	6	of Bill Pr18, An Act to revise the Hamilton

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McMurtry, Hon. R.; Attorney General (Eglinton PC)
Newman, B. (Windsor-Walkerville L)
Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
O'Neil, H. (Quinte L)
Parrott, Hon. H. C.; Minister of Colleges and Universities (Oxford PC)
Peterson, D. (London Centre L)
Reid, T. P. (Rainy River L)
Renwick, J. A. (Riverdale NDP)
Rhodes, Hon. J. R.; Minister of Industry and Tourism (Sault Ste. Marie PC)
Rotenberg, D.; Deputy Chairman (Wilson Heights PC)
Smith, G. E. (Simcoe East PC)
Smith, S.; Leader of the Opposition (Hamilton West L)
Stephenson, Hon. B.; Minister of Labour (York Mills PC)
Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)
Swart, M. (Welland-Thorold NDP)
Sweeney, J. (Kitchener-Wilmot L)
Taylor, J. A. (Prince Edward-Lennox PC)
Turner, J. (Peterborough PC)
Van Horne, R. (London North L)
Warner, D. (Scarborough-Ellesmere NDP)
Wells, Hon. T. L.; Minister of Education (Scarborough North PC)
Wildman, B. (Algoma NDP)
Worton, H. (Wellington South L)
Yakabuski, P. J. (Renfrew South PC)



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Tuesday, May 30, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, MAY 30, 1978

The House met at 2:00 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

COMMUNITY SERVICE ORDER PROJECTS

Hon. Mr. Drea: Mr. Speaker, last October the designation of six areas for the establishment of community service order pilot projects was announced by my colleague, the Attorney General (Mr. McMurtry), and myself. At that time we indicated that at least one additional project was to be operated by and for native persons.

I am pleased to announce today that two projects will be established, one to serve the Kenora area and the other to operate in the London area.

The selection of the native projects was made in consultation with the Ontario Native Council for Justice, which contacted its member organizations, and over a period of seven months has held a series of meetings with Ms. Priscilla Reeve, the provincial co-ordinator of the community service order projects.

It was essential that the native people should have an opportunity to fully understand the concept and to make their own decisions about whether or not they wished to participate in the program, and which areas should be selected for the pilot projects.

I am also appreciative of the co-operation of my colleagues, the Provincial Secretary for Resources Development (Mr. Brunelle) and co-ordinator for native affairs and the Minister of Northern Affairs (Mr. Bernier).

The Ne-Chee Friendship Centre will sponsor the project to serve Kenora and the reserves in that area, including Rat Portage, McKenzie Portage, Whitedog and Grassy Narrows. A co-ordinator for this project is expected to be named within the next few days.

As members will be aware, my ministry has operated a probation-parole program for native people in the remote northwest part of the province for the past four years. The area operates with two full-time native

workers plus a number of volunteers supportive to the regular probation program.

Each volunteer is paid a regular retainer plus a fee for each client supervised. There are currently 14 part-time native volunteer workers. The area served covers more than half the province. The volunteers provide supervision on 62 reserves and settlements, 20 of which are fly-in locations.

Recently a similar arrangement for service has been developed in the northeastern part of the province where part-time native workers are active, two in Moosonee and one each in Moose Factory, Fort Albany and Attawapiskat.

The full-time and part-time workers and the ministry's probation-parole staff will provide the necessary support for the community service order project.

I may also say, Mr. Speaker, that in the Thunder Bay area, no longer are native female offenders sent south. Instead they are kept in the Thunder Bay area in a community resource centre operated by the Native Women's Council and Mrs. Edith McLeod.

The N'Amerind Friendship Centre will sponsor the community service order project to serve London and the surrounding area. A project co-ordinator has already been named. She is Ms. Diane Hill, a Mohawk Indian from the Six Nations Reserve.

N'Amerind is actively involved with various community agencies. There are three reserves within a 20-mile radius of London, and within a 60- to 70-mile radius there are another five reserves.

These two projects, as well as the six which were announced last fall, were selected from submissions received from communities where there was interest and support from the judiciary and community agencies. The selections were made to provide a variety of operational models in both rural and urban settings. The two native projects add to the diversity of the program, which will be subject to ongoing evaluation over the next two years. As I have indicated, the success of community service orders is largely dependent upon the interest and support of the judiciary, local agencies and the probation-parole staff of this ministry.

We are very pleased with the innovative use of community service orders which has already been made by the judiciary. We also appreciate the positive response by community agencies and our probation-parole staff to the new demands and challenges which they are meeting in order to ensure the establishment of this program on a solid basis.

The results thus far have proven that community service orders are a viable and positive alternative to incarceration for persons convicted of non-violent offences. I hope within the next few weeks to announce the establishment of another community service order project which will add a new dimension to this diverse and innovative program.

Mr. Speaker: I would like to report to the House that the honourable minister's pronouncement of northern geographic entities is impeccable.

Mr. S. Smith: He should work for the CBC.

INJURED WORKERS

Hon. Mr. Kerr: I wish to give a short statement regarding the very unfortunate incident that took place yesterday at the Travelers building on University Avenue involving the Metropolitan Toronto police and members of the Union of Injured Workers.

At about 10:45 a.m. yesterday, approximately 200 members of the union gathered at the Travelers building, 400 University Avenue, to demonstrate against the Workmen's Compensation Board and the Ontario Ministry of Labour which have office space in this building. Sergeant John Jamieson and five police constables from the area foot patrol were assigned to cover the demonstration.

At about 11 a.m., the crowd was addressed by members of the Legislature and labour movement, and at about 11:20 a.m. by the Minister of Labour (B. Stephenson). The Minister of Labour was not listened to, but was shouted down by the crowd and she left for the legislative building. At about 11:45 a.m. the demonstration went into the lobby and began shouting and threatening to take over the offices of the Labour ministry on the 14th floor. Police reinforcements were called in at that time.

The demonstrators were calmed down, and some of the additional constables were returned to regular patrol with approximately 15 police constables and one sergeant remaining to augment the area foot patrol. The situation remained static for the next hour with sporadic outbursts of noise. Mr. Phillip

Biggin, the president of the Union of Injured Workers, was advised that the Labour minister was not in the building, but he would not believe it. He refused to send a small delegation up to verify this.

At about 1:15 p.m. Mr. Biggin addressed the demonstrators over a loud hailer to the effect that if the Labour minister wouldn't come down to speak to them, they would form a picket line and would not allow anyone to enter or leave the building. He instructed them to link arms and form a semi-circle in front of the elevator corridor, which they did.

The sergeant instructed his men to see the public through this line, and police constables went to the north and south of the elevator corridor to carry out these instructions. Constables Donald Wrigglesworth and David Keefer were performing this duty when two unknown women blocked off the pathway. PC Keefer instructed these women to move several times, which they refused to do. He then took hold of the arms of one of the women to move her, when he was attacked by one of the demonstrators who ran out of the crowd and struck PC Keefer on the back with a cane. PC Wrigglesworth went to assist and was also struck twice with the cane. The demonstrator was restrained and arrested.

At this time, the demonstrators attacked the police with their placard sticks and with canes. One man was observed by Sergeant Jamieson swinging a placard stick and striking police officers with it. Sergeant Jamieson went to this man and took the stick from him, and was immediately grabbed from behind by two unknown men by the throat and arms. The demonstrator struck Sergeant Jamieson with his fist three times in the chest, and then removed Sergeant Jamieson's revolver from his holster and pointed the revolver at him. Sergeant Jamieson managed to free his right arm and got hold of the demonstrator's arm with the gun. Sergeant Maywood saw this happening and rushed to assist Sergeant Jamieson. He grabbed the demonstrator's arm and wrestled the gun out of his hand. While he was doing this, Sergeant Maywood was kicked in the face and stomach by unknown assailants.

The demonstrator was being escorted behind the police line when someone swung a stick at Sergeant Jamieson's head. He ducked and the stick struck the demonstrator in the head, causing a wound which required six stitches to close.

This is a very unfortunate incident. A total of seven people have been arrested.

VISITOR

Mr. Speaker: Before we get to oral questions, I would like to remind members of the House that in the Speaker's gallery we have His Excellency, Dr. Tarter, the ambassador from Austria, and Mrs. Tarter, along with the consul general. Would you please welcome them to our Legislature.

WORKMEN'S COMPENSATION

Mr. Mackenzie: On a point of privilege, Mr. Speaker: Yesterday, in response to a question from my colleague the member for Oakwood (Mr. Grande) concerning the job searches for WCB cases, the Minister of Labour—and I'm reading a quote exactly from the Instant Hansard—stated: "The response to that question was submitted to the member for Hamilton East with the request that he distribute it to all members of the caucus."

First off, I want to say that I never asked the question, period. The question was asked some five weeks before this letter was sent to my office. The one-paragraph letter from the minister states as follows: "Dear Mr. Mackenzie: As requested by you and members of your caucus I am enclosing a copy of a memorandum issued in early April to all rehabilitation and counselling staff of the Workmen's Compensation Board and dealing with claimants who are seeking job opportunities and who qualified for additional payments under section 42(5) of the Workmen's Compensation Act. I believe you will find this memorandum self-explanatory." This does not begin to totally answer the question that was asked. I never asked the question, and related it in no way to the minister's answer.

I'm wondering how long, if the minister is not misleading this House, we can have this kind of confusion? Why is it directed to me and not to the member who asked the question? Just what is going on? When is the minister going to get her act together? I'm wondering if that's what happened to some of my questions to which I've never had answers.

Mr. Breagh: Apologize.

An hon. member: Wrong again.

Hon. B. Stephenson: Mr. Speaker, as a matter of courtesy to the Labour critic of the New Democratic Party, the document which was requested by a number of members of caucus was submitted to him with the feeling that as the Labour critic he would be responsible for distributing it.

Mr. Nixon: The minister would almost think so.

Mr. Martel: You might suggest that the minister look up the word truth in the dictionary.

Mr. Pope: You guys are getting unreal over there.

Mr. Speaker: Order. Is the member for Oakwood speaking to the point of privilege?

Mr. Grande: I have a point of privilege, Mr. Speaker. On top of what the member for Hamilton East has just said, in that letter which the Minister of Labour mailed on May 12, 1978, there is no indication whatsoever to the member for Hamilton East that this is an answer to the question that I had asked in this Legislature.

A second point is this: Since when is a question that is asked from a public platform in this House answered by any ministry through mail and not directly in this House?

Mr. Martel: And to another member?

Mr. Grande: I have asked this before and I would like your assistance and determination on this particular issue, Mr. Speaker.

Mr. Speaker: I don't know that what the honourable member raises is a point of privilege. The ministry has a responsibility, if it so choose, to answer a question. It need not be answered verbally in the House. The information can be transmitted in any way the ministry chooses.

Mr. Martel: But only to the member who asked the question.

Mr. Speaker: The member for Oakwood got the information through his colleague, the member for Hamilton East, and it's not up to the chair to decide the manner in which a minister should answer a particular question.

Mr. Pope: It must be tough to be logical.

CONGRATULATIONS

Hon. Mr. Davis: When I use the words "personal privilege," I don't want it misunderstood. I would like, on behalf of all members of the House, to congratulate the Minister of Housing (Mr. Bennett), and more importantly his wife, in doing their part to deal with the issue of deteriorating school enrolment.

[2:15]

The Minister of Housing will now have to expand his own facilities to accommodate a young lady who arrived sometime yesterday—seven pounds and X number of ounces. On behalf of all members of the House, I extend our congratulations to him, but more importantly to his wife, Deborah.

Mr. Martel: They didn't call her Bill, did they?

Mr. S. Smith: Speaking to this point of privilege, I want to associate myself with the Premier in offering heartiest congratulations to the minister and his wife. I believe his wife had the ambition of being married to the Premier. Now at least she may end up as the mother of the first, or perhaps one of many, lady Premiers. Instead of being married to the Premier, perhaps she will settle for that.

Mr. T. P. Reid: But Claude, these are House of Lords cigars.

Mr. S. Smith: Don't they have a House of Commons brand?

ORAL QUESTIONS

OHIP BENEFITS SCHEDULE

Mr. S. Smith: I would like to direct a question to the Minister of Health. Can the minister confirm that the new OHIP schedule of benefits increases the doctor's fee for minor assessments by the princely sum of 15 cents? Given the fact that the minister has stated, and many of us have also stated, that one of the real problems in terms of doctors' incomes today is that the general practitioner has been falling behind, while certain specialists have perhaps kept up reasonably well, does the minister not feel that a 15 cent increase in that particular item, even with the creation of a new so-called intermediate category, is more insulting than helpful?

Hon. Mr. Timbrell: I am glad the honourable member read the second paragraph of the Hamilton Spectator article of last evening, because in the negotiations with the Ontario Medical Association it was the position of the association, with which we concurred, that the introduction of an intermediate assessment category at a significantly higher fee than a general assessment would be in the interests of the general practitioner. I indicated back in April when announcing this settlement that the average settlement is six and a quarter per cent.

The member will see when we have published the full schedule of benefits from OHIP that the one part of medicine which benefits the most—in fact, it's close to eight per cent—is general practice. All of this was run through our computers at the time of the negotiations and confirmed. One of the significant points of the entire exercise is to improve the lot of the general practitioner.

Mr. Breithaupt: The minister is looking more like John Robarts every day.

Mr. S. Smith: I thought the minister had been drinking chocolate milk.

Mr. T. P. Reid: I heard the caterpillars are back this year, but this is ridiculous.

Hon. Mr. Timbrell: I have more hair on my lip than you have on your forehead.

Mr. S. Smith: You've got me there; that's for sure. By way of supplementary, can the minister explain what is the delay in this particular OHIP schedule? Why are we now to be treated to a so-called interim scale? Why has the cabinet not passed the OHIP schedule of benefits? Can we get the show on the road with an officially passed schedule of benefits in time for the doctors to get paid and to understand on what basis they are billing reasonably? What's the reason for the delay? The ministry certainly has had enough time.

Hon. Mr. Timbrell: There is a very simple reason. Normally, the negotiations would have been concluded in February or early March, which would have left sufficient time to prepare the regulations and to print the schedule. This year the negotiations concluded, I think on April 6, a mere six or seven weeks ago, during which time we had to finalize the calculations, run everything through the computers and confirm that what had been agreed upon with the OMA did match up with the overall increase of six and a quarter per cent.

That's been done. The regulation has gone to cabinet. I believe it is on the cabinet agenda for tomorrow and we will be able to get it out very quickly. It's simply because the negotiations concluded at a much later point in the year than is normal.

Mr. Cassidy: Supplementary: Has the ministry prepared a comparison between the new OHIP fee schedule and the new OMA fee schedule? Will the minister also ensure that that is published in the early future, so that the public as well as people who are watching health policy can see by just how much doctors will be exceeding what people will get from their OHIP benefits if doctors charge the OMA schedule?

Hon. Mr. Timbrell: Any doctors who opt out—and that is the group of doctors to which the member is referring—can charge, really, whatever they want, once they tell their patients beforehand that they are, in fact, opted out. That could be \$1 above the particular item in the schedule of benefits—I draw to his attention that OHIP has a schedule of benefits; the medical association has a schedule of fees—or they could charge double, whatever, but they must inform their patients beforehand.

Since opted-out physicians might have adopted a schedule of fees for their services that is anywhere between the two, it would really be a waste of money for us to print

a separate document to compare the two documents. We will publish our schedule of benefits and the medical association will publish its schedule of fees.

Mr. S. Smith: By way of supplementary, can the minister tell us what estimate he has, or does he accept the OMA estimate that 40 per cent of assessments will now be called intermediate as opposed to minor assessments? Does the minister have any basis for reaching this conclusion? Is he going to monitor it in some way, given the fact that the difference between the two assessments in terms of patients with more than one symptom would seem to be almost a trivial difference, since virtually every patient has more than one symptom?

Hon. Mr. Timbrell: I don't know that I can accept the latter part. Neither of us being a general practitioner I don't know that either of us could substantiate that one way or the other. In the negotiations at the Clawson committee there were certain positions advanced by the profession which were discussed in the ministry. It was felt that, generally speaking, they were probably good estimates of what is likely to occur. Certainly we will, through the year, be watching carefully the effect of this, because it is our sincere intent and hope that this will mean to the family practitioner, the general practitioner, a significant improvement relative to the rest of the profession.

Mr. Makarchuk: Supplementary: In view of the fact that most doctors bill at the end of the month, and the end of the month is here and they have no schedule available to them, can the minister indicate to the medical profession when they might expect to get the schedule so that they will know how to handle their billing?

Hon. Mr. Timbrell: A bulletin was sent to all physicians in the province about four or five weeks ago, indicating the reasons for the delay and indicating that we would make adjustments in subsequent cheques to reflect the changes in the schedule of benefits.

COMMUNITY COLLEGE BOARDS

Mr. S. Smith: A question of the Minister of Colleges and Universities: Can the minister explain his recent decision to deny student representation on community college boards, colleges of applied arts and technology? Is he correctly quoted as stating: "You couldn't just add students alone to the board. Faculty and support staff, and representatives of the community might also have to be added"? Can I ask him what

would be so terribly bad about that? Surely this situation exists at Ryerson and at the University of Toronto, just to name a couple? Why is he refusing to accept the recommendation at the community college level?

Hon. Mr. Parrott: The only part of the quotation that was incorrect was the community representation. That is obviously done at present by the way the boards are formed. I think it's fairly obvious that four appointments are made by municipalities in the catchment area of each college.

It was a decision we arrived at after considerable discussion within the cabinet committee, and there are various reasons. I think the present boards are working well and that decision was made for a variety of reasons. In the final analysis we either do or do not change the size of the boards. The decision at this time was to leave the boards as they were proposed in the original act.

Mr. S. Smith: By way of supplementary, has the minister even bothered to talk to the people at Ryerson to ask them the experience they have had with students? Does he realize that they are very satisfied with it and feel that a good many potential divisive and explosive issues were well dealt with because the students were represented on the board, albeit in smallish numbers? Why is the minister taking such a step backwards and, in fact, overturning the recommendation voted—admittedly by only one vote—by the Council of Regents? Why is he taking this step to deny representation when surely the thrust in our society ought to be to have more involvement by those who ought to be participating in the institutions in which they have a significant role?

Hon. Mr. Parrott: I'm afraid the leader of the Liberal Party does not give full credit to the amount of participation in the student body now. There are presidents' committees, there are academic committees, there are all kinds of committees in which the student representative is very vocal, and rightly so.

It isn't as though the avenues are blocked for student participation in their college boards.

Mr. Warner: They can't vote.

Hon. Mr. Parrott: I've said many times that I think our college system and our university system are quite different and this is an area where, indeed, we are saying they are different. We've always said they're equal, but different.

In this instance, you may wish to compare the universities and the colleges; that, of course, is your right, but we've decided

to leave the boards as they are. I think it's interesting to note that in the last few years the colleges have come in for a great deal of praise and they have done so with the boards constituted as they are.

Mr. Cooke: I have a supplementary to the minister. I'd like to ask the minister, would he not agree that this decision he announced yesterday treats college students as second-class post-secondary school students? He still hasn't given us his reasons today and he didn't in committee. Why did he make this decision? Why has he decided to treat college students as second-class citizens?

Hon. Mr. Parrott: I guess it's your right to make the statement we're insinuating that they're second-class students. I want to assure the member that there's—

Mr. Warner: That's what you're doing.

Ms. Gigantes: So what are your reasons?

Hon. Mr. Parrott: —no validity in that statement whatsoever.

Mr. Warner: There's no validity in your statement, either. Give them the right to vote.

Mr. Havrot: Oh, resign.

Mr. Warner: Not on your life.

Hon. Mr. Parrott: We have always considered the students of our community colleges to be most responsible. We always have, we always will. I'm rather sorry that you should cast it in those words; it's totally incorrect and unfair.

Mr. Warner: Give them the right to vote.

Mr. S. Smith: By way of supplementary: How can the minister say he is treating these students as anything other than second class, when he has just said that what is good enough for university students and for Ryerson Polytechnical students is somehow not good enough for the community college?

How can he say that they have a lot of participation when in October 1976 his own ministry prepared a summary showing that 13 colleges had student observers at the board, five allowed student attendance only by invitation from time to time, and four had no student representation? George Brown College, for instance, invites students to observe only parts of meetings, and even this on a campus rotation system, which means that the same student can only attend possibly every few months so that there's no continuity.

Why have you singled out the students here, in opposition to the very recommendation made by the council of regents; and why

have you refused a reasonable participation to the students at the community colleges, a participation which you grant to the polytechnic and to the university sector?

Mr. Warner: The minister has no answer.

Mr. Laughren: Is the minister aware of the precedent that was set at Cambrian College in Sudbury when a member of the faculty did, indeed, serve on the board of governors, with very positive results?

Mr. Warner: Ask for his resignation.

Mr. Laughren: Has the minister checked with Cambrian College to determine that?

Hon. Mr. Parrott: We have no objection if the community should decide to have someone represent the community in one of the four positions that are open to nomination by the community. If they wish to nominate a member of faculty or a student, that would be perfectly all right by us, there is no reason why they couldn't.

Mr. Cassidy: You guys cop out all the time.

Mr. Warner: You really should resign.

RENT REVIEW

Mr. Cassidy: I have a question of the Minister of Consumer and Commercial Relations. Does the minister remember, as member for St. Andrew-St. Patrick, speaking out strongly in favour of the renewal of the current rent review program in his nomination speech on March 14 last year, saying specifically that: "We must require that the scheme continue until there have been 12 consecutive months during which the vacancy rate of a particular municipality has been in excess of 3.5 per cent"? If the minister remembers that particular speech, can he say why he told the House last week that he will not consider even a simple extension in which he characterized as a very short-term program, particularly since the vacancy rate in Metro has dropped to 0.9 per cent in the last 12 months and has also been dropping in most other major cities of the province?

[2:30]

Mr. Breaugh: It's no wonder you got that nomination Larry.

Hon. Mr. Grossman: So long as the member sticks to reading my speeches and doesn't get involved in gross distortions, as he did on CBC radio this morning, then we can talk accurately about Hansard and my speeches a year ago.

Mr. Warner: Try answering the question.

Hon. B. Stephenson: You're totally confused with the facts, David. Resign.

Hon. Mr. Davis: Shame.

Mr. Foulds: Be nice and they'll make you an enumerator, Larry.

Hon. Mr. Grossman: The point I made was that this government is and always has been pledged—boy, the tenants' issue really does something to you guys.

Mr. Warner: Yes, we're concerned about it.

Hon. B. Stephenson: It's not concern, it's paranoia.

Hon. Mr. Grossman: The point I was making at that time, of course, was that the rent review program had to be renewed.

Mr. Wildman: Same as beer in the ball-park.

Hon. Mr. Grossman: That's what I said in 1977, and we were talking about the renewal of that particular program. It was renewed until the end of 1978.

Mr. Wildman: What about the vacancy rate?

Hon. Mr. Grossman: At no time did I or this government ever indicate that that particular program, with all its problems, was the only program that would work for the tenants of this province.

I understand how attractive it is for members opposite to grasp on to the super sensational headlines which indicate that only they are in favour of protecting tenants. What we have said consistently over here is that tenants will and can be protected, but that they can be protected by something other than a simple cost passthrough mechanism. I also indicated at that time that I think tenants' rents do have to be protected until the vacancy rate climbs to a reasonable level. Only in the last week or two, I presume as a result of some members opposite sitting on that committee which they refused to serve on or support—

Mr. Foulds: What kind of a Grossman distortion is that?

Hon. Mr. Grossman: —have I heard the slightest whimper of some sort of acknowledgement that maybe the rent review program should end when there is a sufficient and adequate supply of housing. Only now is the third party shifting back to that position.

Mr. Martel: When will that be?

Hon. Mr. Grossman: Indeed, if we were to do what they want us to do, and that is keep the current rent control program forever and ever, then sooner or later we would have to go for what I know that party finds terribly attractive, and that is total public housing and no private housing.

An hon. member: That's baloney.

Mr. Martel: Why don't you get on a chair and yell?

Hon. Mr. Grossman: We over here believe that the crux of the problem is protection of tenants' rents until the private sector is able to provide enough accommodation above that vacancy rate level that I referred to in that speech a year and a half ago. That was precisely the position then; there is no change in that position.

Mr. Sargent: Why don't you sit down?

Hon. Mr. Grossman: Careful, Eddie, you'll be sorry.

Mr. Speaker: The question has been answered.

Hon. Mr. Grossman: You're right.

Mr. Cassidy: Supplementary: Can the minister perhaps explain what it is about becoming a minister that has gone to his head and has created the flip-flop which he's enunciating in the House right now?

Hon. Mr. Grossman: The member ought to know!

Interjections.

Mr. Cassidy: Why is it that a year ago the minister was saying that no one could argue that the rent review board has inhibited the construction of new apartment units? Why is it that a year ago the minister was looking at other alternatives to the present rent review program and was rejecting them? Why is it that a year ago the minister was indicating that he felt that tenants should continue to be protected along he current lines, and now he has backed off that position completely?

Hon. W. Newman: Nonsense.

Hon. Mr. Grossman: Perhaps I've had or taken the opportunity of educating myself a little bit more on the issue, which the member hasn't taken advantage of himself.

Mr. Martel: The minister is a slow learner then.

An hon. member: That's a great education.

Hon. Mr. Grossman: I'm not at all shy about saying that in the past period of time, not only have I had the opportunity to learn a lot more about rental problems, but also I have used the duration of the program—

Mr. Martel: You mean you were shooting your mouth off for nothing before?

Hon. Mr. Grossman: —to now study the effects of the program.

Mr. Yakabuski: Why don't members opposite attend the committee meetings?

Hon. Mr. Grossman: In May of 1977—no, I think that was in March.

Mr. di Santo: You were not the minister then.

Mr. Martel: Yes, it was the eve of an election.

Hon. Mr. Grossman: Mr. Speaker, I'm pleased to answer the question, but the opposition will have to listen.

March of 1977 was some 14 months ago, and on this side of the House anyway we do have the habit of watching and studying and listening and learning over those 14 months. Members opposite haven't adopted that, their position hasn't moved one twit in that period of time.

Mr. McClellan: Learn not to go into your own riding.

Hon. Mr. Grossman: We don't mind saying that we've watched the progress of that scheme very carefully. We also don't mind saying—and listen carefully—that a lot of tenants are being badly treated by the current rent review program.

Mr. Warner: You have never studied it.

Hon. Mr. Grossman: We think that for the sake of those tenants, as well as those landlords who are being badly treated by the current program, that it is incumbent upon this government to find a better scheme for tenant protection than the scheme that the members opposite want to cling to for ever and ever.

We will discharge that responsibility and not cling to the politics of the issue, which in the long run, and indeed now in the short run, will operate to the detriment of those tenants that the members opposite want to stand up and be great defenders for.

Mr. Mackenzie: Boy, are you ever sensitive today.

Mr. Laughren: Distortion.

Mr. Cassidy: Supplementary, Mr. Speaker: Can the minister explain what has happened in the rental market between 14 months ago and today to have led him to this complete reversal of his particular stand? Can he also say who are the tenants whom he maintains are being badly treated under the present program? I think he should name them.

Mr. Pope: Are you a landlord or a tenant?

Hon. Mr. Grossman: Now the honourable member will stand up and name all of those who have benefited. The point that the honourable member was making was that in my remarks, a year and some months ago, I indicated that rent review did not cause the vacancy rate to decline. The member hasn't heard anything from me that indicated that was the sole cause—anything different, rather—

Mr. Mackenzie: Who's playing politics now?

Hon. Mr. Grossman: I believe that was not the sole cause. I have been entirely consistent in that.

Mr. Warner: Do you know what you're doing?

Mr. Cassidy: What is it that this—

Hon. Mr. Grossman: Why doesn't the member sit there and listen? I believe then and I believe now that rent review obviously was not the cause of the decline in the vacancy rate. I said that then. I said it during the debate to send this matter to the committee—which the members across the way opposed. I am saying it today. I have said it time and again.

Ms. Gigantes: It was a snow job.

Hon. Mr. Grossman: I said it in front of the London landlords' association, and I said it out in Thorncliffe to the member for York East's (Mr. Elgie) tenants' association. I have said that time and again.

Mr. McClellan: You can't even yet your contradictions straight.

Hon. Mr. Grossman: The point we are making is that, if we want to get out of this problem, it is time to realize that there are a lot of factors which are now inhibiting the new construction of apartment suites.

Mr. Foulds: You're one of them.

Hon. Mr. Grossman: We think that's a solution to this problem and that rent review continues to be one of the inhibiting factors to new construction.

Interjections.

Hon. Mr. Grossman: I know that the honourable member does not want to listen carefully to that, nor do his members want to listen carefully on the rent review committee while they cling to this foolish press release—

Mr. Martel: Don't lecture us. You are starting to sound like the Premier.

Interjections.

Hon. Mr. Grossman: Specifically, I want to say that is not a change from a year and—

Mr. Speaker: Order. Order. The question was, would the minister care to name those who would not be well served. The minister had had three or four minutes; he hasn't responded to that. I am going to recognize the member for Ottawa Centre with his second question.

Mr. MacDonald: On a point of order, Mr. Speaker.

Mr. Speaker: No, no more questions. This is a matter that is before a committee of the

House; there is ample opportunity to discuss it there.

Mr. MacDonald: I have a point of order, Mr. Speaker.

Mr. Speaker: What is your point of order?

Mr. MacDonald: I don't know what you or anybody else can do about it, Mr. Speaker, but when a minister gets up and ludicrously and grotesquely distorts the reality—

Interjections.

Mr. MacDonald: —and says the policy of this party is in favour of public ownership of all housing, that is simply inaccurate.

Interjections.

Mr. Speaker: Order. That is not a point of order.

Mr. Martel: How about another election, Larry?

EMPLOYEES' HEALTH AND SAFETY

Mr. Cassidy: Mr. Speaker, I have a second question, to the Minister of Labour. In view of the minister's statement two weeks ago that she has committed the government to prior consultation before the development of any legislation in relation to workers' health and safety, can the minister inform us exactly to which groups she has made that commitment, what meetings have taken place with those groups to date, and precisely what future meetings are already scheduled to take place, with whom and when?

Mr. Bradley: Check with the member for Hamilton East.

Hon. B. Stephenson: Mr. Speaker, the commitment originally was made specifically to the agricultural community. During the debate on Bill 70 it was most certainly made to other groups which had the potential to be covered by occupational health and safety legislation.

To date, I believe that the ministry staff have met with all but two of the groups I mentioned. They have not as yet met, I think, with the groups representing college and university teachers, school teachers, school boards and the association of principals, but they have met with the Ontario Nurses Association, the Ontario Hospital Association and at least a portion of the policing group of the province.

Mr. Bradley: Did they meet with success?

Hon. B. Stephenson: They will be meeting with both employers and employees in all areas: firefighters, police, hospital workers, psychiatric institutions, correctional services institutions and agricultural workers.

Mr. Mackenzie: Would you listen to anyone but management?

Mr. Cassidy: Supplementary, Mr. Speaker—

Hon. B. Stephenson: Mr. Speaker, I should have said, if I may, that I believe the initial consultation should be completed by the end of June.

Mr. Cassidy: Supplementary, Mr. Speaker: In placing this supplementary, I want to express grave concern at the fact that every time the minister mentions this the number of groups that are talked to—

Mr. Speaker: Question?

Mr. Cassidy: —as opposing coverage gets larger.

Mr. Speaker: Question?

Mr. Cassidy: Can the minister say why she is giving any of these groups an opportunity to express that they should not be covered under the bill? Why does she not instead solely concentrate on how these groups are to be covered, and how the regulations provided for under the bill will be written to apply specifically to their needs?

An hon. member: It is called demodulation.

Hon. B. Stephenson: Mr. Speaker, it is unfortunate that the leader of the third party does not recognize the truth when it is in front of his face.

Mr. Foulds: Of all the ministers you are the real one.

Hon. B. Stephenson: But the consultative process is precisely what that word means.

Mr. McClellan: You believe you are the only—

Hon. B. Stephenson: We are consulting with both the employers and the employees about the appropriate way of developing the right kind of coverage for each of those groups—

Mr. Warner: You are backpedalling.

Mr. Laughren: The historic stall.

Hon. B. Stephenson: —and that group has not increased in size since the committee hearings on Bill 70.

Mr. Breugh: What was the committee for?

Interjections.

Hon. B. Stephenson: It is exactly the same group and exactly the same size.

Mr. O'Neil: Supplementary, Mr. Speaker: As far as planning is concerned then, would it be the minister's understanding that Bill 70 will not be brought before this Legislature until the fall session?

Hon. B. Stephenson: It is my understanding at this point that it would not be possible

to complete all of the consultations before the end of June.

Some hon. members: Shame.

Interjections.

Hon. B. Stephenson: Therefore, I believe that it certainly would be inaccurate for me to say that it will be brought in before the end of June.

Mr. Bounsall: Supplementary: Is the minister not really concerned that further delaying the introduction of this bill cuts off automatically all those groups who could easily establish health and safety committees across this province, and that we would miss the entire summer period in terms of the operation and use of those committees? Surely she sees an advantage in introducing the bill as soon as possible for that reason.

Hon. B. Stephenson: Mr. Speaker, it does worry me a great deal that those groups of workers for whom Bill 70 was designed—

Mr. McClellan: Everything worries you.

Hon. B. Stephenson: —are going to be denied access to that bill—

Mr. Laughten: It is your decision. You are doing it.

Mr. Martel: They could have gone to the committee.

Hon. B. Stephenson: —until the consultative process, which is absolutely essential, is carried out. That process has been required specifically by the amendments introduced by the opposition parties. The delay of the bill is their responsibility, not anyone else's.

Mr. Renwick: It is your fault.

Mr. Warner: You are the government.

Mr. Lewis: Now that's chutzpah.

Hon. W. Newman: It is right.

Hon. B. Stephenson: I would hasten to add that the delay in no way inhibits or impinges upon the development of health and safety committees in all work areas. The voluntary mechanism is there; the ministry will be pleased to assist any employer—

Mr. Conway: We are glad you ran for the Tories, Bette.

Hon. B. Stephenson: —or any group of employees who wish to establish a health and safety committee. We stand ready to do that at any time; and indeed it is happening in large measure throughout the province.

Mr. Martel: That's why you haven't created one committee yet.

Mr. O'Neil: Mr. Speaker, I have a further supplementary to my previous question: I believe I did ask the minister, not whether the bill would be introduced before the end of

June but whether she would introduce this bill in the fall session of the Legislature.

Mr. Hodgson: He is the worst offender.

Hon. B. Stephenson: I shall be very pleased to make a full report to this Legislature as soon as the consultative process has been completed and I can make a prediction about the probable date upon which it can be introduced.

Mr. Cassidy: You are backing down some more, you are backing down again.

Mr. Warner: You make the Titanic look like a success story.

Mr. M. Davidson: Supplementary: Is not the real truth of the matter the fact that all the people the minister has just mentioned had the opportunity to consult with the committee? Was not the date of December 31 built into the bill by the committee after the minister had given assurance that the consultative process could have been completed by that time? Why can the minister not bring that bill forward now for debate in this Legislature and still go on with the consulting processes that are built right into that bill?

Hon. B. Stephenson: Mr. Speaker, the consultative mechanism, which I think is essential in the drafting of any bill, is the opportunity for those who have the responsibility for drafting and administering the bill to hear first hand from both groups of employers and groups of employees in all of the areas concerned.

Mr. Lewis: Like pension increases.

Hon. B. Stephenson: That is the mechanism which we have followed for all of the other groups in industry, construction and mining. It is my intention that precisely the same kind of opportunity will be granted to the other groups to whom that kind of protection should be extended.

[2:45]

Mr. Martel: To the injured workers too.

Mr. Mackenzie: What a bunch of garbage.

Mr. Martel: You are a disgrace.

Mr. S. Smith: Why does the minister insist on speaking of delays introduced by the opposition, when she knows full well that all she is doing is demonstrating her fear of the democratic process operating in this House, and when the appropriate thing for her to do is to bring in the bill as amended, present what further amendments she may in her wisdom think need to be presented and permit others to present what further amendments they might, as a consequence of further consideration, be willing to present?

Mr. Sterling: The Leader of the Opposition wants to retract, he wants to change his position.

Interjections.

Mr. Nixon: That's the way it's supposed to work here.

Mr. S. Smith: Why is the minister afraid of the normal democratic process? Why is she flouting the will of the House by sidetracking a bill which should be right in front of us here for debate and for possible amendment?

Hon. B. Stephenson: Unlike the members opposite, I do not believe that all of the wisdom on earth regarding occupational health and safety resides within the Ministry of Labour nor within government; nor do I believe that it resides within this House.

Mr. Cassidy: You are a disaster.

Mr. Martel: You are a doctor?

Mr. Cassidy: A doctor of mismanagement.

Hon. B. Stephenson: I believe the wisdom and the expertise which are necessary to attempt to draft the appropriate legislation in order to provide protection must be garnered from all available sources. That is precisely what we intend to do.

Mr. Lewis: The Ministry of Labour has never been in such a shambles as it has been in the last couple of months.

Hon. B. Stephenson: Isn't that a pity? I'm so sorry that you're so upset about it. I really feel for the member.

Mr. Lewis: What is going on over there?

Hon. B. Stephenson: It's working extremely well.

Mr. Speaker: Order.

ENVIRONMENTAL REPORTS

Hon. Mr. McCague: On Friday the member for Port Arthur (Mr. Foulds) asked me a question regarding the status of two reports being compiled by my ministry. I wish to advise that the Thunder Bay report is in final draft form and will go to the printer this week: Printing usually takes one week or less, therefore, the report will be made available by June 12. The second report on Terrace Bay is in the first draft form and will be sent to the regional office for local comments by the end of this week. It should be released June 23.

The member asked about a possible conflict between our regional staff and the researchers in my ministry who are compiling the report. I would advise the member that—

Mr. Ruston: Tell him to keep quiet.

Hon. Mr. McCague:—would the minister of Consumer and Commercial Relations please be quiet?

I would advise the member that it is normal procedure for the special studies air quality reports to be sent to the regional office for agreement on the interpretations in the report, particularly where they reflect local knowledge. For instance, the scientists from the air resources branch in Toronto were only in the area for two to three weeks at a time and may have the wrong impression or an incorrect knowledge of the composition of the various industrial plants. They therefore rely on regional staff who live in the area and who are more familiar with the industrial plants to correct these impressions.

The data collected on these field trips are not negotiable, but the meaning of the data can only be correctly interpreted with the more detailed local knowledge of the resident regional staff. Corrections of this nature to the first draft of the report do not represent a conflict between the members of the ministry staff, as has been implied.

Mr. Foulds: Supplementary: Can the minister indicate to the House, when there is a disagreement, between say a regional office and the central office, in light of the minister's answer, whether the regional attitude is the one that prevails in the drafting of the final report? Further, can he indicate why it has been that these two reports have taken so long in the writing and drafting process, when over six weeks ago it was indicated in the ministry estimates that the report would be completed and presumably printed within a month? It will be two months by the time it is finished.

Hon. Mr. McCague: One of my staff did say during estimates that the report should be available, in four weeks I think it was at that time. It's taken longer, I really don't know why.

As for the conflicts the member mentioned, there is no conflict in the actual data that is taken.

Mr. Foulds: Final supplementary, if I might: Is the minister indicating, however, that there are disagreements and conflicts about interpretation? Would he not agree that the interpretation of a report presented by the ministry is extremely important, particularly a ministry that should be there to protect the public, as the public may not have the expertise to interpret the raw data, and surely it is important—

Mr. Speaker: The question has been asked.

Mr. Foulds:—that it be done as objectively as possible?

Hon. Mr. McCague: Mr. Speaker, I believe that it is being as objective as possible and in the interest of all the people.

OHIP FRAUD CHARGES

Mr. Van Horne: A question to the Minister of Health: In the light of the charge laid against Dr. Anthony Corrigan being that of fraud, a charge that was dropped eight months after it was made, can the minister tell us why it took the OHIP office in Toronto nearly three months to provide the claims in question?

Hon. Mr. Timbrell: Offhand, no. I'll look into the matter and get the information to the member.

Mr. Van Horne: Supplementary: I would like to know if there are any other peculiar circumstances around this case which would demand that it be delayed for eight months before it was, in fact, dropped. Would the minister find that out for us too?

Hon. Mr. Timbrell: As the honourable member will know, this particular case and two others associated with it were the cause of some sensational headlines about eight months ago and it has been a rather unfortunate series of events. I will get as much information as possible relative to the member's question.

Mr. Peterson: Supplementary: Since the minister is undertaking to report back to the House on this matter with full and complete circumstances, when he does that, would he report back on who was responsible for the laying of those charges in the original instance? If he doesn't know and his ministry doesn't know, would he undertake to talk to the Attorney General (Mr. McMurtry) about this matter, which has caused such very serious hardship for this particular individual?

Hon. Mr. Timbrell: Yes.

OWEN SOUND HOSPITAL TRANSFER

Mr. Charlton: I have a question for the Minister of Health. It is our understanding regarding the transfer of MacKinnon Phillips psychiatric hospital in Owen Sound that the agreement of transfer included the condition that no existing programs would be discontinued or altered without consultation with the Ministry of Health. In the light of that, is the minister aware that the department of psychiatry at the Owen Sound General and Marine Hospital plans to or has already discontinued the free drug program for psychi-

atric outpatients, and did the hospital consult with the ministry before making this change?

Hon. Mr. Timbrell: I have had no such indication of a change in program at the Owen Sound General and Marine. I will check with our officials in the psychiatric hospitals branch in the institutional services division to see if there has been any indication from that hospital that it wants to change the program. I am sure that any changes they might wish to bring about would certainly be in the interests of the patients as well as the overall program of the hospital.

Mr. Charlton: Supplementary: When the minister is checking that out, would he also check out whether they have changed the program without consultation, and will he talk to his ministry staff about whether they still consider that program a valid program in the treatment of psychiatric outpatients?

Hon. Mr. Timbrell: Mr. Speaker, I think my answer to the earlier question answers that.

PARKWAY BELT

Mr. Stong: I have a question of the Premier. Bearing in mind the severe hardships suffered over the past five and a half years by property owners within the parkway belt west, including the loss of their right to obtain mortgages, renew mortgages, borrow from traditional lending institutions and their right under the Expropriations Act, when will the government respond to the many requests—the latest of which was from the York Region Real Estate Board—asking for financial assistance, particularly with respect to the purchase of those lands by the government at prices far below the normal market value?

Hon. Mr. Davis: Mr. Speaker, I must confess I don't recall a letter from the real estate board; that doesn't mean I didn't receive one. I don't think there has ever been any discussion that the government was going to acquire all of the land within the parkway belt west. In that a part of that parkway belt goes through an area which I know better than the area where the honourable member resides, I think some of the conditions he describes are probably not quite accurate. If a person resides within the parkway belt in a residential home there is nothing to preclude that person continuing to live there in perpetuity. There is nothing to preclude that person in terms of refinancing if it is a mortgage arrangement or if there is any existing enterprise, and this would apply to those who are in the agricultural industry. There are a number, although in a good portion of the

parkway belt in the area I know best—I think it's reasonably representative—where there have been some difficulties in terms of people who invested in that land in hopes of some increased land use and as a result they may be having some difficulty in terms of refinance. But I think in terms of—

Mr. S. Smith: With the right lawyer they might get an exemption.

Hon. Mr. Davis: The Leader of the Opposition can intervene all he wants. It's about time the Liberal Party in the province of Ontario made some determination as to where they stand with respect to the preservation and proper planning of some of the urban centres in the province of Ontario.

Mr. Mackenzie: On anything.

Hon. Mr. Davis: If those people want to say, "Do away with the parkway belt," let them have the intestinal fortitude to say so. Why don't they say so? Why don't they make this a policy?

Interjections.

Mr. S. Smith: That is a hydro corridor.

Hon. Mr. Davis: They want to write off the total escarpment, now they want to write off the parkway belt.

Interjections.

Mr. Peterson: We just want to write you off.

Hon. Mr. Davis: They want asphalt from here to 61 Main Street South.

Interjections.

An hon. member: Always ready with a lecture.

Mr. Speaker: Order. The last remarks made by the Premier were as a result of an interjection.

The member for York Centre with a supplementary.

Mr. Stong: Thank you, Mr. Speaker. We are not asking for—

Mr. Bradley: Same old gang.

Mr. Stong: —are not asking that the parkway belt be abolished. We are asking for fair treatment for the owners within the parkway belt. That's what we are asking for.

Interjections.

Mr. Bradley: Same old bunch.

Mr. Stong: And I might say, by way of supplementary—

Mr. Conway: Does the Premier know what the word means?

Mr. Stong: —is the Premier not aware that the province is offering prices for that property far below the market value? People

within the parkway belt have no other choice but to sell to the government under any circumstances.

Hon. Mr. Davis: With great respect, Mr. Speaker, that is not accurate. In cases of distress, where there is no obligation on the government of this province to acquire, the policy of the government has been in some instances, in matters of distress, to accommodate some owners in terms of their acquisition. As a matter of fact in those distress cases the province has not been offering prices well below market value. With great respect to the honourable member who asked the question, who has I am sure some knowledge of these particular situations, we could debate here all afternoon his definition and my definition of market value.

If he is going to say that market value within the parkway belt relates to the potential uses that some people anticipated for land they acquired and which in some areas—perhaps not the member's but in my own—was pure speculation in the proper sense of the word because it was zoned agricultural at the time it was acquired, then I say to the honourable member that is not market value. There is no way the taxpaying public of this province should be under any responsibility to pay for potential use when the land was already zoned as agricultural.

While there are some complexities in the parkway belt, and there have been some cases of individual hardship, by and large existing owners, if they are residential or business owners, have had the opportunity to refinance. The areas where there have been some difficulty, and I perhaps may even know of one or two in the honourable member's riding, are where on occasion certain syndicates have moved in to purchase the land for the potential value and they have had difficulty in refinancing. I can't resolve that particular problem.

Mr. Sargent: Such as Hydro.

Mr. J. Reed: Supplementary: Is the Premier not aware that the Ministry of Government Services is at present negotiating expropriation in the parkway belt on behalf of Ontario Hydro at prices very much below the 1973 market value of that property? Is he not aware also that the Ombudsman is investigating those purchases? Is he not aware that the Minister of Government Services (Mr. Henderson) has admitted in this House that it is an iniquitous situation? I don't know whether he used that word, iniquitous—

Hon. Mr. Davis: I don't want to get into a lengthy debate. I would only say to the

honourable member with respect he doesn't know what he is talking about.

Interjections.

[3:00]

Hon. Mr. Davis: He doesn't. Mr. Speaker, with great respect, you can't negotiate an expropriation. The member's colleague was asking about those cases where, on occasion, the property was being acquired by the province where there were matters of distress. If the government, or Ministry of Government Services, is acquiring property for Ontario Hydro, and the person who owns that property is not content with the evaluation, because the land then can be expropriated, they can go to the Land Compensation Board.

Mr. Sargent: It was rerouted.

Hon. Mr. Davis: There is no problem in terms of arriving at an equitable value.

Mr. Sargent: It was rerouted by Cadillac Fairview.

Hon. Mr. Davis: But that kind of owner is totally different from the kind of owner that the member's colleague was referring to. You don't negotiate an expropriation, Mr. Speaker. If there is an expropriation that constituent of the member's—and if he happens to have some he should give them a little advice—if he is not content with the offer from the Ministry of Government Services, or Ontario Hydro, suggest to his solicitor that he go to the Land Compensation Board where equity will be done if he or she is not satisfied with the offer that has been made.

Mr. J. Reed: Can the Premier assure the House?

OTTAWA HOUSING AUTHORITY

Ms. Gigantes: I have a question of the Minister of Housing. I hate to overtax him on a day when he's been carrying around cigars, but I wonder if he could give us a short and clear outline of the policy basis on which his government has, first, left a vacancy on the Ottawa Housing Authority for a year in spite of the fact that the mayor of Ottawa submitted the name of Aline Akeson as nominee, roughly a year ago? And, second, why and on what policy basis has the government finally rejected the mayor's nomination of Aline Akeson, although his government declared that the city has a right to make a nomination?

Mr. Bounsall: And a very fine person she is.

Mr. Conway: And Reuben likes her.

Hon. Mr. Bennett: It's absolutely correct that the municipality has the right to nominate an individual to the Minister of Housing to fill a vacancy on a housing authority, as has the Minister of Housing for Canada, through CMHC, the right to nominate people to fill the federal position at the whim or the pleasure of the minister.

The name was submitted some time ago by the city of Ottawa to fill a vacancy on that board, and it has been through some investigations and inquiries that the nominee came to my attention. We've had several discussions and I've talked to the mayor about this individual in question.

As a result of the investigation, which clearly indicated that with the applicant, who was a tenant in the housing portfolio of the Ottawa Housing Authority, there were some failures to disclose income on her application to acquire a public housing unit in the city of Ottawa. Those failures to disclose income obviously had a great bearing to play on the fact that her rent was less than it should have been and that this province and the municipality continued to pick up a larger portion of the subsidy than they should have. On that basis and for that reason I rejected the nomination and so advised the mayor.

Ms. Gigantes: A supplementary, Mr. Speaker: Is it not normal policy, if there is a real breach of an agreement between the tenant and the housing authority, for that breach to be followed up with charges? And when there were none in this case, on what grounds does the minister make such statements? Furthermore, is he judging the mayor of the city of Ottawa to be incompetent in supporting that nomination?

Hon. Mr. Bennett: Far be it from me to judge any member of the Ottawa city council incompetent—the mayor, the board of control or aldermen.

Mr. Warner: They judge the Minister of Housing to be incompetent.

Hon. Mr. Bennett: With their knowledge and understanding, they make recommendations or nominations to fill vacancies on the board.

Ms. Gigantes: They know everything you know and more.

Hon. Mr. Bennett: Mr. Speaker, as a result of the nomination—and I understand prior to the nomination coming to the Minister of Housing of that particular date—there was a clear indication to the minister's office that there were infractions in the particular application and for this particular party. The individual who was nominated has met with

the legal counsel of the Ottawa Housing Authority and has had an opportunity to place her case very clearly before the attorney and her attorney.

Ms. Gigantes: Why didn't the ministry prosecute? Why was there no prosecution? Because the accusations were groundless.

Hon. Mr. Bennett: I say to the member, in conclusion, obviously the tenant realized that she would be in contravention of the requirements of application—

Ms. Gigantes: They were groundless accusations.

Hon. Mr. Bennett:—and the right to be in the housing unit; and with the idea that she was more than likely going to be asked to leave the project, she left on her own.

Ms. Gigantes: They hassled her out.

Mr. Bounsall: She did too good a job, that's all.

Mr. Speaker: One final supplementary; the member for Ottawa East.

Mr. Roy: May I ask the minister, in view of his answer—

Mr. Cassidy: You're really vindictive to tenants, aren't you?

Hon. B. Stephenson: Oh, come on.

Mr. Cassidy: That's true.

Interjections.

Mr. Speaker: Order.

Mr. Cassidy: That's why public housing has been resisted by this government.

Mr. Sargent: You're a very unruly bunch over there.

Hon. B. Stephenson: Eddie is here. It's his monthly visit.

Mr. Speaker: Order. Order. There's very little time left in the question period. The member for Ottawa Centre has had his share of the question period time. Perhaps he'd allow the member for Ottawa East to place a supplementary.

Mr. Roy: Mr. Speaker, whatever happened? I woke up.

Mr. Speaker: Question.

Hon. Mr. Davis: Nice to see you here, Albert.

Mr. Roy: To the minister, by way of supplementary: In view of the fact of his earlier answer to the member for Carleton East, would he advise the House why it would take close to a year to make that decision?

Ms. Gigantes: To hassle her out.

Mr. Roy: As I understand it, the mayor had made the recommendation last June. Before deciding not to appoint Mrs. or Ms. Aline

Akeson to the position, did the minister have a conversation with the member for Ottawa West, the Minister of Energy (Mr. Baetz), who described this lady as "an articulate spokesman for the tenant and a very forth-right person"?

Ms. Gigantes: That's right.

Mr. Sargent: She wasn't a Tory.

Hon. Mr. Bennett: First of all to the member for Ottawa East, I am not quite sure how long the application had been under study, although I realized the former Minister of Housing had the application. For a number of reasons it was under review.

Ms. Gigantes: Under review because you didn't like her.

Hon. Mr. Bennett: What the member for Ottawa West has said in relation to the nominee is probably perfectly correct. But I do not find that a failure to disclose income has much to do with one's ability to be articulate.

Ms. Gigantes: That's not true.

Mr. Foulds: What proof do you have?

Hon. Mr. Bennett: Maybe she could have been a little more articulate in this case.

Interjections.

Hon. Mr. Bennett: Mr. Speaker, I heard the word vindictive. Far be it. I have spoken to the nominee myself. I have had talks with the mayor. And I can only say to the leader of the third party—

Mr. McClellan: Bring back the barber.

Hon. Mr. Bennett:—that his kind of response on the open-line program in Ottawa this morning is typical of the way he's handling most issues around here without knowing what the facts are before he starts shouting.

Mr. Speaker: The Minister of Health has the answer to a question previously asked.

Mrs. Campbell: Will the Minister of Health stand up?

Ms. Gigantes: Supplementary, Mr. Speaker?

Mr. Speaker: The Minister of Health: Do you have the answer to a question previously asked?

Hon. Mr. Timbrell: Yes, if I may.

An hon. member: Okay, teacher.

Mr. Laughren: Wake up, Dennis.

An hon. member: About the chocolate milk.

Mrs. Campbell: You were so involved, you didn't hear it.

Hon. Mr. Timbrell: That's right.

PHYSICIANS OPTING OUT OF OHIP

Hon. Mr. Timbrell: Mr. Speaker, there have been several recent questions regarding the numbers of opted-in and opted-out physicians in Ontario. In response, I would like to briefly review the recent history of this aspect of the Ontario Health Insurance Plan and to bring the members up to date on its present status.

Since a physician has six months after the date of service in which to forward claims, the exact statistics relating to the numbers of opted-in and opted-out physicians are prepared seven to eight months after services are rendered to ensure that all claims have in fact been received and processed. An examination of this data indicates that in January 1973, when statistics first became available, the total number of physicians billing the plan was 9,981. Opted-out physicians totalled 1,343 or 13.46 per cent. In the most recent month for which these statistics are available, September 1977, the percentage had dropped to 10.85 per cent or 1,243 out of the 11,452 physicians billing the plan.

A manual check of the number of physicians' letters concerning option changes received since October 1977 indicates a probable net increase in opted-out physicians of about 150 by August of this year. Of that 150, 68 have given notice since May 1. I should point out that these numbers are constantly changing because option changes are frequently rescinded either just prior to their effective date or after a month or two under the new option. For instance, I am informed that during the past two weeks five physicians rescinded earlier requests to opt out.

As the members are no doubt aware, under section 20, subsection 4 of the Health Insurance Act, physicians are required to notify the general manager of OHIP three months prior to opting out. Only one month's notice is required to opt in. Physicians are also required to notify their patients that they have opted out so they will know that they are to be billed directly.

At the present time the number of opted-out physicians is approximately 12 per cent of the total number of physicians who are billing the plan. This is still significantly lower than the percentage of opted-out physicians in January 1973. Our review to date has not shown that any of the current option changes will significantly affect the availability of choice of physicians for the citizens of Ontario.

DURHAM REGISTRY OFFICE

Mr. McKessock: I have a question for the Minister of Consumer and Commercial Relations. In view of the announced closing of the Durham registry office, the minister has supplied me with certain information, which I thank him for. There is some other information that I think would be of value to the members of this House and also the people of Ontario. That would be the list of the 25 registry offices in Ontario that it is proposed to close, according to the minister's staff announcement at a recent meeting in Durham. Could the minister supply us with this list of municipalities that would be affected?

Hon. Mr. Grossman: Yes. Immediately upon a decision being taken to close any or all of those offices, I will inform the House directly.

Mr. M. N. Davison: Supplementary: Could the minister tell the House whether or not he will meet with the County of Grey Law Association to discuss an impact study they have done, because the minister didn't do one, that shows that while the proposed move by this government will save 75 cents per registration, it will cost the people of the area \$37.42 per visit to the office? Will the minister meet with that association and discuss their brief and, in the light of their brief, reconsider his position?

Hon. Mr. Grossman: As I am sure the member knows, I have met with any and all people from the Durham and Grey region who have wanted to meet with me, including the delegation brought in by the member for Grey last week, among which I believe were representatives of all the elected councils of municipalities in the area. As I think I have already informed the County of Grey Law Association, I would be happy to meet with them as well to hear everything they have to say.

Mr. Breithaupt: Supplementary: Since the minister's estimates are not likely to come before the committee for review of this or other matters until the fall and since this office will be closed by then, will the minister assure the House that before the House adjourns later in June he will have a statement as to his plans with respect to these other offices so they will not be closed without the opportunity of having the matter fully discussed during the minister's estimates?

Hon. Mr. Grossman: I believe we are now at the stage of giving active consideration, but have no final plans, with regard to one or two offices only.

Mr. Conway: There'll be a lot of Tories looking for work.

Hon. Mr. Davis: They are non-political appointments.

Hon. Mr. Grossman: If any decision is taken with regard to those or two other offices before the House rises, I will follow the procedure the member has laid out. Other than that, I would think that by the time my estimates come on we will be able to discuss it more fully. But no further closures, other than those I disclose to the House and provide details for, will occur before the House rises this spring.

QUEBEC POLICY ON CONSTRUCTION HIRING

Mr. Samis: I have a question of the Premier regarding last week's tête-à-tête with Mr. Levesque. In the absence of any concrete agreement last week regarding the problem with Quebec over Ontario construction workers and in the absence of any stated intention by Premier Levesque to modify the regulations coming into effect on July 1, could the Premier tell the House what realistic hopes he has in regard to reaching a concrete and meaningful settlement before July 1? In answering, could the Premier keep in mind that negotiations on this general topic have been going on for at least six or seven years and that the people of eastern Ontario are fed up with promises and lack of action?

Mr. Conway: Make the member for Carleton (Mr. Handleman) ambassador.

Hon. Mr. Davis: It is hard to measure one's degrees of optimism. However, I was encouraged, if I can phrase it that way, with—

Mr. Conway: Sidney's speech.

Hon. Mr. Davis: —Mr. Levesque's response and the public communicate that was issued after our informal discussion, where he supported the principle of the mobility of construction workers as between the province of Quebec and the province of Ontario. Premier Levesque is fully aware that their regulation comes into effect on July 1 and we also are fully aware of it.

During the course of our meetings he had discussions with his own Minister of Labour. I have his assurance that his Minister of Labour, Dr. Johnson, will be meeting with the very excellent Minister of Labour from the province of Ontario (B. Stephenson)—

[3:35]

Interjection.

Hon. Mr. Davis: —and I am relatively optimistic that some form of solution can be found.

While some of this had been going on, perhaps the actual implication of this arose—I'm sure the honourable member is aware—from the Cliche commission report. I'm in no way defending the effect of the regulation. It was done by the government of Quebec, as explained by the Premier, to rationalize the construction industry within that province. It has had the effect, but it was not intended, of discriminating against construction workers from this province. Of that fact, I have his assurance.

The government is quite aware as to the deadline of July 1. I will report to the House, or the Minister of Labour will, as to the progress that is being made in our discussions. Hopefully we will have some form of resolution before the effect of that regulation takes place.

PETITION

HUDAC PROGRAM

Mr. McClellan: I beg leave to introduce a petition which is signed by 325 persons who had the misfortune to buy homes from Pastoria Holdings Limited or associated companies.

The petition reads as follows: To the Lieutenant Governor and the Legislative Assembly:

Whereas all efforts to obtain justice have been rebuffed by Ontario government officials, including Premier Davis, we, the undersigned, petition as follows:

1. That a committee of this assembly consider whether those of us experiencing problems have been justly treated, and redress our grievance or, alternatively, refer the matter to the Ombudsman for investigation and recommendations;

2. That the HUDAC home warranty program be revised so that companies convicted of false or misleading advertising are automatically deregistered from the HUDAC scheme;

3. That section 81 of Bill 94/76 be enforced to exclude companies with a public record of substandard construction practices;

4. That the number of provincial appointees to the board of directors of the HUDAC home warranty program be increased to a majority of the members;

5. That the Ombudsman Act be amended to bring the HUDAC home warranty program within the jurisdiction of the Ombudsman.

MOTION

SOLICITOR GENERAL'S ESTIMATES

Hon. Mr. Welch moved that the time for consideration of the estimates of the Solicitor General be increased by two hours.

Motion agreed to.

INTRODUCTION OF BILLS

PROGRAM COST DISCLOSURE ACT

Mr. Van Horne moved first reading of Bill 101, An Act to provide for the Disclosure of Information Relating to the Cost of Government Programs.

Motion agreed to.

Mr. Van Horne: The purpose of this bill is to provide for the public disclosure of the cost information upon which the decisions to undertake certain government programs are based.

The bill requires that the estimated total cost of each program be disclosed and provides for additional scrutiny of program operations if the estimated cost is exceeded.

RETAIL BUSINESS HOURS ACT

Mr. Ziemba moved first reading of Bill 102, An Act to regulate Hours of Operation of Retail Businesses.

Motion agreed to.

Mr. Ziemba: Mr. Speaker, this bill complements the Retail Business Holidays Act, which was passed in 1975. The purpose of this bill is to provide for maximum hours of operation of retail businesses in Ontario. It would remove hours of operation as an advertising tool.

ANSWERS TO QUESTIONS ON
NOTICE PAPER

Hon. Mr. Welch: Mr. Speaker, before the orders of the day, I wish to table the answers to questions 54, 55 and 59 standing on the notice paper. (See appendix page 2977.)

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Perhaps I might just take this opportunity to say that, although the order of business was indicated last Thursday, I hope it's still understood that no matter where we are at 6 o'clock, when we break for supper, at 8 o'clock we will do Bills 85 and 95 first and then return to where we have left off at 6 o'clock with respect to the other legislation.

ORDERS OF THE DAY

CROWN TIMBER AMENDMENT ACT

Hon. F. S. Miller moved second reading of Bill 35, An Act to amend the Crown Timber Act.

Mr. Speaker: Does the minister have an opening statement?

Hon. F. S. Miller: Yes, Mr. Speaker, a very brief one. I did read a statement the day the bill was given first reading. That statement still stands. I do, however, have two amendments to the bill, and I believe these have been given to the opposition for their consideration. We will be moving, with their permission, to committee of the whole House after the debate in principle.

Mr. T. P. Reid: Mr. Speaker, I was somewhat surprised when I arrived at my office this morning—well before 8 o'clock, of course—to find the amendments that will be moved in committee. I thought I'd get that on the record. The rest is downhill.

I was surprised and happy to see the amendment which will allow the minister "to enter into agreements with a licensee for the promotion and maintenance of the productivity of the licensed area by establishing, regenerating and tending forests and employing silvicultural cutting systems to regenerate forests." I think this is as important as, if not more important than, what is in the original bill without this amendment.

I intend to address myself primarily, I suppose, to that aspect of the bill. I presume, Mr. Speaker, that would not be out of line or out of order at this time. The Speaker nods that it is not.

Hon. F. S. Miller: Even if it were not, you would have.

Mr. T. P. Reid: The Deputy Speaker, who is now in the chair, has quite a woodlot of his own.

There are two major thrusts in Bill 35, An Act to amend the Crown Timber Act. One deals with the changes in the collection of revenues from the timber industry in regard to crown dues and what the minister in his bill now euphemistically calls "area charges." The second, of course, which I have just read into the record and did so deliberately so that we would all have the benefit of that, is the ability of the minister to transfer the responsibility of managing the forests, including the important aspect of regeneration, which allows the minister to make agreements with the various timber companies in the province to do so.

This particular aspect is rather significant because, in the history of Ontario, the respon-

sibility for regenerating the province's timber lands has bounced back and forth between the crown or the Department of Lands and Forests, now the Ministry of Natural Resources, and private industry and the act was last changed in 1962 I believe, the minister nods yes, to give the responsibility for the regeneration of crown timber in the province of Ontario back to the crown.

Now we see a good liberal approach to the whole matter, not saying bluntly that the whole industry must look after regeneration because obviously there will be some companies that do not have the expertise or the desire to do so, but allowing the minister to make agreements with various companies to go ahead and do their regeneration, I would presume, under the guidance or at least the watchful eye of the minister. It should be on the record that about 12 large companies control at least 75 or 80 per cent of the crown timber of the province.

As usual, the bill is not specific as to how these things will be arrived at. No doubt, we will have a slew of regulations which will lay these matters out, and which we will find years hence did not answer the questions we may have put.

It is a continual bugbear with me that we debate legislation in which a lot of what we are doing here, particularly the most important aspects, often turns up in regulation which does not come before the House. In any case, we applaud the move to allow the minister to make agreements with the companies for the regeneration and tendering and management of the forest.

There have been some experiments going on and if the truth were known, which hopefully it will be this afternoon, the minister has *de facto* if not *de jure*—

Mr. Nixon: Got that Frank? Which are you?

Mr. T. P. Reid: With that bow tie on, it is hard to tell.

The minister has been operating along these lines. I understand he has had some agreements, or there has been some closer collaboration between his ministry and the timber companies around Thunder Bay for instance, in carrying out agreements for regeneration and general crown management.

I have a question, I am concerned about the aspects of how this will be done, who will be involved. It is obvious from the wording of the amendment this is something that is not mandatory. It is—what is the word, Robert, if it allows something to happen?—permissive legislation rather than mandatory.

Hon. F. S. Miller: It is beyond your vocabulary.

Mr. T. P. Reid: That's true, it has more than two syllables in it. This is permissive legislation and I wonder how much of the crown land in the province is going to be served in this manner. We went into this during the minister's estimates to some degree, but I would like to know the amounts and volumes of regeneration that will be done.

I have argued with various Ministers of Natural Resources over the years that we have a backlog of something like two million acres which is, if I may use another word over which I will stumble, a conservative figure.

Mr. Nixon: Anyone would stumble over that.

Mr. T. P. Reid: That is based on the allowable cut we have had for the last 10 years and it has not been regenerated.

Mr. Wildman: True, blue conservative.

Mr. T. P. Reid: Consider that between 1970 and 1975 we had such large and extensive forest fires that we probably lost another million to a million and a half acres. The figure we are behind in regenerating probably falls in the range of four and five million acres. I wonder if the minister could indicate today the scope of the program and whether or not we have arrived only at the stage where he requires the authority to enter into agreements with individual companies.

[3:30]

I would like to speak about the second matter arising in Bill 35, that dealing with the crown dues and the area charge as it is now called. It is pointed out that the area charge will now take under its umbrella the fire charge and the management charge, which have been two separate items, but which came to about \$27 per square mile in charges.

On top of that, of course, the timber industry has to pay stumpage dues, which also includes their bid and bonus costs. I have a question on that, if I may ask the minister at this time, because we won't have another opportunity.

If one looks at the timber revenue distribution for the fiscal year 1972 through 1976-77, the tenure charges of \$26.60 per productive square mile of timber ranged from \$2,071,000 in the year 1972-73, increasing in 1973 and 1974 to \$2,597,000 in 1975. And yet in 1976-77, according to the annual report of the Ministry of Natural Resources, the tenure charges were \$1,884,000; which is the only year in those five years that those tenure charges fell.

I wonder if the minister can give us an explanation why that should be, particularly

when the stumpage charges show an increase from \$15,803,000 in 1972-73 through 1973, 1974 and 1975 to \$26,788,000 in 1976-77? There seems to be an anomaly there that the stumpage, which is based on the actual timber cut, should have increased fairly dramatically, especially between 1975-76 and 1976-77, while the tenure charges dropped rather dramatically in that same period of time.

We have no quarrel with—in fact, we will support the idea—the area charges; that certainly makes sense. The Ontario Forest Industries Association response to the report of the timber revenue task force indicated they thought these costs were expensive. If I recall correctly, the minister plans on increasing the area charges. As of April 1 of this year they will be \$41.40, increasing at an approximate average of 10 per cent per year for the next four years. I presume that approximate 10 per cent is to bring the charges to the \$56 plus that was recommended, I believe, in the revenue task force report.

I see nothing drastically wrong in that, particularly in view of the fact that the cost of managing the forests by the ministry and the cost of fire protection is rather heavy. If we follow through the Treasurer's concept of the user pays, I think it is a charge that should rightly fall on the industry.

However, I do wonder about the moving average in regard to the stumpage cost that is going to be based on the commodity index of the product that is being made out of the timber. You are talking about a three-month moving average over a five-year period. Now the forest industry association has pointed out in its brief its concern that while looking at the gross revenue figures based on the commodity price index, the concomitant costs of labour, transportation, fuel, energy, and the whole business might very well have risen more drastically in that period of time than could be dealt with on a reasonable basis by this sliding average.

It seems to me that we can't do everything for the timber industry. I think I would agree with Ken Armson and his report that the best we can do for the timber industry, and the thrust we should be making, is to give them as much stability in their industry as possible in that they should know in advance what their costs are going to be. Because the revenue coming into provincial coffers is only a matter of maybe six or eight per cent of the total cost to the industry, it's not going to be that much of a gross distortion on their figures in a five-year plan; nor would I think, because it is one of their smaller costs, that is it going to change that much. In fact, they

are going to have the foreknowledge they want so that they can make their plans.

As I say, we're in favour of what is in both sections of this bill. There are some other minor amendments that we'll talk about when we're discussing the bill in committee. I am surprised, however, as I said, that on my desk this morning should be the amendment relating to the ability of the minister to enter into agreements in regard to management and regeneration with the various companies. I had hoped that the minister might have come to the Legislature with a much fuller and complete bill in the first place, because I would presume, based on some of the very excellent reports he's had in the last few years, he is going to come to us again, probably within a six or nine-month period, with some more rather substantial amendments to the Crown Timber Act. The minister shakes his head.

I appreciate that he wants to get these into effect by April 1 or as close thereto as possible so that he can conform with what is already in the bill and get it on the road. I would have hoped that we might have had a more comprehensive bill in terms of dealing with the many problems besetting the industry today. I would have hoped there might have been something in the bill, perhaps discussing at some greater length land tenure for timber companies and so on. I would have hoped there might have been some amendments to that section dealing with section 19 of the present act dealing with wastage in our forest resources and so on.

However, we will support the bill. We see it as a step forward in the forest industry in the province.

Mr. Foulds: We have just come through a lengthy discussion in the estimates of this ministry with regard to reforestation and regeneration generally. I don't think I need to get into that in detail. However, I wanted to make this one observation and repeat it. I would hope that the minister would have had an amendment to this act that would have committed him to a sustained yield objective, and have that embodied in legislation. I know he is working towards that within his ministry, but I think it would be a powerful incentive to the minister, the ministry and to whomever would follow him if that were actually embodied in the legislation.

I don't think that it guarantees such an objective. You cannot by a piece of legislation automatically ensure that we are going to achieve a sustained yield. I think that in a parallel situation mandatory special educa-

tion being a powerful incentive to that becoming a reality in the province, a legislative commitment to sustain yields in our most precious renewable resource, our forests, would be a powerful incentive to obtain that objective.

The bill before us presents the New Democratic Party with somewhat of a dilemma. We are in agreement with what the minister is doing in the bill and in the amendment, which amounted to a new bill, in fact, that we received this morning.

Mr. T. P. Reid: That's right.

Mr. Foulds: We are in agreement with what he is trying to achieve. We think the objectives, the aims and objectives are valid.

However, we do disagree with what was referred to briefly by the member for Rainy River and that is the method by which the fees, the levies, whatever you have, are eternally assessed by regulation. I will be speaking to that point in a few minutes.

I think that no one really would object to the amalgamation of the management charge and the forest protection charge. I think in principle forest protection is really part of a management plan of an area. In fact, the reverse, the technique of prescribed burn, is part of a management plan for an area. So I don't think anyone really objects to the amalgamation of the fees, although it is kind of interesting that the proportion is so disparate. The management fee, which one would think would be the larger fee if one were to manage our forest resources properly, is the smaller fee. At the present time it is \$2 and the forest protection charge is \$25.60.

I think if we were to emphasize the management unit and the unit forester, the management charge might be somewhat more and the forest protection charge somewhat less. Perhaps proper management, i.e. the culling of overmature trees at the right time could lead to a lessening of the requirements for fire protection. I could be wrong there. I know that you always have to spend more to put out a fire, to meet a crisis situation, than you do on day to day management. It would seem to me that in planning ahead, the management charge would be worthy of a little bit more than the \$2.50 I believe it is now going to be.

Anyway, the amalgamated fee is a good idea and it would, I gather therefore, allow some flexibility and proportioning of the expenditure of those.

Secondly, we in the New Democratic Party approve of the increase the minister mentioned in his statement when he introduced the bill on first reading. It amounts to a

fairly sizeable increase in one fell swoop—50 per cent—an increase from \$27.60 per square mile of productive forest land to \$41.40 per square mile. We feel, and obviously the minister and his people feel, that is a legitimate level to be requiring of the companies who benefit from the timber to return to the people of Ontario.

Thirdly, we agree with the minister's stated aim of increasing that at approximately 10 per cent per year for a four-year period.

Fourthly, we agree that there should be, as is indicated in the bill, a one per cent per month compounded interest charge on overdue invoices for crown charges.

[3:45]

Finally, we think it makes good sense to establish a system of crown charges that have some flexibility so that it can be responsive to the market and to the cyclical nature of the forest industry. Therefore, we agree with the idea that those charges should be tied or indexed to the selling indices of the products from the timber.

We are supporting the bill on second reading, because what the minister wants to achieve is laudable and worthwhile as it pertains to the Crown Timber Act. However, we have very serious reservations about all of this being done through regulation. Some time ago, we fought a tremendous battle in this Legislature over other fees—taxes if you like—that were assessed by regulation. Those were the OHIP fee increases. I can only say we feel, in principle, that far too much of the revenue accruing to the province, to the crown, is done through regulation; and the amount is increasing.

I placed a question on the order paper some time ago and the Treasurer answered the question. The question was that the ministry list the amount of revenue received in fees, premiums, royalties, taxes, et cetera, that are established by regulation. The regulated revenue sources represented 9.7 per cent in consolidated revenue in 1974-75, 10 per cent in 1975-76, 11.4 per cent in 1976-77 and 11.6 per cent in 1977-78. You will see that it is steadily increasing and that one-tenth of our budget now comes in this way.

Let's you think that I'm straying from the principle of the bill, Mr. Speaker, I draw to your attention that the most fundamental section of the bill is section 4. Section 4 strikes from the original act three clauses in section 51, the section that allows the Lieutenant Governor in Council to make regulations. So, in many ways, the basic principle of this bill is not what the minister is

trying to achieve but how he is trying to achieve it.

We feel very strongly that wherever possible the taxation that is levied in the province whether it is against the private sector, against individuals, or against companies, should be up and above-board, and that we in this Legislature should have a chance to speak to that. We see no reason why these charges, as proposed in the minister's statement as a result of this bill, should not be set by legislation annually as part of the economic strategy that the Treasurer lays out in his budget. Therefore, we intend to support everything that the minister is proposing, but we are requesting that it be done through legislation.

In other words, we approve of what the minister is doing and we are therefore supporting the bill on second reading. However, we disagree with the increasing tendency to administer the fundamental economic affairs of the province through regulation. It is time, in our view, to open up the province's economic books to the people of the province. Therefore, we will be proposing—and I have circulated this to the other two parties—a proposed amendment to section 4 of the bill which we will introduce at the appropriate time.

I won't read all of that amendment at the present time. What we have done is take the wording from section 4 in the present bill and we have said that clauses (c), (d) and (e) of section 51 of the act are repealed and subsequent clauses numbered appropriately and the following substituted therefor: "The minister shall immediately following the annual presentation of the Treasurer's budget, introduce legislation (a) fixing the amount of area charge" and so on, and then simply repeating what is in the bill that he is hoping to do by regulation.

It may well be that I have not nearly hit upon the exact way of doing what the minister hopes to do. There may be the necessity to compromise on one or two areas if there are genuine economic administrative difficulties with what I am proposing. However, I think that the argument has to be more powerful than merely saying it's more convenient to administer through regulation. I think the argument has to be that it is impossible, and if the minister can make some proof of argument that it is impossible to achieve what he wants to achieve through legislation, maybe we can come to a compromise of part regulation and part legislation.

But I would certainly feel very strongly that if there is any adjustment in the fee

other than the indexing, that it come to the Legislature. This may be one of those rare chances that we actually have to regain through the Legislature the taxation authority that the Legislature in fact should have—the approval for that taxation authority. So much of it has been alienated during 30 years of majority government that in fact the Legislature has often forgotten that it's there as the ultimate responsibility for approval or disapproval of fiscal policies; and so many of our fiscal policies, whether it's through OHIP fees or through pricing at the LCBO or through crown timber fees or tenure charges, we have lost entire control of in this Legislature. It seems to me that we should make every effort as legislators to regain that through the Legislature. We have an opportunity to do that with this bill. Therefore we will, of course, be delighted to have the bill sent to committee.

My understanding was that we wouldn't be going to committee immediately upon completion of second reading but at some future time. We would be delighted to have the give and take with the minister to get some genuine answers to the concerns that he may have about attitudes, and vice versa. In committee stage, in fact, the opposition can answer questions—unlike question period—and that might be a most enjoyable participation.

However, basically, we feel that democracy will be better served. We feel that the Legislature will be better served. We feel that the people of Ontario will be better served by having this particular revenue which is simply another kind of tax, if you like, another kind of royalty or fee or whatever you want to call it, opened up for annual review by the legislative process; and in that regard, I note that there is only one member of the Liberal Party in the House at the present time. Two, sorry, I apologize. But the spokesman for that party indicated they had objections to the regulations.

Mr. J. Reed: It will help to raise the quality of the debate.

Mr. Foulds: The quality of the present sitting Liberal member for Halton-Burlington (Mr. J. Reed) is unquestioned. It makes up for the absence of all of his colleagues.

Mr. J. Reed: You have made my day.

Mr. Foulds: Now, that's only on a relative or comparative basis, Mr. Speaker. I don't want it to go to his head.

Mr. Deputy Speaker: Now, back to the bill.

Mr. Foulds: But, in fact, the leadoff speaker for the Liberal Party, the member for Rainy River (Mr. T. P. Reid), had indicated their

concern about the administering of these charges through regulation. I would, therefore, plead with the Liberal Party—they have had copies circulated to them of the amendments I'm proposing—to support our amendment so that we can regain in the Legislature the authority over taxation that we are in danger time and time again of losing through regulation.

Hon. F. S. Miller: I understand my mike hasn't been on. It's an indication of the quality of the debate for the last five minutes.

Mr. Foulds: Can I get up on a point of privilege on that?

Hon. F. S. Miller: It's what one could call a soporific talk.

I appreciate the willingness of the two opposition parties to permit my amendment, the one dealing with the right to enter into an agreement with licensees. I quite honestly admit it did not follow the principles of the bill when first introduced. They could have challenged it and claimed I should have to introduce it as a separate bill.

Admittedly, it changes the basic act. We had reached a point in our negotiations with a number of companies where that kind of power was needed quite quickly.

Mr. T. P. Reid: When the minister does something reasonable, we support it.

Hon. F. S. Miller: That is why I found both members speaking in agreement with my bill today. How could I be anything but reasonable?

Mr. Foulds: The minister has tried so hard to succeed very often.

Hon. F. S. Miller: I hope to have changes in the bill itself as time goes on, such as has been suggested. Because we were dealing with one limited aspect this year, we felt we should just bring in those amendments that are before the House. After we've had some chance to respond to the Thunder Bay conference and the thoughts that came up there, we may have changes, such as the one suggested by the member for Port Arthur, where he mentioned putting sustained yield into legislation.

It's my objective to have sustained yield and, if signalling it in legislation gives both the program and the people preparing and carrying out the program the necessary incentive, then I'll be delighted.

Mr. T. P. Reid: It would be part of the agreement between the ministry and the company.

Hon. F. S. Miller: The member for Rainy River pointed out that the part in the extra amendment I'm proposing talks about per-

missiveness. The agreements are permissive. I would point out that the terms that will be used will probably be spelled out in contracts with the companies, not necessarily in large volumes of regulations. This would allow me to enter into agreements with the companies.

Mr. T. P. Reid: I thought so. It might as well be between friends at table.

Mr. Deputy Speaker: Order. The member for Rainy River has already had his chance to speak. This is not question period.

Hon. F. S. Miller: What I like is a firm, impartial Speaker.

The charges we addressed in the first form of the bill, particularly the area charges, really haven't been changed since 1968. Therefore, the 50 per cent increase, a large figure in relative terms, has to be taken in perspective. Since 1968, one could easily argue we could have justified a doubling of the charge. I'd like to point out that the area charge is important as a distinct part of the revenue because I hope it will have an effect upon companies which might be holding in licensed form lands in excess of their needs. They simply can't hold on to them without some cost.

The breakdown between management and fire costs is purely academic. Last year we had \$21 million in the basic budget for our enhancement program for fire protection. I believe we spent extra money in addition to that. Yet, as you point out, the revenues are in the range of \$2 million from the area charge so one can easily see they are by no means the true costs of management and fire. In fact, I think we discussed in the estimates that direct revenues don't equal direct costs. We recognize that, too.

[4:00]

I couldn't answer the questions the member for Rainy River has addressed to me concerning the variations in the area charge since those charges have remained constant. I will try to get the acreages or square miles for which we made charges and give them to him while we're in committee, so I could explain that.

I do believe the owners of the resource have the right to participate in the increased value of the resource. Therefore, I felt the indexing was justified, just as I feel that if things get tough, there is every reason to have an automatic clause to lower our costs.

While our share is between, I think he said, six and eight per cent of the costs, that's usually of the cost of the wood at the mill, not of the manufactured product leaving the mill. In fact, in the pulp industry I'm told

that the crown dues are probably closer to one and a half per cent, or thereabouts, of the total value of the manufactured product. I think one would have to look at that and say, therefore, an increase of something under five per cent, which we're estimating, in crown dues this year will not materially affect their competitiveness.

However, it will leave us with a varying charge, one not subject to a 15-year or a 10-year variation. If one looks back across our history of making discreet changes, it is one of prolonged lapses in between, going back to 1917 when the charges were introduced.

I will save my comments on the question of regulations versus statutes, because we will have time to debate that when we're in committee, save to say perhaps one should look at tradition and see the type of amendment you have proposed doesn't fit in with the principles of our bills in the past. I will, I hope, have some data to back that up when I'm in committee, but my legal counsel assures me that it has not been traditional to introduce the kind of automatic requirement to produce legislation annually following the Treasurer's budget.

Secondly, while it is true many things are relegated to regulation, when one looks at the time of this House and the problems of getting through even the legislation it is faced with in today's complex world, I wonder where, in committee or in the House in the whole, we would ever have the time to deal with the many, many volumes of things coming through in the regulatory sense.

Mr. Foulds: We have a committee.

Mr. Nixon: We do legislation two hours a week.

Hon. F. S. Miller: We would be glad to discuss that with you.

Mr. Foulds: So would we.

Mr. Nixon: What is the big backlog? You've got nothing on the order paper here that is pushing at all. What kind of an argument is that?

Mr. Deputy Speaker: Order.

Mr. Nixon: Boy, this government hasn't got a legislative program at all. Sorry, go ahead, but don't give us the impression we're jammed up with legislation.

Mr. Foulds: We bring in every tax bill with the budget.

Mr. Deputy Speaker: Order. Would the honourable minister continue?

Hon. F. S. Miller: I had a whole series of thoughts flowing through my head, Mr. Speaker.

Mr. Nixon: Now they are gone.

Mr. T. P. Reid: Unfortunately they get stopped in your mouth.

Hon. F. S. Miller: They've gone down the river of time, bubbling along, but it's one of those few days that my common sense overruled my tongue. It doesn't in my dress.

Mr. T. P. Reid: That is almost daily.

Mr. Foulds: That was just your bow tie that got in the way.

Hon. F. S. Miller: To say to the member for Port Arthur that is would be impossible to accept his procedures from an administrative point of view would not be true. Costly in terms of time and perhaps in dollars, yes. I have to argue that in the British system of government the responsibility does rest with the government overall. We feel we should retain that system and keep the amendments brought before the House to those needed to reflect principles rather than detail.

That's all, Mr. Speaker. I would like to—

Mr. Foulds: No taxation without legislation.

Mr. T. P. Reid: Can I ask a question of the minister?

Mr. Deputy Speaker: It really isn't the appropriate time.

Hon. F. S. Miller: I always try to be reasonable.

Mr. T. P. Reid: I appreciate that. Is it the minister's intention to table the contracts he enters into with various timber companies for a regeneration and management contract in the House when they are signed and completed?

Hon. F. S. Miller: No, my thinking hasn't gone that far. I have no objection to tabling them providing I am not offering competitive information to other members of the industry. I don't think I would be and therefore off the top of my head, I would have no objection. But if in fact we enter into agreements which are, like many contracts, of a confidential nature, I might have some difficulty. I could get some advice at that time as to whether or not I would be breaching the confidentiality of one company versus another.

However, the amendment you are giving us permission to introduce would come a long way towards allowing us to sign certain agreements, particularly on things like modified harvest methods and so on.

Motion agreed to.

Ordered for committee of the whole House.

ONTARIO STUDENT HOUSING CORPORATION ACT

Hon. Mr. Bennett moved second reading of Bill 90, An Act respecting the Ontario Student Housing Corporation.

Mr. Deputy Speaker: Does the honourable minister have an opening statement?

Hon. Mr. Bennett: No, Mr. Speaker, I think all the remarks in relationship to the necessity of the bill were made at the time of its introduction back on May 18. This clearly outlined the number of units at present under the student housing corporation; there are 2,700 single or for married couples, and 9,500 bed units supplied by the Ontario Student Housing Corporation. I might only add that at this moment the same members of the Ontario Housing Corporation also constitute the board of the Ontario Student Housing Corporation. So we are putting it together to clear up one agency.

Mr. Hall: The bill seems to be just a tidying-up affair as far as I'm concerned. I have been given to understand there have been no new units built since 1974 and primarily it is an attempt to consolidate a relatively static organization under the umbrella of a relatively identical organization. At any rate, our research people have checked with the Ontario Federation of Students and were given to understand that so long as the shift would have no adverse effect on students currently living in OSHC units, they are not aware of any problems that might be created.

I would only ask the minister, if he has not already checked on this matter, to make certain and commit to the House there would be no adverse effects on those already occupying the units. Other than that, we can support this minor housekeeping change.

Mr. Duszta: The NDP does not so much support the bill, as not oppose it. It may be a play on words but how can we oppose the bill and how can we oppose transferring a corporation like OSHC to OHC, since that particular group has done absolutely nothing in the last three years?

The need for student housing has not changed, but as Mr. Hall has pointed out no new units have been built since 1974. There has not been a report since 1976. There is only a group in the ministry which in the past has attempted to co-operate with the universities in terms of development, in producing some kind of a program for building housing. The whole idea of the

last three years has been an absurdity. An absurdity because the government has in fact moved to remove themselves from any intervention needed in student housing.

If you move that non-existent group, which already has been consigned to oblivion, to another group like OHC which is, according to all information, consigned to oblivion by the government, we accomplish absolutely nothing. I hope Mr. Hall is quite right and that the minister will think seriously in terms of the need for student buildings. However, I don't believe that it will be accomplished in the Ontario Housing Corporation, because we have had all those intimations that they are not going to do any more building and haven't done any much-needed building for people generally in Ontario, to start with. What can I say, except that I agree: we go from nothing to nothing. As they say in Poland, "Z pustego w próżne"; from empty into a void.

Mrs. Campbell: Mr. Speaker, I would just like to ask a question: I would like to know, if this transfer takes place, will it then automatically become in Metro Toronto, for example, part of the package, which is moving to Metro?

Hon. Mr. Bennett: Mr. Speaker, I'd make it very clear to the member for Lincoln that there will be no adverse effects on the student population—

Mr. McClellan: Will there be any beneficial effects?

Hon. Mr. Bennett:—and there will be no adverse effects on those who are currently employed in the maintenance and management of those structures. It is a matter of transferring the assets over to the Ontario Housing Corporation.

To answer the question of the member for St. George, that will be part of the discussion that will take place at some later date with the Toronto people as to how the overall housing package in this community, particularly in Toronto, will be handled. It is one of the areas that will come under rather close scrutiny in the next several months with the social planning committee in Metropolitan Toronto and indeed with my meetings with the chairman of Metro to see how they wish this portion of it handled.

The member for Parkdale couldn't oppose the bill—I am not saying he is supporting it—and he went on to say that we have not been providing housing for students since 1974; which is absolutely correct. The fact is that Ontario Housing and the Ontario Student Housing Corporation have responded to requests for housing by universities or com-

munities. Since there have been no requests from universities or communities for further student housing, it wouldn't seem very logical that the Ontario Student Housing Corporation should impose itself upon a community which has a responsibility to pick up a portion of the loss factor in the operation of the structures. Clearly, with the student population going down, it would also seem to indicate to us that the need for more student housing accommodation does not exist at this time.

In closing, I say the bill will tidy up the situation and will put all the assets and management control in the hands of the Ontario Housing Corporation. To answer once again the member for St. George's point, at some later date it could very well see it transferred into the package of the housing authorities across Ontario, including Toronto.

Motion agreed to.

Ordered for third reading.

BUILDING CODE AMENDMENT ACT

Mr. Pope, on behalf of Hon. Mr. Grossman, moved second reading of Bill 91, An Act to amend the Building Code Act, 1974.

Mr. Acting Speaker: Does the parliamentary assistant have an opening statement?

Mr. Pope: No, Mr. Speaker.

Mrs. Campbell: Doesn't anybody know anything about the bill?

Mr. Breithaupt: Mr. Speaker, the only item in this bill that is of particular interest to me is with respect to the matter of the Ontario New Home Warranties Plan Act and the comment made that any builder defined under that act and who is not registered under that act would no longer be able to receive a building permit. I presume, from the notes in the explanation, that should have had added to it the following words "on a new home." In other words, the whole permit structure is one that allows for a variety of permits for a variety of purposes. I would expect then that only a new home is the area in which this requirement for definition actually relates.

The other items deal with some particular changes concerning the activities and opportunities for decision to be made by the chief official or the inspector, however that person is defined in the various communities. It would seem to me that the other items are really of a housekeeping nature.

[4:15]

If the parliamentary assistant is able to explain this point I have raised concerning the warranty plan situation with respect to

a builder, I would think that we can deal with the bill quite promptly and we would support it.

Mr. M. N. Davison: It's perhaps unfortunate that the Minister of Consumer and Commercial Relations (Mr. Grossman) isn't able to be with us today.

Mr. McClellan: He's at the ball park, drinking beer.

Mr. M. N. Davison: That's meant as no adverse comment on his fine parliamentary assistant. I say that because there are some very difficult matters related to this bill and some sections that are less than clear to which we have to address ourselves.

By and large, the bill meets with the approval of the New Democratic caucus. We will, therefore, be supporting it on second reading.

We do, however, have some very serious reservations about a couple of aspects of the bill. If the parliamentary assistant, in the absence of the minister, is not able to respond to those concerns it would appear that it will be necessary for our party, during committee stage, to move amendments to the legislation to seek the clarification we require.

I understand that an arrangement has been made that this bill will not proceed to the committee stage today. So if it does become necessary for my party to offer amendments to this bill there will be some time for us to circulate those proposed amendments to the minister or the parliamentary assistant and to the critic from the official opposition, and we will do so.

A number of the amendments proposed in the bill are quite simply housekeeping measures, and as far as those are concerned we have no great difficulty with any of them. There are four major changes. Of the four we find ourselves quite able and willing to support two of them.

The first is the question of the fines levied upon conviction being paid to the municipality concerned, not to the provincial Treasurer—that is meant as no reflection on the way in which the Treasurer spends his money—and we think that's a worthwhile approach. We can also agree with the other major amendment which provides for the building official to designate certain areas of buildings which must be kept open until inspection. If he should arrive at the scene and find that those sections of the building are closed, he can order them opened up again at the builder's expense. That also meets with our approval.

The other two major changes present something of a problem. The third major change is the extension of the time for which charges for contravention can be laid under the act. That has been extended from six months to one year. We realize that is the appropriate direction to take, but we really can't see a very good reason why we couldn't extend that period longer. Perhaps two years would be a more suitable length of time. Unless the parliamentary assistant has a fairly clear, reasonable and sensible argument to make for one year as opposed to two years, I would suspect our caucus will put forward an amendment to extend that period further than the one suggested by this bill.

The other area is the question of the municipal chief official being empowered to refuse the issuance of a building permit where a builder of a residence is not registered under the Ontario New Home Warranties Plan Act. That was the matter that was referred to earlier in this debate by the critic for the official opposition. The concern I have deals by and large with those people who would find themselves unable to purchase a new home because of the incapacity of this government to provide affordable housing for its citizens who are then forced to build their own home in an effort to obtain such accommodation for their families.

As I understand the intent of this change to the act—and I really hope I'm wrong—it implies that while an individual would still be a builder by the definition of the Ontario New Home Warranties Plan Act, that is "a person who undertakes the performance of all the work and the supply of all the materials necessary to construct a completed home whether for the purpose of sale by himself or under a contract with a vendor or owner," that individual by my understanding would be placed in a position where the chief municipal officer could quite rightly refuse him or her a permit to build a home.

Frankly, it doesn't make a great deal of sense to me that a person should have to be a member of HUDAC, or be specially considered or recommended by HUDAC, before being permitted to build a home.

Obviously, there are certain protections under the building code. People are not allowed to go out and build shacks that are going to cave in the next day—although when you see some of the homes that are built by supposedly reputable builders you wonder about how strictly the code is considered by some builders. I think that people who have built their own home have put very special effort into it and have by and

large probably built better homes than they could buy on the market from some of the people we allow to build homes.

I would like very much to have the parliamentary assistant clear that matter up so we are not putting people in this province in the position where they will be denied building permits when they try to build their own home as a means of putting a roof over the family's head since the government, through the Ministry of Housing and in other ways, has made it so difficult for them that they have no other alternative.

Finally, there are two other matters I would like to raise with the parliamentary assistant at this point in time. One of them concerns what we are going to define as a building. I understand that certain municipalities have enacted their own bylaws which have the effect of defining an excavated hole with the beginning of a basement in it as something that needs to have a fence around it. But I'm not sure that we've really picked up on that quickly enough with the building code to make it incumbent on people to recognize the danger to public safety caused by those kinds of partial buildings. I hope that the parliamentary assistant will know whether or not he thinks the legislation does in fact do that.

The other matter I am curious about is the effect that the change in legislation would have in the case of the holder of a building permit found by the inspector or chief official to be in contravention of the building code. Would it allow a party to the dispute to apply to the building code commission for a hearing and determination of the question? Could the parliamentary assistant tell me whether it would require construction to be halted until the building code commission arrived at a conclusion or would the person be allowed to continue building, finish the building before he got to the building code commission and then find out that he shouldn't have been building the building anyway? That's a question I would like to have clarified before we proceed much further.

Mr. Speaker, I won't continue. There are a number of my colleagues who have very serious concerns about areas of this legislation and I suspect they will address themselves to that. I hope the parliamentary assistant will remember the questions I've raised and offer me some responses when he concludes the debate on this bill.

Mr. McClellan: I wanted to take the opportunity to make a few remarks about one of the main things this bill does. In section 3, it excludes builders who are not registered under the HUDAC home warranties program from the possibility of obtaining a building permit.

At the conclusion of questions today I introduced a petition on behalf of 325 people who had purchased homes from Pastoria Holdings. Some of the members who have been here longer than I have will remember Pastoria Holdings and Rembrandt Homes as perhaps the most exotic of the construction industry ripoff artists. It was probably the excesses of Pastoria Holdings and its associated companies that really led to the pressure which resulted in the government having to bring in a home warranty program of sorts. This bill purports then to extend home warranty protection even further. But I'm not sure how much protection the people of this province can expect from the HUDAC scheme. We're in the crazy position of having no recourse but to support the bill and the provision that extends the inclusionary powers of the HUDAC scheme, but we have doubts about how much protection it actually offers to anybody.

If I could take a little trip down memory lane, I have a quote from the Globe and Mail in April 1975 which describes some houses built by Pastoria Holdings Limited, I'm quoting: "Owners of the houses showed him"—"him" is Frank Drea, Mr. Speaker—"leaking roofs and crooked floors and said they'd been unable to get repairs from the builder. Mr. Drea, who walked around the houses poking holes in concrete floors and muttering such things as 'Jesus' said he hoped the new provincial legislation would prevent a repetition of this kind. Mr. Drea was shown cracks in the walls and floors, doors that would not close, floors that were not level, nails coming through the ceiling, leaks around the windows and through the roofs."

The Globe and Mail in April 1976 describes the wonderful product of this marvellous company. The owners, members of the Rembrandt Home Owners' Association, banded together some four or five years ago to try to obtain redress from the shoddy and disgraceful violation of normal business ethics to which they'd been subjected. "They complained of faulty roofs, poor insulation, faulty ceilings against the ingress of water, the use of a wooden beam or steel was specified, sagging floors an off-centre pillar and a concrete basement floor in which a dog could dig holes."

[4:30]

What's so interesting is that Pastoria Holdings is registered under the HUDAC home warranty scheme today. It was registered when the scheme was brought in and if Pastoria Holdings—as I said, the ripoff artists of all time—can be registered under the HUDAC home warranty program, what protection does

the extension of the HUDAC program give to anybody?

What use is the section in this bill that extends a home warranty program that can cover a company like Pastoria Holdings? Pastoria Holdings' little episodes don't end with the fact that 325 people are again petitioning the Legislature today for redress of the grievance that they have been stuck with a shoddy house.

In August 1977, we find Pastoria Holdings hauled in front of county court, charged and convicted on two counts of violation of the Combines Investigation Act. After their convictions, they remained registered under the HUDAC home warranty program.

We have raised this matter in the past. What good is this kind of home warranty program to anybody? I really don't know and I don't know what good the extension of this kind of a home warranty program does for anybody. The principle of the bill in the extract is certainly sensible, that building permits should only be issued to commercial builders who are registered or enrolled in some kind of a viable consumer protection warranty scheme. Unfortunately we don't have that in Ontario. It would be nice if we got it some day. So far we don't have it.

The parliamentary assistant who is sending a blizzard of notes to his officials off in the wings, clearly doesn't have the slightest idea what this bill is about—it's a shame the minister has taken a powder for the afternoon—

Mr. Makarehuk: He wouldn't have any idea what it's about either.

Mr. McClellan: —but I am sure that the blizzard of notes will—

Mr. Nixon: I think that's unfair.

Mr. McClellan: —come back and increase the knowledge of the parliamentary assistant a thousand-fold—

Mr. J. Reed: Cast your bread upon the water.

Mr. McClellan: —and then he can answer some of the questions that we are putting to him on both sides.

Mr. Nixon: The only snow job we are getting is from the honourable member.

Mr. McClellan: The honourable former leader of the Liberal Party should recall that it was his colleague from Armourdale who was the champion of the Rembrandt Home Owners' Association whose cause I alluded to only seconds ago.

Mr. Nixon: Are you referring to a well-known judge?

Mr. McClellan: The very one, yes, the very judge himself.

Mr. Acting Speaker: Would the member please address himself to the bill?

Mr. McClellan: Indeed I will. I want to know whether section 3 has the effect of forcing a person who is building his own home or doing a job on his own home himself into the HUDAC scheme. I doubt if that is intended by the ministry but we are not clear whether the legislation as it's written forces the do-it-yourself builder to be enrolled in the HUDAC scheme. If that's the case, I am sure the ministry would want to make the necessary amendments.

Mr. Makarchuk: There are a few matters of concern to me which have been brought to my attention by municipal officials who pointed out that the bill is half baked perhaps, in some of its approaches as compared to what it could do. It seems to me if the minister is going to introduce legislation, he should have consulted with the municipal people in the province—

Mr. M. N. Davison: It's likely that he did.

Mr. Makarchuk:—and then brought in a more adequate bill. One of the problems pointed out to me is the fact that the bill does not provide any means for dealing with buildings that are partially constructed and then abandoned.

As an example, and this is a situation that has developed in my community, a builder can obtain mortgage funds, put in basements, in this case 45 basements or holes have been dug and cement has been poured, and then depart, leaving the mess to sit there. As a result, the basements have become filled. There's about three or four feet of water in many cases. The children in the neighbourhood are congregating and there have been two or three near-drownings. If the parents aren't alert and the children aren't warned off, there could be a drowning.

The municipality, in an effort to try and do something about it, found they have no legislation to enforce any kind of action on the part of the existing owner, who has departed but who still owns the property, to remedy the situation. They've exhausted every legal means.

The definition of the building in section 6(4) of the bill should probably be expanded to include that a startup or any kind of act on the part of the construction firm would be considered as part of the building, giving the official an opportunity to deal with the problems I have outlined.

Also of concern is section 9 which says, "No proceeding under this section shall be commenced more than one year after the time

when the subject matter of the proceedings arose." This is too short a time.

It takes most people some time to understand what is going on when they get settled into a home. It takes time for buildings to settle, and they do settle. It takes time for faults to appear in buildings, and they do appear. It takes time for people even to discover the fact that most of the walls or the ceiling have only partial insulation. These are the kinds of things people who have just bought their first home are not aware of. As a result, they are in a difficult position at this time, even with the HUDAC warranty, to take any kind of action.

As my colleague pointed out, HUDAC is not working. They have no way of getting back at the builder. They could probably go through some lengthy legal case which would involve a great deal of money, but it's difficult to get at the original builder. In many cases he may have operated under one corporate shell; he put the houses up, the corporate shell was dissolved, he proceeded to acquire another corporate shell and away he went on another project. The people are left holding the bag.

This bill should have provided some protection. It could have been an opportunity for the minister to provide better protection for people who are acquiring homes. It also could have given the municipalities more power. The reason I'm advocating more power for the municipalities in this case is the fact that the HUDAC plan isn't working. It's not working as it should or in the way it was envisaged.

Hopefully, the people on the municipal level will then have the power to enforce new standards to get back at the builders. If necessary, take some action against the builders who may want to continue building in the municipality by withholding their building permit until such time as they have remedied a previous situation. This is just one of the means available.

In general, we intend to support the bill. But I hope the parliamentary assistant can explain to us what he intends to do about the matters raised. If not, we will be introducing amendments to the bill to bring it more in line with what we think are legitimate reasons or legitimate complaints or concerns on our part.

Mr. Speaker: Does any other member wish to debate Bill 91? If not, the member for Cochrane South.

Mr. Pope: I regret the member for Bellwoods (Mr. McClellan) isn't present. Having offered the opinion I didn't know what the

bill was about, he proceeded to leave the Legislature.

With respect to the problem of excavations, I would have to know the specific municipality concerned. I would say that this government has been attempting to encourage municipalities to pass maintenance and occupancy bylaws primarily by attaching them to the Neighbourhood Improvement Program. I think an examination of the standard maintenance and occupancy bylaw that was provided to most municipalities would cover the kind of situation they are referring to.

Mr. Makarchuk: They have the bylaw and it doesn't touch it.

Mr. Pope: It has been dealt with in that manner in other municipalities. I would also reply to the question concerning the time period for proceedings under the act. The six-month limitation arose from the fact that there was reference made to the Summary Convictions Act. Prior to the reference to the Summary Convictions Act there was a one-year limitation on prosecution. It was felt that the request of the municipalities themselves that the one-year time period should be re-introduced.

I must emphasize that there has been extensive consultation with the municipalities, the various building inspectors and their organizations throughout the province of Ontario. As the minister mentioned in his opening statement in the Legislature when he introduced this bill for first reading, it is the result of their requests and the substantial number of meetings that have been held since this legislation was first passed in 1974 that these proposed amendments have been brought forward.

There are ongoing consultations with the construction industry, the building inspectors and the municipalities. When specific problems arise, the government has shown its willingness to bring forth legislation to attempt to resolve these problems. I don't think it's fair to say that there has been no consultation because the record will show that there has been extensive consultation and there is ongoing consultation.

The primary problem that has been raised by the honourable members relates to section 3(1) of the bill. It states: "Subsection 1 of section 6 of the said act is amended by striking out 'or' at the end of clause (a) and by adding thereto the following clause '(aa) the applicant is a builder as defined in the Ontario New Home Warranties Plan Act, 1976 and is not registered under that act.'"

That act defines "builder" as follows: "Builder means a person who undertakes the

performance of all the work and supply of all the materials necessary to construct a completed home whether a vendor or owner." It's my interpretation, and I think the interpretation of the ministry concerned, that that does not include an individual who is building his own home for occupancy by himself.

Mr. M. N. Davison: Does that then mean he can't sell a house, once he's built it?

Mr. Pope: Again, I suppose, we get into an argument, under the Act to provide certain Protections for Purchasers of New Homes as to when the triggering-in period would be. Quite frankly, I'm not here to debate the HUDAC program with the different complaints that have been made about various companies operating under that program or the definition of that act. I just would say that if the home is being built by an individual for occupancy by himself—and I assume there would be some test involved—then he is not caught by that act.

Mr. M. N. Davison: It's going to have to be clearer because that means that if you build your own house you can't sell it.

Mr. Speaker: Order. This is not a question-and-answer period. It's second reading of Bill 91.

Mr. Makarchuk: We're just suggesting.

Mr. M. N. Davison: We're trying to help the parliamentary assistant.

Mr. Pope: I understand that the members are trying to help the parliamentary assistant. All I can tell them is that as interpreted the act would not apply to individuals who are building their own homes. I assumed that was the problem being raised here, not the problem of someone trying to circumvent the HUDAC program by building homes for themselves ostensibly and then at some subsequent time turning it over. I thought the concern was, on the other hand, that members were concerned about an individual who's building a home for himself perhaps being restricted from obtaining the necessary building permit because he was not registered.

[4:45]

What I am saying is that that is covered because the interpretation that has been given to the definition of builder in the act does not include someone who is building a home for himself. Therefore, that problem has been met.

The problem was not raised in the comments by the honourable members as to someone circumventing the act. That is another issue. I think that answers the problem of the

individual builder. I would also say that there are two separate and distinct tests that have been proposed as a result of this amendment. I would refer to them.

Section 6(1) of the act says: "The chief official shall issue a permit except where the proposed building or the proposed construction or demolition will not comply with this act or the building code or will contravene any other applicable law." There is another section with another test. The applicant as a builder is defined in the Ontario New Home Warranties Plan Act, 1976 and is not registered under that act.

Even if the HUDAC plan would apply to the builder, he would also have to adhere to the provisions of the building code. When he files his plans and specifications for the construction project itself, that would be something that the chief official could refuse to issue his building permit for. I believe that that might answer some of the problems with respect to repair because I would remind the honourable members that the definition of construction in section 1(e) of the act is fairly broad to include repairs.

I would say that with these two tests in section 6 and, in addition, the filing of the drawings, plans and specifications there is adequate safeguard and adequate tests set out for the chief official to exercise his discretion for the protection of a prospective purchaser of a new home, namely, that the building permit has been issued after the chief official has been satisfied that the provisions of the building code, as passed by regulation and as amended from time to time by consultation with the chief officials, with the building inspectors and with the various organizations in the construction associations, have been complied with. I believe that the building code itself contains safeguards for new homes and that they are being enforced in this province.

Getting back for a moment towards the extension of time period, I think there has to be some cutoff date for prosecutions under this act and that at some point in time the maintenance and occupancy bylaws have to be triggered and prosecutions take place under that act. We are also talking in some instances about failure to obey orders to comply or stop-work orders. If there has been a failure to obey a stop-work order, application could be made to the courts to compel work to stop. There is also a provision for a fine under the act for failure to obey that order. In that instance, the past practice, from my own knowledge, has been that

a court order will be issued compelling the builder to stop work on the project. There hasn't been a history of a delay problem where there has been a refusal by a builder to obey a stop-work order.

With respect to orders for compliances there has not been a history of any problem that might take the time period beyond the one-year limitation period. Orders for compliance have a different role from the stop-work order. I think we are talking about major problems in construction where it is normal for a stop-work order to be issued. If that is disobeyed, then there are other procedures that are regularly taken in order to force the contractor to stop building.

There is a legitimate concern that work might be carried on when there has been a breach of the building code, but I think in practice it has been taken care of by the procedures set out in the Building Code Act and by other remedies that are available to the municipalities and others who might seek redress. I think that the one year limitation has been suggested to the ministry by the municipalities and by the other associations and organizations concerned with the enforcement of this act. It is in response to their suggestions that this solution has been arrived at of reverting back to the one year limit program.

I hope I have answered the concerns of the members. I'm sorry I wasn't aware there had been arrangements not to refer this to committee today, but I am advised that it is so. We will proceed, if there are no further questions, to second reading and deal in perhaps a little more detailed way with these matters in committee.

Motion agreed to.

Ordered for committee of the whole House.

MUNICIPAL AMENDMENT ACT

Mr. Ashe, on behalf of Hon. Mr. McKeough, moved second reading of Bill 80, An Act to amend the Municipal Act.

Mr. Ashe: As the honourable members know, these amendments to the Municipal Act, the principal components thereof, are to recognize the recent changes in the Municipal Elections Act. These brought about the change in the election date, the change in the commencement date of the term of office; many of the amendments contained within Bill 80, in effect are a followup of that.

There is also an amendment that will enable the council to assign responsibility to

a committee of the council for holding public hearings. This came as a response to requests from numerous municipalities throughout the province.

There is also an amendment proposed to broaden the municipal authority to establish their own form of remuneration, both directly and also for the reimbursement of expenses for members of council and local boards who are appointees of the respective councils. As a followup to that, there is a responsibility for the municipal treasurer to publicly table a document at the end of February of each year showing the actual expenses and remuneration paid to each member of council during the preceding calendar and fiscal year, and all members of boards appointed by that council.

There is also an amendment to allow the municipalities to clarify how and why municipalities could temporarily close roads. There is authority given to municipalities to establish bicycle paths and also to establish bicycle lanes. There is also a much sought-after allowance within the amendments proposed in Bill 80 to allow municipalities to insure municipal employees for liability in the carrying out of their duties. There is also an expansion of the definition of fire routes to include parking that has previously been known as "parking lot areas."

There are also many other minor changes to remove imperial measurement units from the act. Rather than convert these units in the omnibus metric conversion bill, it is felt in many instances that the relevant imperial measurement units are really not necessary in any measurement form; therefore, they are being deleted.

Mr. Epp: I would like to speak to these bills. Although the parliamentary secretary to the Treasurer has not indicated that there are a series of bills here, as everyone knows in the next hour or so we are going to be dealing with Bills 80, 81, 82, 83 and 84, all of them essentially dealing with the same items but as they appear in different statutes or different acts which this Legislature has passed over the years. We are responding to the Municipal Elections Act which this Legislature passed last fall. It incorporated into it a number of important amendments, such as the change of the election date to November and also a number of other complementary amendments to that particular change.

At that time, this House didn't see the wisdom of a few important amendments I made with respect to citizenship being the only qualification for being an elector at municipal elections or the lengthening of the

term for municipal candidates; but I presume in the not too distant future the House will see the wisdom of those particular amendments and have an opportunity to adopt them.

With the passing of the Municipal Elections Act, 1977, a number of changes and therefore amendments are required, and my party is going to support those changes in principle.

Later on there may be one or two amendments suggested by the member for Welland-Thorold (Mr. Swart), and we will listen very closely to what he has to say in support of those amendments to see whether or not they require our support.

I can appreciate that there have been a lot of amendments come forth over the last number of years, suggestions from the 835 municipalities across the province of Ontario. Some of the amendments or suggestions made by municipalities have been incorporated into the five bills before us.

Unfortunately, we don't have the many other amendments recommended by the various municipalities, which have gone either directly to the government or to the government via the Association of Municipalities of Ontario or one of the other municipal associations.

There are probably other amendments or other suggestions made that warrant our support, but the government has chosen at this time not to incorporate them in the act.

We see this bill essentially as a housekeeping bill. I was going to list some of the amendments. The parliamentary assistant to the Treasurer, has done an admirable job in listing some of the changes incorporated in Bill 80 and I am sure he will list some of those incorporated into the other bills coming before us.

With respect to Bill 83, which deals with Metropolitan Toronto, we could have an opportunity to change the election of the chairman of Metro Council. This could be a very important amendment in that it would limit the choice to the members of regional council at each election.

Only a few weeks ago our party took a very strong position that when the government brought its response to the Robarts report, brought in legislation based on the Robarts report, we would make an amendment to that act, and we hold to that commitment. As soon as the government sees fit to bring in that particular act we will move that the regional chairman be an elected person.

The way it now stands, the person could be a chairman of the regional municipality or Metro Toronto without ever holding an elec-

ted office. We feel that is somewhat inequitable. We feel it is shortsighted and the government has not indicated that they are going to change that. It is incumbent upon us to make that change and we feel at that time the government will see the wisdom of our suggestion and support us.

It is obvious that the chairman should be an elected person because, as we have seen in the past, in some instances the person didn't even live within the municipality, as was the case in Sudbury. He was picked out of Toronto and made chairman in Sudbury; which I think was unfair to the people of the Sudbury municipality at that time. We think that particular principle should apply to Toronto as well as to other municipalities.

[5:00]

We will support this bill in principle as well as the others. I await the comments of the member for Welland-Thorold with respect to the few amendments he has to propose.

Mr. Swart: The debates on all of the bills this afternoon seem to have been rather harmonious and orderly, though they may have been a little critical now and then. Perhaps I can continue that harmony by saying that the bill which we have before us, Bill 80, is going to be supported by us. I think every clause in the bill makes an improvement in municipal operations.

Mind you, Mr. Speaker, I have to say that some of them may be long overdue. I have to say that some could be further improved and that some have been forced on the government by the changes in the Municipal Elections Act. Having said all of that, I would say they do make improvements and they all have some merit. I think it's true to say in general it gives more authority and more autonomy to local municipalities.

The parliamentary assistant to the minister will know that I have submitted a number of amendments. In fact, it's really only one amendment, which I'm sure he'll find out. I apologize for not getting that to him and to the municipal affairs critic for the Liberal Party until noon today. When I heard in a previous debate that the Minister of Natural Resources (Mr. F. S. Miller) hadn't got his amendment out in the time required I didn't feel quite so guilty about not having done that.

As I say, we support this bill. The parliamentary assistant has outlined many of the provisions of the bill. Many of them are necessary to change the date of the first meeting of the municipal councils, whether they be local councils, county councils or regional councils. The qualifications for the candidates

at municipal elections are also defined in this bill. I have to say I'm very pleased to see that at least the candidates in municipal elections are going to have to be qualified voters, even though the Municipal Elections Act permitted their nominators in some circumstances to be other than qualified voters. It's nice to know that at least the people who are going to represent us on council have to be qualified voters.

I want to say that I, personally, and my party, strongly support sections 21 and 22 which give municipalities full authority on determining the remuneration and the amount of expenses that are going to be paid to municipal councils and to the local boards of the municipal councils. I'm particularly pleased that clause 389(d) provides for public disclosure of the amount of money and expenses paid to members of council and boards. There's always difficulty in determining what may be legitimate expenditures because of differences in the necessary expenditures as between members of a council or between members of this provincial Legislature. All of us know that when the expense reports come out on members of the Legislature that the fact that one person has spent a lot more than another does a disservice to some of those members of the Legislature who may not have tie-lines to every area in the municipality and so on. In spite of that, it is terribly important that the public know what remuneration and what expense money their elected officials get, in spite of the dangers of there being some misinterpretation because all of the information cannot be given. That is accomplished in this bill.

I have listed here, as did both the parliamentary assistant and the member for Waterloo North (Mr. Epp), the changes that are going to be made by this act, but I am not going to enumerate those. I just want to say that the amendment which we will propose in second reading expresses some concern with the short limitations in this bill relative to the time in which a municipal council may pass bylaws to change the composition of council or to the minimum time prior to election, where ratepayers may petition the council, and the council may then submit that to the electors. The 10-day period prior to the posting of the notices of the candidates, I suggest is just not sufficient. Let me give one example to members of this House to show what it would mean.

A county council could pass a bylaw which would prohibit deputy reeves from sitting on county council. It has that authority. This act would provide that the council must pass that

bylaw not later than 10 days prior to the posting of notices of the offices which will be up for election in the municipality in any given year. Those are posted seven days before the last nomination day. This means a county council could decide that it was going to remove all deputy reeves from the county council 17 days prior to the last day that a person could be nominated as a deputy reeve. You may say that's adequate time for candidates to make up their minds as to whether they want to run for deputy reeve, but I suggest there is another aspect to this.

The other aspect is that if a county council decides to do this, there should be some time in there for input from the public to that county council. I am not suggesting that a great many county councils would do this—perhaps none would do this—but if we are going to set up these time limits, and we have not had them before, then I think they should be adequate for public input, to give people time for some thought to this. Surely to require that it be 30 days instead of 10 days is a reasonable proposal.

The same thing holds true of the people who wish to petition a council to change the composition of the council. They may no longer want wards, for instance. If they make a petition to that council, there may be a great many people there that evening—and I have been through these kinds of things many times myself—and the council will pass a bylaw. There may be others within the municipality, when it comes out that the council has passed that bylaw, who want to have their input too. They will go to the next council meeting but it could well be too late, because the machinery will have already been under way to have the vote taken at the municipal election.

I hope the parliamentary assistant perhaps will agree to have this included. It seems reasonable to give more adequate time for public discussion before the actual changes are made or before the council passes a bylaw which can't be reversed because the ballots are already being printed or something else of that nature. I admit, quite frankly, this doesn't happen very often but, if we are going to put these time limits in, then I think the time limits should be reasonable.

Mr. Speaker, as I say, I think there are six or seven amendments which all do exactly the same thing but they apply to different sections of the bill and in some instances they apply to counties, other cities, other towns, other villages and townships. With that one exception, we will be supporting the bill as it is presented here.

Mr. Ashe: I appreciate the support received from the members opposite. It's refreshing to know that things are going to go so smoothly.

Mr. Foulds: Don't tease the bear.

Mr. Ashe: The member for Waterloo North brought in some questions and comments relating actually to Bill 83. As the Speaker knows we are at the moment only speaking regarding Bill 80, albeit there's no doubt that 80 to 84 do have some overlapping similar sections. We'll leave the further comments and response relating to Bill 83 and the regional chairman until the appropriate time.

The member for Welland-Thorold spoke about some amendments and the fact that they came a little late. They sure have, because I still don't have them, so obviously we can't deal with them today. Through the medium of the telephone I have some idea of what they're about. I might make him feel a little better to say that based on the gist of what we got on the telephone, we probably don't have any great problem with them.

On the time period of 10 days, relating to changes that might come about through the composition of the county council or other changes that come about because of petitions to council, the 10 days came about and we felt it was reasonable. As the honourable member has already acknowledged, it virtually never happens. We do have at least one situation that prompted the placing of a time period at all. That relates to a county council which, based on the old regulations, passed a bylaw in county council excluding deputy reeves following an election, a right they previously had. That was finally acknowledged even by that council to be somewhat unfair and they postponed the implementation of the decision for two years. That solved the problem.

That's why there was a time period put in. If the honourable members feel that 30 days is better than 10 days, that's fine. You could practically put in any time you want. As the member for Welland-Thorold already acknowledged, it virtually isn't used anyway. We just felt some protection should be in there. I suppose it can just as legitimately be 30 days as 10 days.

With those few responses, I think it's in order possibly to put the motion to second reading.

Motion agreed to.

Ordered for committee of the whole House.

REGIONAL MUNICIPALITIES AMENDMENT ACT

Mr. Ashe, on behalf of Hon. Mr. McKeough, moved second reading of Bill 81, An Act to amend certain Acts respecting Regional Municipalities.

Mr. Ashe: Bill 81 does many of the things we spoke about in the Municipal Act. I think the primary consideration to do with the remaining bills, 81 through to 84, is that they in no way purport to be reactions on the implementation or otherwise of the majoring restructuring reports that have been tabled with the government. Those will be coming forward separately. They are not being overlooked. They were just not to be, and are not part of, these particular pieces of legislation.

In Bill 81 there are, as well certain parts of the planning sections of various regional municipalities being clarified. Finally, there are some amendments in the bill to effect certain requested changes to a few of the regional municipalities in very specific terms. [5:15]

Mr. Stong: In speaking to Bill 81, I have discussed this matter with our critic and we are supporting this bill in principle. However, there are two concerns arising with respect to the section as it deals with the regional municipality of York, and amendments will be offered by myself in committee stage. We will be asking that section 27 be amended because although I believe it arises out of a typographical error, it is short one council member to conform with what the town of Markham has already proposed and done. The total in section 27 should be 10 members rather than nine members; the mayor and 10 members rather than the mayor and nine members.

This was conveyed to the ministry by the town of Markham pursuant to a letter, and the information I have received was that they were informed that is one amendment that will be offered in committee. Those are basically my remarks. We are in agreement in principle with what Bill 81 purports to do.

Mr. Swart: As we did with Bill 80, we are supporting this bill too. In fact, I have no amendment to this bill. By and large, the thought that has gone into this bill has been good. The method of determining that remuneration being paid to the regional council shall be exactly on the same basis of self-determination, and in fact incorporating the sections of the Municipal Act into this act is the sensible way to do it, rather than having

two separate interpretations as was the case before between the Municipal Act and the acts of the regional municipalities.

I draw particular attention to that move, because the same policy wasn't followed in the amendments to the Municipality of Metropolitan Toronto Act. I would like to see it, and when that comes up we'll be moving the amendment to have it conform with the changes in all the other regional municipalities.

This bill removes the prohibition for paying regional council members on police commissions from the section, but doesn't automatically provide that they shall be paid on that police commission. The determination is left up to the regional council. Having sat on a regional council for a number of years and having two members from there sitting on the police commission, I realize they had no heavier work load than the other members of regional council, because although they sat on the police commission they didn't sit on the works committee or some other committee in regional council, so the work load was levelled off. Any regional council should be able to give this kind of consideration to whether members of council who are sitting on outside local boards should receive special remuneration because they sit on those boards.

This bill leaves that decision to the regional council and this is the way it should be.

I would ask the parliamentary assistant, I'm not sure whether he's just stepped out, if he could comment on the matter raised by the member for York Centre (Mr. Stong), because I, too, was wondering exactly on what basis one additional member was added for Markham. The population figures seem to indicate Markham might be entitled to more than one additional member when their population has reached 60,000 which I guess, is close to being double of that of any other municipality in that region. Perhaps somebody will convey the question to him when he returns to his seat.

I would also like to ask the parliamentary assistant if the purpose for extending the time from April 1 to July 1 in the regional municipality of Ottawa-Carleton with regard to the redivision of municipalities into subdivisions is in anticipation of change in municipal boundaries because of a bill which may come in relative to carrying out the white paper proposals in the Ottawa-Carleton area, or is there some other reason of which I am not aware why this change is being made from April 1 to July 1? Those are all the questions I would like to ask and all the

comments I should make on this bill that is before us.

Mr. Hodgson: I would like to speak on part III of this bill as it relates to the region of York. Though I am supporting the bill, I can't say I am all that happy with the bill and I don't think the regional council of the municipality of York is all that happy. Maybe the parliamentary assistant can answer a few questions.

Mr. Conway: It is just more of the Treasurer's (Mr. McKeough) mixup.

Mr. Roy: Give him hell.

Mr. Hodgson: No, I am not going to give him hell. I just want a few answers. Did he have any correspondence or any indication from the region of York council on appointing an extra member from the town of Markham for regional council representation? What criteria did he use in regard to population when appointing an extra member to Markham? Back in 1970, the criteria was 10,000. If it was over 15,000, they were entitled to two representatives.

I am quite disappointed. The ministry had resolutions from the four smallest municipalities in the region of York, namely Whitechurch-Stouffville, King, Aurora and East Gwillimbury asking for consideration to allow the council to appoint a representative in the mayor's place in case the mayor could not attend the regional council meeting. There are several council meetings in the region of York which the mayor is simply unable to attend: He could be doing some other duty or he could be sick or there could be several other reasons. Then that municipality has no representation at all.

Mr. Conway: You don't like what they are giving the member for York Centre (Mr. Stong).

Mr. Hodgson: I would like to see a minimum of two representatives from every municipality. That has not been suggested, but it has been requested by those four municipalities that they be able to appoint a representative of the council of the local municipality to attend regional council meetings. Maybe when we go into committee on this bill, I might be bringing forward a resolution to that effect.

Mr. Stong: I won't support anything against Markham.

Mr. Speaker: The member for Ottawa East.

Mr. Conway: The mayor of Vanier.

Mr. Roy: May I have some order in this place so that my comments can be registered fully and precisely on the record?

Mr. Speaker: Perhaps if you chased the honourable member for Renfrew North (Mr. Conway) back to his seat, it might be helpful.

Mr. Roy: I think it would be an excellent idea if he went back to his seat. In fact, I would support an order of that kind.

Mr. Cunningham: Back to Renfrew.

Mr. Roy: In view of the fact that Bill 81 deals with various regional municipalities along with the regional municipality of Ottawa-Carleton, I felt compelled to make a few comments on the bill.

The section that I am concerned about is section 1(2). My concern is based on the fact that the government continues with its old policy of the election of the regional chairman. It seems to me, in view of the fact that the government has had suggestions over all these years about alternatives to how the chairmen should be elected, that it shouldn't continue to have a clause which would allow a person not elected locally to be elected chairman.

In other words, we feel that on the basis of proper representation and following the normal democratic process by which all of us here are in this House, these people should be elected at one level or the other. There has been some dispute about whether the regional chairman should be elected at large or should be elected on a ward or district basis. We feel that his responsibility, whether it's at large—the former leader of our party is whispering something to me—very inoffensively.

Mr. Nixon: It wasn't meant to be inoffensive.

Mr. Roy: We used to have a policy that the chairman should be elected at large; but whether he's elected at large or in a district or ward, he is in any event responsible to the electorate. There should be some method whereby this individual, who is after all the most important politician in all of these regional areas, is subject to the will and whims of the electorate at one level or another. I'm very disappointed that the government has not found a way whereby this is done automatically. The way the legislation reads now, the chairman can be a member of regional council or any other person. It seems to me that should be changed.

The parliamentary assistant has indicated that other legislation will be forthcoming dealing with various regional areas, subject to the reports that have been brought forward in various of these areas, such as the Roberts report on Metro Toronto or the

Mayo report on Ottawa-Carleton. I understand there were further reports on Niagara.

The fact is that we in this party—and I have discussed this matter with our critic who is a knowledgeable gentleman in his field—look forward to this further legislation. At that time, hopefully, we will put across our views, that I must say I will fully support, that the regional chairman be elected at one level or the other; that the most important politician in all of these regional areas should be responsible to a group of people who elect him, and not only to the members of regional council.

Mr. Swart: On a point of order: although I may agree with what the member for Ottawa Centre is saying—

Mr. Roy: No, no, no. Your leader is from Ottawa Centre. Don't confuse me, please.

Mr. Nixon: What a mistake! You should be ashamed.

Mr. Swart: That's the greatest compliment you've been paid in this House. I rise on the point of order that there is nothing in the bill about the election of the chairman, therefore the speaker is out of order.

Mr. Speaker: There is really nothing out of order.

Mr. Nixon: Except the member.

Mr. Speaker: You may rise to correct the record, but there is really nothing out of order.

Mr. Swart: I am rising to say the speaker is not speaking to the bill. There is nothing in this bill about the election of the chairman, or non-election of the chairman, or how the chairman is going to be selected. I suggest the member is out of order.

Mr. Cunningham: Yes, there is.

Mr. Roy: With respect, Mr. Speaker, if I may, on the point of order: Possibly my friend from Welland-Thorold—it wouldn't be the first time he is confused, but it any event we are sympathetic and very charitable in this party.

I would read to him the section that I was talking about, that is section 1(2) where he will notice that on the right-hand side it refers to election of the chairman.

Mr. Nixon: Right. Got that, Mel?

Mr. Roy: I have been accused sometimes of mish-mashing the English language and not understanding what is happening in that language—

Mr. Nixon: Hardly ever mish-mash.

Mr. Roy: —but here we are, "election of chairman." It talks about, "the regional council shall . . . elect as chairman one of

the members of the regional council, or any other person." Is the member going to apologize?

Mr. Nixon: You didn't get your QC for nothing.

Mr. Swart: I rise again on a point of order. The section he is speaking about refers to the timing of the election of the chairman. It has nothing to do with the procedures of the election of the chairman or whether the chairman should be elected or appointed or anything else of this nature. I just make the point once again that the speaker is out of order when he is talking about whether regional chairmen should be appointed or elected.

Mr. Nixon: Or "any other person."

Mr. Speaker: The member for Ottawa East can continue.

[5:30]

Mr. Roy: Thank you. I might state that we in this party are very fortunate that our critic is not as confused as that. I'm sure the parliamentary assistant must appreciate that, at least, to get some suggestions that are in order.

To continue—in fact, I was winding up, Mr. Speaker, when this happened—

Mr. Swart: There is a difference between winding up and winding down.

Mr. Roy: If I may state my position again, the bill calls for the election of the chairman, whether he is one of the members of regional council or any other person; when it talks about any other person, that is the part I object to. As I was saying, when the government finally brings forward legislation that will incorporate some of the suggestions of these various reports, I hope we will have an opportunity at that time to bring forward our views by way of amendment. At that time, when we bring forward our amendments and when we spend some time with the party to my left and their critic in explaining what the amendment is all about, maybe we will receive their support and then we would hope to be in a position to change that system and make the regional chairman responsible.

Mr. Swart: You have just been reading our speeches for a couple of years.

Mr. Roy: I look forward to this legislation, although I must say in relation to the regional municipality of Ottawa-Carleton there won't be very much in that legislation that is coming forward, because we have spent \$250,000 on that report and all the recommendations have been put aside and have not been accepted.

Mr. Nixon: Except for the school board one, which you are going to get.

Mr. Roy: Yes, but the Treasurer is not going—

Mr. Speaker: That is not part of this bill.

Mr. Roy: I accept your ruling, Mr. Speaker. If I may wind up, we look forward to this other legislation—

Mr. Nixon: Then we will fix you.

Mr. Roy: —we will stop this system and we will make the most important politician in the regional areas accountable to the people he represents.

Mr. Speaker: Does any other member wish to speak to the second reading of Bill 81?

Mr. Nixon: Nothing is left to be said. Well, hardly anything.

Mr. Cunningham: Mr. Speaker, very briefly, I too would like to indicate through you my concern about the ramifications of not having a regional chairman elected on a local basis. We in our area are now entering our fifth year, I guess of our regionalized structure. With no disrespect to the incumbent chairman, that individual has yet to be reaffirmed or ratified by the public. I suppose there is sometimes at least potentially a lack of accountability that may flow from that circumstance. Personally, I find it somewhat distressing.

We too have had a report in our area which was the subject of some discussion and controversy today outside the Legislature. I guess that would be an understatement. Notwithstanding the expense associated with that particular report, I do hope that it may be shelved; if that is the case, I suppose the existing system may continue as it is.

I would like to indicate to the honourable parliamentary assistant that I personally regard the election of a chairman to be a very important matter. The functioning of our region, if it is going to exist as it is, I suppose, will exist largely at the pleasure or the existence of some leadership provided by that one individual, however he or she may be elected. Currently we have a lady who has had considerable experience at the city level and who certainly has carried herself, I must say, fairly objectively throughout her activities as a regional chairman. But whether that individual is going to be Mrs. Jones, as we have in our area, or whether it is going to be some other person, I think it is important that we take a very serious look at seeing that the individual serves in an elected capacity within the region that they serve.

It might also be a time for some serious consideration at least of the voluntary kind of aspect they used to approach when they

were considering who would be a county warden. I am sure that the honourable parliamentary assistant, having had a great deal of municipal experience, is certainly well aware of that particular practice.

I am distressed, really, that the potential exists in my area, and in some of these other areas, for an individual not to be ratified by the public nor, in an elected way, be accountable to the public. I want to suggest that some serious consideration be given to seeing that these individuals are elected at some local basis.

I don't think, in my own particular region, that the people, either in the city or the outlying areas, are so small or narrow in their approach to regional government that they would look at things in some parochial fashion. I think I could see people in the rural communities supporting somebody from the city if that individual was capable, and of course an elected individual. Likewise, I could see the city favouring the rural areas with that same kind of support for a capable individual. I think the basis of a person serving as chairman should be some elected qualification.

Mr. Breagh: Mr. Speaker, I'd like to speak briefly on that one part of this bill which deals with the matter of regional chairmen.

It's been my feeling for some time that the chairman of something as big, as powerful and as awesome in spending terms as a regional government certainly ought to be someone who enjoys the support of the electorate. This bill does not do that. It causes me some anguish that it does not do that, because the matter has been discussed in a number of regions, particularly in my own region of Durham, where it has been the matter of considerable debate. Unfortunately, the precedent in regional government is rather destructive in the sense that regional chairmen are almost always appointed in the first instance. It's some compromise person who is not a member of that council, and who from that point on leads the region through its business.

I'm concerned about several aspects of it, the first of which primarily concerns itself with democratic institutions. No one in such a powerful institution as the chairmanship of a region, no matter how wonderful a human being he or she might be, no matter what great administrative powers that person might have, he shouldn't hold such an office unless at some time he had sought and received some form of a mandate from the electorate in that area. That still is not the case in virtually any of the regions that we have.

The tag on the end of that is that many of them—I would guess most of them—at one time or another held some elected office there. But at no time did they ever take a program, or a platform, or even a personal set of views out to the electorate and say this is the reason why you should or should not vote for me. I think that's one of the basic problems that we have in all our regions. The people who—

Mr. Roy: He is out of order, I think.

Mr. Swart: If one person's out they're all out.

Mr. Nixon: The member for Welland-Thorold said that wasn't in the bill.

Mr. Breugh: I believe it's in the bill. I accept a ruling from the Speaker in that Chair and not the speaker in this chair.

I think that it's a cause of increasing concern because we do have people who function as regional chairmen, who exercise a great deal of jurisdiction over the council, over the programs and policies of that council; and they are supposed to represent the public.

As a compromise position—it has been put forward by a number of people—if they get elected as a regional councillor thereafter the regional council itself could choose that person. This bill proposes to do much the same—it says that someone could be a member of the council and then be chosen as regional chairman, but not necessarily so.

I think that's a part of our thinking on regional government in this province that is a fundamental flaw. In the first instance they were provincial appointees, and they have considerable expertise in the field of dealing with the council thereafter, and that tends to make them a logical choice to be subsequent chairman of that particular region.

It was my experience and I think it's shared in other regions, that very often the person who becomes regional chairman becomes one because he's a compromise person. He doesn't particularly have to believe in anything. As a matter of fact, it's probably better if he doesn't. He doesn't have to propose any policies, or programs or new directions for the region to take. He simply has to find some kind of consensus or common ground among the council. I think that's a dangerous precedent for us to have set and I think it's a basic flaw in the way we set up that tier of government.

I don't purport to be against the bill because it's essentially a housekeeping bill. But I want to put on the record some concerns that I have had for some time on how people become chairman or chairlady of a region and how they carry out that office. It's

a basic fundamental flaw in our own democratic process that we put someone in a rather important and influential position without giving him the opportunity to seek a mandate from an electorate.

Mr. Ashe: Mr. Speaker, a great many of the remarks were not out of order in the strictest sense of the word, but they were not really too relevant to Bill 81.

Mr. Nixon: That's my friend, good old George.

Mr. Ashe: There's no doubt the more appropriate time will be when subsequent legislation comes forward, but I appreciate on that particular subject—

Mr. Nixon: Everybody's friend.

Mr. Ashe: I appreciate the various views on that, at the very least, controversial subject.

Mr. Conway: Appreciate it, George; support it.

Mr. Ashe: I personally don't support it but I don't want to give away all my arguments rights now.

There's no doubt it's a very personal thing. But let me react to the various points made by the honourable members. The member for York Centre brought forth a suggested amendment, and as we have discussed privately neither of us has received from the region the particular items referred to. We would be happy to look into it and be able to respond to the particular amendment at the appropriate time. The local council in effect changed the size of their body by bylaw, I assume within the past week or so, and I would suggest to you they really don't have the right to assume it is a fait accompli. They can express their opinion and apply for an amendment to the legislation or they can apply to the Ontario Municipal Board. They may or may not get approval but we are quite prepared to look at this to be sure of exactly what they are attempting to do. We will be able to respond more specifically to that amendment at the appropriate time during committee consideration.

The member for Welland-Thorold brought up the particular point relating to the change in Ottawa-Carleton from April 1 to July 1. This is not in recognition of any other legislation or possible legislation relating to the Mayo report; in actual fact it's recognizing a problem that exists this year in Ottawa-Carleton that will have to be remedied come what may. Ottawa-Carleton used the voting machine method in a past election and are changing their method.

Mr. Cunningham: I recall the Tory leadership convention. What a mess they got in after that.

Mr. Ashe: Yes, that's where they borrowed the equipment to save the taxpayers money. But in any event, they wished to change the procedure for this year's election. Unfortunately, they have passed the deadline relating to the relationship with the assessment department, namely April 1, and this recognizes a change in time for that particular purpose. It does not relate to any other possible changes that may or may not be coming forward; so it's just recognizing a procedure they have to go through since they missed the last date, which previously was April 1. We are prepared to accommodate their predicament through the medium of this legislation.

The member for York North raised various questions relating to representation of the town of Markham on the York regional council. There was correspondence back and forth between the minister, the region and the town of Markham over a period of several years. The minister indicated on more than one occasion that he really did not want to become involved in suggesting changes to the representation on regional council and asked regional council to do so. On at least two official occasions, they have declined the invitation of the town of Markham to review representation and have declined to look kindly upon the Treasurer's request to look at that.

[5:45]

In a letter dated December of 1977 to the regional chairman, the Treasurer indicated that representation remain as presently constituted and that he intended to discuss with his colleagues in the legislative assembly and in the cabinet the possibility of amending the Regional Municipality of York Act to increase from three to four the number of members of the regional council elected from the town of Markham because the regional council had declined, hopefully, its right to do so. There's no doubt we would much prefer that the regional council on its own volition would look at representation from time to time and come forward with some kind of consensus of its own to the government so that legislation can reflect its views. When they don't really want to take on that responsibility, then, unfortunately, I think, we must eventually act.

Mr. Stong: I had asked for that in the House as well.

Mr. Ashe: Good. Here are the criteria that have been used, to give a little statistics to the background in the problem. In 1971 Markham's population, at just over 36,000, constituted 22 per cent of the region's population, yet it elected just under 19 per cent of the members of regional council. Between 1971 and 1976 the region grew by nearly 41,000 people, approximately a 25 per cent increase. In that time, the Markham population grew by 20,000 people, which was an increase of something over 56 per cent of the total regional growth during that five-year period.

We're not using 1977 figures which would show to a greater degree the imbalance of the representation from that particular municipality. By the end of 1976, the regional population had grown to something in the area of 200,000 residents, of whom approximately 56,000 came from the town of Markham. Although they had approximately 28 per cent of the regional population, they had less than 20 per cent of the voting rights on the regional council.

What this particular amendment is doing is increasing their representation and the total regional council size by one. In other words, it is not in any way taking away a seat or a vote from another area municipality. It is increasing the total by one. It still leaves the town of Markham with a proposed percentage of total regional council representation of 23.5 per cent, although it does have 28 per cent of the population. At least, it brings them back to some relationship of balance similar to what they had in 1971.

Another very valid point raised by the member for York North relates to a problem which is not only true in the region of York but is true in many regions throughout the province where a particular area municipality is represented only by one representative. It's not as prevalent in the newer legislation as it was in some of the older. There's no doubt it creates a problem. I'm not sure that the answer is just to increase their representation by one each, because that further compounds the problem that already exists in trying to get any semblance of a relationship of representation to population.

Another alternative has been suggested, which we have been looking at and which

was already mentioned by the member for York North. There is much reluctance to this, I might say, and great diversions of opinion even within councils and in particular regional councils. It is whether in the absence of the elected member, particularly in the instances where we're talking about the mayor, there should be the option of having an alternative from the local municipality able to sit in place of and assume all the voting rights and responsibilities of the elected member.

As I mentioned, this is being looked at and will be looked at further. I think it's a very valid argument. On the other side of the coin, there's no doubt there are some great differences of opinion within the municipal sector as to whether they want somebody else who is not elected to that particular position to come on to the council to cast a vote. In the case of York, there are four municipalities that fall into that category of having only one person on the regional council.

The members for Ottawa East, Wentworth North and Oshawa spoke about the situation of the regional chairman. As I indicated, I think it's probably more appropriate that we're going to have what I'm sure will be a great debate on that particular subject at a later date. There is no doubt there are pros and cons to the argument of whether the regional chairman, first of all, is as powerful as some would believe. I personally don't think so.

There is also the difference of opinion as to how you're going to elect a chairman. There are, I suppose, three ways of doing it. One is to elect a chairman-at-large, which I think is unwieldy and expensive and therefore would narrow greatly the number of potential candidates.

The second is to go the route of the county council format where a person is elected as the chairman of the council and retains his or her local seat. I think that in most regions the regional chairman probably has more responsibilities than the wardens generally used to before restructuring took place. The third is to elect somebody from within the council and to fill the vacated seat by a by-election.

I suppose that in theory the third option is the most practical of the three methods. But I really think, having been an elected person in that kind of situation, that if a person declared himself or herself in advance as a candidate for regional chairman it's quite conceivable that the local electorate would be turned off by the prospect of a possible by-election. Hence that person

might lose the election just for giving advance notice of his or her intentions.

There are of course, two sides to the argument and I personally am looking forward with a degree of open-mindedness to the time when we will be debating that particular issue. All in all, I appreciate the support in principle of what has been put forth so far on Bill 81. We will require, of course, to go into the committee stage. We do have an amendment ourselves to section 63 that I understand both opposition parties are aware of. It's an oversight type of thing, a typographical omission in the actual printing of the bill. As it is not a substantive change it can be left for consideration at the appropriate time.

Motion agreed to.

Ordered for committee of the whole House.

DISTRICT MUNICIPALITY OF MUSKOKA AMENDMENT ACT

Mr. Ashe, on behalf of Hon. Mr. McKeough, moved second reading of Bill 82, An Act to amend the District Municipality of Muskoka Act.

Mr. Deputy Speaker: Any opening comments?

Mr. Ashe: No, Mr. Speaker. There's nothing new here. It's exactly the same as we've been discussing in a general sense in the five pieces of legislation.

Mr. Epp: I agree with the member for Durham West. We have been discussing a number of these factors and my party will be supporting this bill on principle.

Mr. Swart: We concur, too, in this bill. There is not a thing in it that hasn't been dealt with in the other bill. On the principle, I suppose I could use this opportunity to deal at great length—

Mr. Stong: Spare us.

Mr. Swart: —with the matter of whether the regional chairman should be appointed or elected.

Mr. Breugh: Go ahead.

Mr. Swart: I might just point out to this House that as long ago as 1966, in a report to the study commissioner in the Niagara region, I made strong representation that the regional chairman be elected; preferably from the whole region, but failing that, at least he must always hold some constituency from which he was elected within the region.

Mr. J. Reed: Do you know how much that would cost?

Mr. Swart: Everybody else has put this on record, so perhaps I should at this time. But we will not be asking for this bill to be referred to a committee of the whole House.

Motion agreed to.

Ordered for third reading.

THIRD READINGS

The following bills were given third reading on motion:

Bill 82, An Act to amend the District Municipality of Muskoka Act.

Bill 90, An Act respecting the Ontario Student Housing Corporation.

The House recessed at 5:56 p.m.

APPENDIX
(See page 2952)

**ANSWERS TO QUESTIONS
ON NOTICE PAPER**

STANTON PIPES LIMITED

54. Mr. R. Mackenzie (Hamilton East): What action has the Ministry of Labour taken to see that a first aid station is available in the plant at Stanton Pipes in Hamilton? Did the ministry take any action as a result of the coroner's jury recommendations that there be a first aid facility available in the plant, following the death of the Stanton Pipes employee, Robert Folbigg, last June 21, 1977? Is the minister aware of another accident on May 6, 1978 in the same Stanton Pipes plant where the injured employee walked to the first aid station in the National Steel Car property only to find it closed and unattended. [Tabled May 16, 1978.]

Hon. B. Stephenson (Minister of Labour):

Regulations concerning first aid facilities in industry are made under the provisions of the Workmen's Compensation Act.

Representatives of the Workmen's Compensation Board contacted Stanton Pipes Limited in July, 1977, to obtain details of the first aid facilities which they operate jointly with National Steel Car Limited which adjoins the Stanton Pipes plant. In November, 1977, the first aid facilities were inspected by the board's representatives, and the jointly operated facilities were found to be in accordance with the regulations. Discussions were held with management concerning the availability of trained first aid personnel on each shift in the plant, and the company advised the board that sufficient employees had been trained to provide first aid when necessary.

In view of the union's complaint of May 11, 1978, following the accident of May 6, 1978, the board's representatives will again inspect the plant's first aid facilities and will also meet with union representatives, to ensure that the first aid requirements at Stanton Pipe are fully satisfied at all times.

I shall provide further information to the honourable member as soon as I have received a further report from the Workmen's Compensation Board following the meeting between the company, the union and officials of the Workmen's Compensation Board.

INJURED WORKERS

55. Mr. O. di Santo (Downsview): How many injured workers have been assessed for permanent disability, year by year, from 1970 to 1978? How many of the injured workers so

assessed were referred to psychiatrists and psychologists? How many of them have been granted disability for psychological and/or psychiatric reasons? [Tabled May 16, 1978.]

Hon. B. Stephenson (Minister of Labour):

1. The number of injured workers who have been assessed for permanent disability year by year since 1970 is as follows: 1978—4,007 (first quarter); 1977—13,372; 1976—13,160; 1975—10,629; 1974—11,070; 1973—13,529; 1972—11,774 (estimate, actual figures not available); 1971—11,774 (estimate, actual figures not available); 1970—10,724.

2. This type of statistic is not maintained since it is not utilized in treatment control mechanisms, nor as an aid to management. At the time of examination for permanent disability, all medical documentation is evaluated including any previous psychiatric consultations. There would be very few psychological examinations and testing carried out, since this is used less frequently than psychiatric consultation. An analysis of medical aid accounts relating to psychiatrists' fees for service for the period 1974 to 1977 was supplied in response to question 38, April 25, 1978. It should be noted that a large proportion of psychiatric consultations are requested and arranged by the treating family physician rather than by the board's physicians.

3. This type of statistic is not maintained as it is not used in the board's operations.

**GREENING DONALD
COMPANY LIMITED**

59. Mr. R. Mackenzie (Hamilton East): Would the Minister of Labour please ascertain if any provincial funds were provided to retrain employees at the Greening Donald wire drawing plant in Hamilton? Were any provincial funds provided to train or retrain employees at the new Greening Donald Company Limited plant in Erin, Ontario? Were any development grants given to the new Greening Donald Company plant in Erin, Ontario? Were any employees, other than management, either transferred or given the option to transfer, to the new plant in Erin, with the closing of the old plant in Hamilton?

Hon. B. Stephenson (Minister of Labour): There were no provincial funds provided to either retrain employees at the Greening Donald wire drawing plant or to train or retrain employees at the new Greening Donald plant in Erin, Ontario. The Ministry of Industry and Tourism advises that there were no development grants given to the new Greening Don-

ald plant in Erin. All employees of the closing Hamilton operation were given the option to transfer to the new facility in Erin.

Background Summary: Greening Donald Limited operated three plants in Hamilton, Ontario, manufacturing wire rope, slings, wire screen cloth, wire and other wire products. The company closed its wire mill operation in Hamilton due to land expropriation by the city, and relocated in Erin, Ontario. All employees at the closing Hamilton plant were offered jobs in Erin but, because of the 50-60 mile distance, only five employees (four staff/one hourly) accepted the transfer.

All but 14 of the 65 employees of the closing Hamilton plant have been absorbed into the two remaining Hamilton operations (excluding the five moving to Erin). These 14 employees have been terminated and are being assisted to find alternate work. Seven of the 14 are very senior employees who have received early retirement pension assistance.

When the Canada Manpower consultative service and, subsequently, the Ministry of Labour became involved, two Manpower ad-

justment committees were established. The first in December 1977, was set up to assist in developing Erin operations and to train the new work force. The second was established in January 1978 to assist those employees not moving to the new operations, but who would be absorbed into the remaining two plants in Hamilton. Although both of these Manpower committee agreements were signed by the Minister of Labour, there was no provincial funding involved since neither case was considered to be a termination adjustment situation. Both committees are funded on a 50-50 basis by Canada Manpower consultative service and the company.

The Ministry of Industry and Tourism advises that there is no indication of any provincial development grants; and, similarly, the Canada Manpower officer was not aware of any federal funding. The Erin plant is a brand new facility which will produce the same products as the former Hamilton plant. It is anticipated that the work force will reach 40, and the Erin Manpower committee is now in the process of training newly hired employees.

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Tuesday, May 30, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, MAY 30, 1978

The House resumed at 8 p.m.

MINISTRY OF CORRECTIONAL SERVICES ACT

Hon. Mr. Drea moved second reading of Bill 85, An Act to revise the Ministry of Correctional Services Act.

Hon. Mr. Drea: I want to serve notice that there will be some amendments to Bill 85. There will be amendments to sections 22, 38 and 42.

The amendment to section 22 is relatively minor. It serves to clarify the investigation aspect of the ministry's inspection branch as well as a formal inspection.

The amendment to section 38(3) is made necessary by the decision of the Supreme Court of Ontario in re Grenier. That case was decided following first reading of this bill. This proposed amendment deals with a calculation of the remainder of sentence to be served upon revocation of parole.

Finally, the third amendment to section 42(3) simplifies the appointment of the supervisor of probation services by not requiring that the minister make the appointment.

Mr. McClellan: On a point of privilege, if I may, could the minister repeat his last statement? I'm afraid I simply missed it and it was kind of important. Could he simply restate the last amendment that he indicated would be forthcoming?

Hon. Mr. Drea: The third amendment, section 42(3), simplifies the appointment of the supervisor of probation services—that is adult—by not requiring that the minister make the appointment. Actually the change is that instead of "the minister shall" it says "there shall." It's just housekeeping.

Mr. Bradley: Mr. Speaker, we in the official opposition are generally in favour of this bill. It has, as the minister indicated in his statement, many housekeeping items, but it also centres the attention of the province on a number of positive aspects that have taken place and that we have dealt with in the estimates of the Ministry of Correctional Services.

Many of them are initiatives that have been taken by the present minister. I note that he has been wise enough and magnanimous enough to indicate that his staff has

had a lot to do with this. The minister recognizes that being the controversial type of individual he is and the colourful type of individual he is much of the media coverage centres on his own personality. He has personalized his ministry to a certain extent and I think we indicated during the estimates that it was a good idea to dramatize many of the programs that are being put forward. He did give credit where it was due to his staff. We think that many of the initiatives that have been taken are positive and progressive.

I look at the fact that there will be authorization to enter into agreements with other jurisdictions in Canada for exchange of services and transfer of inmates which seems to be a very logical step. Even within the province itself—not necessarily with provinces—we recognize the benefit of having those who are convicted of particular crimes located as close as possible to their community in terms of being subject to visits from family and friends, and ultimately bringing them closer to the rehabilitation process that we look forward to. Certainly, extending this across the country in terms of the agreements that can be reached is a beneficial step.

We have in this Legislature—certainly in the federal Parliament there has been discussion in this field as well—talked about confidentiality. Provision being made for confidentiality in the personal records of inmates, parolees and probationers is, again, a positive step. A portion of the population in this country tends to believe that when a person enters a correctional institution or enters the care of the Correctional Services ministry, or in the case of the federal government the relevant ministry there, somehow all their rights are to be cast aside. When we don't have the kind of confidentiality that we're talking about in this case, it seems to me that the rehabilitative process is much more difficult.

When an individual finishes paying, as we say, for the crime through a sentence of some sort that is carried out, this person should have the opportunity to integrate back into the community without suffering from the kind of discrimination that has

existed in the past and which to a certain extent will continue to exist. We feel this step will certainly diminish that.

I will have some questions a little later on about the third part in the explanatory notes which says: "The minister may designate employees of the ministry as police constables for specific purposes." Perhaps the minister could make a note of what is meant by the minister designating ministry employees as so-called police constables for specific purposes. The provincial bailiff now has the power of a constable when conveying an inmate from one institution to another. I am wondering what this may involve. I am sure the minister can elaborate on that.

Another positive aspect of the bill, again using the terminology of the notes, is that "the Lieutenant Governor in Council may pay compassionate allowances to inmates who are permanently disabled"—and I will have some further questions on that as to permanently disabled—"as a result of injuries sustained during authorized activities of the correctional institution and to other persons who suffer injury or damage caused by an inmate."

We have had this experience—not so much in the provincial system, but more so in the federal system, though we could see experiences in the provincial system — where there would be serious injury sometimes of a permanent nature to an individual involved when there is a riot situation or even when it is something less than a riot situation. There may be other circumstances when a person is engaged in an activity of a vocational type where an injury does take place and payment can be made. The minister might elaborate and be a little more specific on that. I may have misinterpreted his intent in this particular section.

The fifth portion that I look at in terms of the explanatory notes is the one which has received the most attention in this Legislature and in the media in recent months. That is the section in the bill providing for the designation, operation and management of community resource centres for the rehabilitation and supervision of inmates in a community setting. The critic for the New Democratic Party, members of the New Democratic Party and members of the Liberal Party who sat in on the justice committee deliberations during the estimates of the Ministry of Correctional Services last autumn indicated very strong support for the concept of the community resource centre.

I think we in this province and we in this country recognize that in Canada, and

in Ontario as part of Canada, we incarcerate far more people than is ever necessary. If we compare ourselves to many of the examples which we see, in western Europe in particular, we find that many of the offences for which we jail people in this country are certainly not the type of offences for which people should be jailed, unless these people are deemed to be a danger to society as a whole or a danger to others within the society or there is a genuine reason to believe further crimes will be committed.

If the taxpayer likes to look at it in these terms, the community resource centre does serve to save money. If we compare the cost of incarceration in one of our provincial institutions to the cost of a person being stationed in a community resource centre, and many people like to look at it strictly in terms of the amount of money it is going to cost the taxpayer, we find the cost is substantially less under the care and custody of those who are not necessarily employees of the Ministry of Correctional Services.

We also find that not only does the public benefit in economic terms of the price of keeping people, but the public also benefits from the fact that the rehabilitative process is probably very much enhanced by locating people in community resource centres, particularly to avoid incarceration and by what I sometimes call education. They receive education of a negative kind, younger inmates particularly when they are placed in institutions with the veterans of the trade. We look very positively upon this move.

We know the difficulties that can be faced. The minister has indicated, though I have not had this confirmed, that there are certain municipalities where bylaws make things rather difficult in terms of establishing community resource centres. Integration into the community of people who have specific problems in other areas has always been difficult, but we see the ultimate benefits. All members of the Legislature should unite in saying that they see this as a positive move, that they don't see great dangers, since I know the minister is not proposing that we put people who are dangerous to society in a community resource centre but rather people who can function; and I presume there is a reasonable screening process to ensure this. Taking that into consideration, we have to be prepared to support the ministry in its efforts to integrate these people into the community through community resource centres.

I mentioned during the estimates of the Ministry of Correctional Services that we

were obviously going to run into some problems with the odd person "breaking out" of a community resource centre or causing some problem for a community. But to throw out the entire program when we experience this type of activity would be wrong and it stands to reason that all members of the Legislature would support that statement.

I don't know how accurate this report is, but some have told me the community relief centre is more popular. This is the terminology that was used with me. A community relief centre is more popular with the civil servants within the Ministry of Correctional Services than the community resource centre. I was rather confused by this statement. The suggestion was that they would prefer people who had nearly reached the end of a sentence to be put in what I would call a halfway house. This was more popular with the civil servants in the ministry than community resource centres, which ultimately mean fewer people would be institutionalized in the province. The minister might comment on whether or not it's a significant remark.

Perhaps I might diverge a little from the bill itself and say I know the minister will be looking carefully at any designated work that might be done in the community by those housed within correctional services to ensure that they are not taking away jobs from others. We have to emphasize this constantly, particularly when we suffer from rather high unemployment in the province of Ontario.

The bill is in keeping also with changes made in federal legislation and it is sensible that we would make certain our bill is in keeping with federal legislation so we don't have one working at odds with the other.

I am interested in situations mentioned here where the minister is permitted to remove inmates from a correctional institution if the institution becomes insecure. Perhaps the minister would elaborate on what he defines as insecure. It looks rather straightforward but he may have a further elaboration on that.

The minister may direct that a psychiatric assessment be made of an inmate by a physician and the more psychiatric services are made available to inmates in our correctional services institutions, the better for that individual and for society as a whole.

The public is interested in the particular aspect of the bill deeming that an escape by an inmate while outside the correctional institution on a work project is to be the same as an escape from an institution itself. One of the concerns you will run into in a community which perhaps does not entirely

understand what the minister is working towards, is that custody of the individuals might not be the same as it would be within the walls of an institution. They would want to be assured that if a person were to escape the less stringent custody that would be available at that time, that person would face the same penalty as if escaping from an institution. This may be negative to a certain extent, but certainly it would be reassuring to the community at large.

[8:15]

Rather interesting, and again I think we'll be dealing with this further on, is the fact that "an inmate may surrender the whole or part of his remission in order to prolong confinement in a correctional institution for medical, humanitarian or rehabilitative reasons that are acceptable to the superintendent." Having had the opportunity to spend considerable time visiting the Glendale Adult Training Centre, and looking at the program that was available there and is available to a certain extent in other institutions across the province, one can easily understand that some who are in midstream, so to speak, in terms of a vocation they might be involved in, in terms of some other form of education that is taking place, or in terms of some service that is being provided, would be rather reluctant to use the remission that would be available to leave early and, by leaving early, perhaps would not be in a position to integrate into the community in a meaningful way. To provide them with the opportunity to stay longer, should they wish, and not take advantage of the provisions for remission, I think is humanitarian in itself, although on the surface one might think the opposite to be the case.

There are some sensible things in here as well, common-sense and practical things. For instance, the bill allows for "the early release of an inmate whose day for release otherwise falls on a weekend or a holiday if the early release will be of benefit to the inmate." There are going to be people saying that somehow you're babying the inmates by doing that. It's a rather reasonable and practical step, involving, as I understand it, very little time anyway. It's something more practical than otherwise; for instance, in terms of transportation on a holiday weekend. It is something that does set someone back into the community in a more positive light than having a bad experience to begin with. Again, the community at large benefits as well as the former inmate herself or himself.

I'm sure we will be looking at further matters in this bill that are of importance. I will have some questions on the probation

officers a little later on. I will be looking at why the minister feels that section 12 is necessary at all; it seems to repeat sections 2, 4 and 5 of the Proceedings Against the Crown Act. The minister might just mention justification for section 12.

I notice, too, that section 13 permits compensation to inmates for permanent disability arising from injuries sustained during the course of an authorized activity. Of course, what we'll want to know is what is defined as a permanent disability and an authorized activity, and why does the disability have to be permanent in order to be eligible for this compensation? What, if any, special compensation is available for a non-permanent injury? Is it the intention of the act to exclude non-permanent injuries suffered, for example, by an inmate who is attacked by another inmate or a guard? Lastly, does section 16(1) refer to both male and female offenders? It seems to me that the 1970 Act had a special section dealing with females. Perhaps the minister can tell us whether section 16(1) refers to both male and female offenders.

When we get into looking at the bill clause by clause, I will be interested in the powers of the probation officers. It seems to me, when the probation officer was under a different act, that he had the power to arrest and so on. Now, being appointed under the Public Service Act, perhaps there is a change here. Perhaps the minister will elaborate on that.

Mr. Speaker: The member for High Park-Swansea.

Mr. Conway: Shulman, is it?

Mr. Blundy: The voice of experience.

Mr. Ziembra: The Liberal support worries me, Mr. Speaker.

Mr. Samis: Tell us about the hotels in Pembroke.

Mr. Ziembra: We see this bill as complementary to the federal bill, C-51, which deals with three things, basically: the province's taking over the provincial parole system, establishing community resource centres, and community service orders as a third sentencing option. We're going to support it with reservations.

The third option, in my opinion, is critical to this legislation because it is going to focus on alternative sentencing.

People who aren't enamoured of prisoners, people who would like to see bread and water and the lash brought back support the minister's policies as well as reform-minded people. It's amazing to me that he's managed to get support from both sides. He comes out with some very tough-sounding statements

about no free rides and getting prisoners to work and contributing \$10 million to the province's economy in free labour.

Mr. Conway: Pure socialism.

Mr. Foulds: Impure.

Mr. Ziembra: It's in my opinion far better than the present system of incarcerating people and having them sitting around in jail cells, and I am sure the prisoners are the first to agree with him. The Law Reform Commission states that 80 per cent of all prisoners in Canada are in prison for non-violent crimes and could safely be on the outside.

He's also changing the statement of purpose of his ministry, a statement of purpose which up to now talked about rehabilitation and treatment. I think the minister recognizes that imprisonment is simply warehousing and of very little human value. Also, I think the minister makes virtue out of necessity. I don't think the province can afford to build any more jails—it's darned expensive, \$12 million a throw.

Hon. Mr. Drea: How much?

Mr. Ziembra: I think last year they spent \$36 million on jails.

An hon. member: Whatever you say, Ed.

Hon. Mr. Drea: Forty million.

Mr. Ziembra: So it's very timely that we have legislation that suggests community resource centres, sending the offender back to the community that he came from and establishing community control over its offenders; and also as alternatives to imprisonment, restitution orders and service orders.

Mr. Bradley: And here I thought his motives were completely pure.

Mr. Ziembra: I think the minister is an unwilling landlord, considering some of the charges laid against some of his residents. I will just give three very quick examples. The headline of this little column is "Hard Boiled Crooks or Only Funsters?" It describes Alan Lee, 21, and Paul Harrison, 19, who were sentenced to 30 days in jail and nine months probation March 16 on a mischief charge after being convicted of throwing two eggs at an OPP constable's Bradford home.

Mr. Sterling: The member for Simcoe Centre (Mr. G. Taylor) brought that up.

Mr. Ziembra: That's a 30-day sentence that the minister had to look after. We have at about the same time another sentence here: "Stole Two Salamis and given 10 Days in Jail." This is in Hamilton. "A 39-year-old mother of two was led crying from provincial court after being sentenced to 10 days in jail for stealing two salamis valued at \$15.70.

"Judge Robert Morrison sentenced Maria Pilarczyk to the jail term after she had pleaded guilty. Her lawyer said the woman stole the salami to feed her two teen-aged children and an unemployed husband. The court was told that the family's only income is \$35 a week which Mrs. Pilarczyk receives as a cleaning woman and \$100 a week her husband collects in unemployment insurance."

We have another case here; and this fellow wasn't too hard done-by. The heading is "Sudbury Contractor Fined for Conspiracy." The story goes: "Mr. Lebel, former chairman of the hospital board, was jailed for six months when he pleaded guilty last year to accepting \$26,340 in secret benefits from Janin in return for promising to rig bids to build a hospital in 1971. During Mr. Lebel's trial there was evidence that he had promised to do Janin favours, but investigations did not prove whether he had done such favours." Well, he got six months for a \$26,000-theft. That works out to about \$1,000 a week; and here is a woman who did 10 days for stealing two salamis.

Mr. Sterling: How many salamis does that work out to, Ed?

Mr. Ziembra: I haven't figured that out, but it would be interesting. I don't know if Mr. Lebel is interested in exciting food.

Mr. M. Davidson: There is a difference; Lebel was never starving.

Mr. Conway: Ted Bounsall is.

Mr. Bounsall: Indeed.

Mr. Ziembra: I don't think this government can build jails fast enough. The one part that worries me is the work gangs, although I can see the value of that. In fact, if I were in jail I'd be the first to volunteer to go on a work gang just to get out of the place.

But what could happen is that it could in the long term be an incentive to municipalities that are under economic pressure to make use of convict labour to do work that they'd normally pay someone to do. When the minister talks about \$10 million this year, he's talking about 1,000 jobs that aren't being done in the public or private sector.

I wouldn't want to see happen here in Ontario what we learned happened in Georgia during Governor Jimmy Carter's tenure, when convict labour depressed wages as well as provided slave labour for small communities and also groups.

Mr. Bradley: Didn't I hear the Georgia system was too soft?

Hon. Mr. Drea: It is.

Mr. Ziembra: I also worry about some of the jobs the minister has assigned his charges. Many of those jobs, I imagine, could have been done by students this summer. It's really distressing to read headlines in the Star that—

Mr. Sterling: You have to pay them though, Ed. Where are we going to get the money to pay them?

Mr. Ziembra: —the first pay cheque many students get is from welfare. In my opinion it would be wrong to go to jail to get a job but it seems to be one of the surefire ways of getting employment these days.

Also, one of the amendments speaks about earned remission. I'd like the minister to explain what earned remission is and if an offender could earn his way out of jail by really hustling and working extra hard.

I also would like the minister to table, on a regular basis with this Legislature, work projects that are either undertaken or projected, as he has done last week to keep us informed. I understand he's contacted a number of labour groups to check with them before he's undertaken major projects, which is the correct way to go about assigning these work orders. I think the constant monitoring of the work projects is in order.

I think that pretty well covers our thoughts on this legislation. Other than that, we'll be supporting this bill.

Mr. Speaker: Does any other member wish to speak to this bill on second reading?

Mr. Roy: I'd just like to make a few comments on the amendments to the Ministry of Correctional Services Act because I have a few concerns about this act.

I might say that the minister, who some of us here have known for a period of time, has by and large, apart from a few wild statements that he made back in Georgia and the occasional statement here and there, taken a somewhat—

[8:30]

Hon. Mr. Drea: Even Clayton Ruby likes me, which shocks me.

Mr. Samis: You must feel uncomfortable.

Mr. Roy: You should start to worry.

Hon. Mr. Drea: I do.

Mr. Conway: The question is, is the minister still going to elect the Supreme Court of Canada?

Mr. Roy: I won't hold against the minister some of the late-night statements that were exchanged here. If he will recall when he was sitting in the back row there and some

of us were sitting in the back row here, we used to exchange a few pleasantries later on in the evening. I would say to the minister that by and large he has given the ministry a profile, or at least an image, of something that is active and positive. We're seeing some of it in this legislation.

Mr. Conway: The new Fred Cass.

Mr. Roy: It's no secret that the Ministry of Correctional Services used to be run something like the Ministry of Revenue where usually ministers made a stop on the way down and were not making stops on the way up. In that sense, this minister has seemed to take a realistic and objective interest in the ministry and is bringing forward certain programs which the community can fully accept.

If I have one criticism of the minister, it's that sometimes he personalizes things a bit too much with "my boys," "my penitentiary" and "my institution."

Hon. Mr. Drea: I've never used that word.

Mr. Roy: There are times when certainly that connotation has come across.

Hon. Mr. Drea: The member should correct himself. I have never used that word.

Mr. McClellan: Take him outside.

Mr. Roy: I don't want to get the minister overly excited, but I really think there have been such times—and that's normal; he's a sort of bravado type, he likes personal involvement it what he's doing. I suppose some of these things are so natural that we get that impression. But I must say, in comparison to some of his predecessors, certainly it's a fantastic improvement. I don't want to get personal about some of his predecessors, but I recall—

An hon. member: Some of them have well-paid jobs now.

Mr. Speaker: I must remind the honourable member that the legislation doesn't even mention the minister's name.

An hon. member: That was an oversight.

Mr. Foulds: It does mention "the minister" in the definition section.

Mr. Roy: Mr. Speaker, all this was sort of a preamble to my comments on the bill.

Mr. G. Taylor: Have you got more?

Mr. Roy: It's nice to see some of the members from the other side awake for a change. It's nice to see the member here and it's nice to see him awake.

Mr. G. Taylor: If you were around here more often you would keep us awake.

Hon. Mr. Norton: Who is getting personal now?

Mr. Makarchuk: You fellows better make your acquaintance; you should get acquainted.

Interjections.

Mr. Roy: My God, this place is alive. There was nothing personal there.

Hon. Mr. Norton: It's like the end of the week.

Mr. G. Taylor: We can take you once a week.

Mr. Roy: I'd like to ask the minister about one of my concerns, in view of the fact that he's embarking on some of these make-work programs of having the inmates do something useful for a change. I think that is something all members welcome, which our community out there certainly welcomes and which is actually going to be in the best interests of all of us, because one of the concerns about penitentiaries, reformatories or any institution which incarcerates is that very often the inmates inside are removed, are in a vacuum and are insulated from the real world. Sometimes there wasn't sufficient association with the crime, the reparation, community involvement and doing something positive. By being incarcerated in an institution, very often there was nothing positive happening there. That's why we welcome this initiative on the part of the ministry.

In getting involved in this new type of program, my concern is why would the minister require such sections as section 12 about the protection from personal liability. Possibly that existed; I haven't had a chance to look at the old statute as to whether that in fact existed in the legislation at that time.

Hon. Mr. Drea: It did.

Mr. Roy: I'm reviewing it here very quickly.

Hon. Mr. Drea: I told the member it did. It is just a change in wording.

Mr. Roy: It did. Possibly it is a change in wording; but I am confused, I must tell the minister very frankly, by the wording in the section. I'm talking about section 12 of the bill which says: "No action or proceeding in damages shall be instituted against the deputy minister." Then it goes on to say, "any alleged neglect or default in the execution in good faith of his duty or for any act of an inmate, parolee or probationer while under his custody and supervision." My concern is simply that it is not all that comforting to the community. One of the concerns in the community is that we have these work gangs, as the slang calls them, out there working in the community. Then they look at section 12 and they say, "Well, you know there seems to be some form of immunity built up towards the minister, towards the ministry, towards the deputy

minister in relation to any acts done by the inmates, parolee, probationer or people of this nature."

My concern, Mr. Speaker, is that I wonder why that section is even necessary. It seems to me that in jurisprudence, by and large, people are not deemed to be negligent. They are not deemed to be responsible or liable for certain torts if they acted in a reasonable fashion. Why do we have to have it legislated in this fashion, especially when subsection 2 seems to be—

Hon. Mr. Drea: To make it easier to sue me rather than having to sue all kinds of intermediaries.

Mr. Roy: Especially in the light, Mr. Speaker, that subsection 1 says that "No action or other proceeding for damages shall be instituted against the deputy minister or any officer or employee of the ministry or anyone acting . . ." So what the minister seems to be suggesting from across the way is that we sue the minister.

Hon. Mr. Drea: Sue the crown.

Mr. Roy: Sue the crown, okay. Well, I think there is a way of clarifying subsection 1 and subsection 2, because you look at subsection 2 and it says the Proceedings Against the Crown Act does not relieve the crown of liability "in respect of a tort committed by a person mentioned in subsection 1 . . ."

Possibly the minister could explain to me what the meaning of all this is—why it is necessary that we have this what I call legalistic confusion in section 12 of the bill. Frankly, after looking at the legislation it appears to me that it is not that comforting to the community if we are saying to them, "Okay, these people will be working out there in the community, but on the other hand if any tort is committed there is certain restricted responsibility."

I accept the minister's explanation if he says that all that does is take away the responsibility from the officers and places it on the crown, but I am not sure that that is such a good idea. It is a good idea in the sense that the crown has more money than the individual officers if you are suing in tort, although with the deficit this government has I am not sure how long it will have enough money to pay off its judgements should it have any.

Hon. Mr. Drea: As long as we are able to pay legal aid cheques we'll have the money.

Hon. Mr. Maeck: If you cut off legal aid we'll be okay.

Mr. Roy: Legal aid? My God! If they all worked at the same rate as legal aid they

wouldn't look so prosperous across the way there.

Hon. Mr. Maeck: Two days a week is all you have to work to make a fortune.

Interjections.

Hon. Mr. Norton: You are treading on dangerous ground, Albert.

Mr. Roy: The Minister of Revenue (Mr. Maeck) is resplendent there in pink—well, not pink, that pale blue—

Mr. Deputy Speaker: Order. Will the honourable member please get back to Bill 85?

Mr. Foulds: He is not only off the topic, he is colour blind. He can't tell pink from blue.

Interjections.

Mr. Roy: I don't know what good it is in the sense that the officers, in view of this section, may be somewhat cavalier in their approach to this type of project. The minister certainly should keep that in mind.

Secondly, I say to the minister, that he should try and clarify section 12, subsections 1 and 2. I think there is a way of drafting this so we don't have to run to four statutes to find out who we are going to sue if something should happen.

I say this sincerely to the minister because I think it is somewhat confusing. I read section 12, subsections 1 and 2, a couple of times and it seems to me that it sort of takes away in one section and gives with the other.

Mr. Foulds: That's exactly what it's designed for.

Mr. Roy: I think there is a way of clarifying that confusion.

The other part is—and I want to be complimentary to the minister—there is an awful lot of discretion—

Mr. Warner: Oh, oh, you're in trouble now.

Mr. Samis: He's ready for it now, Albert.

Hon. Mr. Drea: Clayton Ruby and Albert Roy on the same day.

Mr. Makarchuk: Let's face it; you settle for what you can get, the hell with the rest.

Mr. Roy: What I have enjoyed about the minister is that when he discusses some of the programs, in fact some of the programs that are in this legislation—

Mr. Conway: Albert, why don't you come in on weekends?

Mr. Roy: For instance, last week when he was on Provincial Affairs—

Mr. Makarchuk: That was the week before.

Mr. Roy: —he was talking about community involvement. I didn't quite understand that one line when he said that, "we're having the inmates get involved in community affairs and have association with the community"; and then he puts them out there and they construct a 20-foot wall between them and the community. I didn't quite understand the—

Hon. Mr. Drea: You understand; you're the best in the business at saying you don't understand.

Mr. Roy: No, no; I didn't.

Hon. Mr. Drea: Oh, come on.

Mr. Roy: I smiled. You didn't see me, eh? I smiled on Provincial Affairs.

Hon. Mr. Drea: With some of the turkeys you defend we need a wall.

Mr. Roy: I want to say to the minister that we in the opposition, and of course in the community at large, are going to keep a very close eye on this because there's an awful lot of discretion given to the ministry in this legislation. I think my colleague, our critic, has mentioned this. If some other minister may appear more irresponsible, we may have certain reservations about all this discretion. Because this minister has exhibited in the past such concern and such enthusiasm about some of the programs, I suppose the attitude we must take here is that we'll have to learn from experience what he can do, what it is practical to do, and what in fact is in the best interests, not only of the inmates but of the community.

These are the few comments I have to make about this legislation.

(Applause.)

Mr. Conway: More. More.

Mr. Roy: I'm sure I can continue here. Isn't it surprising when you see the enthusiasm from these people to my left? They can listen for hours to boring speeches from their leader and just sit there mum, and a poor little opposition fellow gets up and says a few words and they're all enthusiastic.

Mr. Samis: A poor lawyer, Albert?

Mr. Makarchuk: We were suggesting you move to another forum.

Mr. Roy: I should worry if they're my fans.

Mr. Conway: If you're a good boy, they'll make you an enumerator in North York.

Mr. Ruston: Then they'll want 25 per cent of your salary.

Mr. Makarchuk: He might make as much in a day as in half an hour.

Mr. Roy: The approach that we have to take as members of this party is to view with a certain amount of concern all the discretion that is given in this legislation.

Mr. Samis: What's the prevailing scene in Ottawa East, Albert?

Mr. Roy: There are many sections in this bill that are extremely wide. When you look at the treatment of inmates and the control of inmates and the variety of programs that can be involved, I think it's exceedingly difficult to be more specific.

Mr. Makarchuk: Has he started all over again?

Mr. Roy: I think the approach that we're going to take is to view very closely, very objectively, how these programs are working; hopefully we'll learn from experience and amendments will not be necessary.

Mr. Foulds: Is there a tomorrow? Darn it, there is.

Mr. Roy: Having made these comments, these last comments— Isn't the minister going to respond?—Having made these comments—

Hon. Mr. McCague: You rest your case.

Mr. Roy: —we of course, as my colleague the critic has said, shall vote in favour of this legislation.

Mr. Bradley: Where did they have supper?

Mr. M. Davidson: First of all, I'd like to say that the statements made by the member for High Park-Swansea (Mr. Ziemba) more or less echo the feelings of the members of this caucus.

Mr. T. P. Reid: That doesn't happen very often.

Mr. M. Davidson: I would, in fact, like to congratulate the minister, if I may, for bringing forward what perhaps is one of the most progressive bills introduced by his government since I've had the opportunity to sit in this Legislature.

Mr. Bounsall: However.

[8:45]

Mr. M. Davidson: I find it rather unfortunate to think that the Liberal critic made such an eloquent presentation of his party's position and the latest speaker, the member for Ottawa East, found it necessary to stand up and belittle a bill that deals with human beings, and one which I take very seriously.

If he chose to practise his lawyer's technique, he perhaps should have done it in front of a mirror, and if he wanted to use his ability as a legislator and discuss a bill that in fact deals with human lives and human

beings, he perhaps should have played that role.

An hon. member: Right on, right on.

Mr. M. Davidson: In fact he played the part of a court jester, I would suspect, to enliven what he considered to be a very dull legislative debate.

Mr. Roy: If we gave you a mirror you would fall asleep.

Mr. M. Davidson: Unfortunately, I did not find that very entertaining. I would just like to say this is the kind of legislation that should have been introduced into the Ministry of Correctional Services a good number of years ago. Perhaps one of the reasons it is being introduced now is because of the debate that took place in the estimates last fall in which the Liberal critic and myself, as critic of Correctional Services at that time, had the opportunity to express to the minister, our parties' views on the very issues that appear in this bill. Perhaps it is because we expressed our concern on some of the issues that we debated at that time that the minister is able to come out with the kind of bill that we have before us today.

I congratulate the minister and the minister for bringing forward this type of legislation.

I am sure the Liberal critic and I fully understand that there may be flaws in this legislation. No doubt there will be, because it is a progressive piece of legislation and the kinds of programs it is putting before us are the kinds of things that have never been attempted in this province before.

If all parties sit down and work together, we can iron out any difficulties that may come before us over the next period of years and see that the kind of programs and legislation we have before us will in fact become the model for the rest of Canada in how to deal with those incarcerated or sentenced before our courts.

I know the minister does not like to hear this said of him, but one of the things it does is bring some humanity into the system of corrections within the province of Ontario. Although the minister does not consider himself to be a humanitarian and simply feels he is doing what he considers to be the proper thing, there are those outside who look upon this as a humanitarian issue and who congratulate him for the effort he and his ministry have put into the development of this legislation.

In response to the member for Ottawa East, I don't know why he would reflect on the 20-foot wall, because I am quite certain he doesn't even know where it is.

I do know where it is. I know why it was built. I know the purpose for which it is there. I know who built it. I know all of the consultation that took place prior to that. It is dead-centre in the middle of my riding.

It is a rather sad situation when you try to divide the kind of a program before us here by talking about a 20-foot wall between the inmates and the community. It may surprise the member for Ottawa East to learn that the inmates who built that wall built it from the outside, not the inside. They were not divided from the community in their efforts to put up that wall.

One of the things that does concern me, however, and I have discussed this with the minister previously, is putting inmates to work outside correctional institutions doing various jobs. On several occasions in the past the minister has assured us that this would not in any way, shape or form take away from work that would normally be done by persons employed in that type of work; nor would it normally be done within communities where money was available to carry out that kind of work.

I would like to point out again to the minister the system that exists in the Guelph institution where you do have people who do go outside the institution, work in an organized factory and get paid the wages being paid through a negotiated agreement.

I would like to remind some of the other people in this Legislature who might not be aware that these people are paying a certain portion of their wages back to the institution as what one would normally call room and board, a portion of that money is being sent to help maintain their families and another portion is being kept in trust until such time as they are released and they have moneys available so that they can go out and search for work within the community without having to go on the welfare rolls and without having to seek alternative methods of providing for their families.

I would like to suggest to the minister that perhaps this is the kind of program that he should be looking to expand on, because I think it is proper and right that we should allow people to continue in their work area: We should allow people to get equal value for equal pay for the work which they are doing. I also feel that it is right that they should be paying back to society some of what they have taken away.

But here we have a situation where people who have committed some kind of injustice to society are incarcerated but they are allowed to work, they are paying room and board within a public institution, they

are supporting or partially supporting their families and they are setting money aside for their return to society. I see nothing wrong with that. I would ask the minister to try to expand upon that form of program, because I think that in itself is far more beneficial than some of the other things we may get out of putting people to work outside.

Those are the few comments I have to make on the bill. Once again, I would like to congratulate the minister for this bill. As I say, we may find later on that we will have to make amendments to it, and I am quite sure that we can but, for God's sake, at least we have started in the direction of dealing with people in correctional institutions on a humanitarian basis, and it's about time this was started.

Mr. Deputy Speaker: The member for Simcoe Centre.

Mr. Samis: Thirty seconds.

Mr. G. Taylor: Thirty seconds? On a bill such as this, my friend would allow us only 30 seconds to speak? My heavens, the NDP has changed its policy completely.

Mr. McClellan: As long as you are not opposed to the bill, you can talk.

Mr. Makarchuk: You can talk for ever as long as you are relevant.

Mr. Bradley: For all the speeches you've made, George, you should be a parliamentary assistant.

Mr. Eakins: Thank you very much for the fine speech.

Mr. Deputy Speaker: Order.

Mr. G. Taylor: Thank you very much, Mr. Speaker. As have other members in this Legislature this evening, may I give plaudits and accolades to the minister for bringing forth this piece of legislation.

Mr. Roy: It's a good night, eh, Frank?

Mr. Makarchuk: It's "Frank Drea for Premier" night.

Mr. Breaugh: You can have this and you can have that.

Mr. G. Taylor: We don't often get pieces of legislation brought forth after the event. The minister has been putting these programs into position, making them available to the public and making these individuals worthwhile citizens in the community they may re-enter. Here we have legislation after the fact, which may be a new and forthcoming revolutionary plan for this legislative process.

Mr. Makarchuk: How can you utter the words "revolutionary"?

Mr. G. Taylor: When we see some of the programs he has instituted and put forward,

these people have assisted the community; particularly in my riding and more particularly in my home community of Barrie, they have assisted greatly in the programs of that municipality. They have been received well. The different service organizations in the community have got behind the minister's programs; they have had him up to speak. They have got involved in the group home aspect, and there will be one in the very near future in the community of Barrie to assist the Correctional Services program.

There has been extreme co-operation between the people in the community and the minister in this program. Without that co-operation and without seeing what has taken place as a very practical situation, they have put people in the community, they have worked in the community, they have done jobs that other individuals would not do in our community. Because of many other programs that are in effect, we can't get those people to do the jobs. These individuals, the inmates in these institutions, will do these programs and are pleased to do them; it gives them far more of a spirit of community and it has given them an opportunity they have not had before in their home upbringing, in their environment and in many other areas. They have had this opportunity made available to them to see what might be called good honest work is and the opportunity to work with some supervision, some of them with slight supervision. I think the program instituted by the minister will see greater rewards in the future.

When we look at some of the other features of this bill that have been put forward, we have learned that he has looked at his program, at his correctional institutions, and at what is needed in these institutions and has put together a piece of legislation that will put those programs into place. The eliminating of indeterminate sentences and statutory remissions, that has been a program that has been under heavy criticism by the bench, by the bar, by the public.

Mr. Bradley: And by the federal Tories.

Mr. G. Taylor: It is one where you see somebody sentenced and very quickly he is out. Maybe now the judge, without sitting there with a calculator to find out what he is really sentencing the individual to when sentences are necessary, will be able to see precisely what the individual is getting. There will be an earned remission of sentence rather than this "let's cut off a bit because the statute says so, and he gets 25 per cent whether he's good, bad or indifferent."

We now have a very precise and logical piece of legislation by the minister who has

put a great deal of logic and common sense into penal institutions and a correctional program. He has brought this in, as well as another portion of the bill that comes forward with that logic and preciseness which this minister is able to put forward—

Mr. Bradley: He won't be able to buy a hat if you keep that up.

Mr. Foulds: The minister has many admirable qualities.

Mr. G. Taylor: Let's look at another one about the administrative separation of probation services into adult and youth services. Here again we have a situation where he has recognized the problems and he is segregating those problems; those individuals will now receive the attention that they need as individuals, as human beings, as persons who may need assistance. That is what he is offering forth to them.

I'm sure that he will come to the realization—he has it under explanatory note 14 where we have the probation officer who faces difficulty in following the court directions, and I've read over that section 42(2)—there may be some difficulty and before it gets raised as an amendment later on he might give some consideration there so that it will not become too much of an administrative procedure where the probation officer is back before the court at every opportunity.

Possibly there will not be too much of a break in that solicitor-client relationship—not that we always need it as lawyers—but we should make sure that break does not take place too frequently. Where the solicitor has put forward a position on behalf of the accused which has a great deal to do with the sentence of that accused, he should ensure that isn't changed too greatly by an administrative probationary officer.

Perhaps he would give that section some precise consideration before it gets to the committee stage so that he can make the amendments or possible suggestions for amendments so that it will not become a totally probation officer-inmate situation. For example, the repeated attendances before the judge, will that be in a chamber situation or will that be in open court where the sentence was originally given out? I'm sure those are considerations he will be giving to this bill as it passes through the legislative process of this House.

I bring to this the happy and good comments out of my own community as to the compassion and the work the minister has put into Correctional Services since he has taken over that ministership. I'm sure if his record is as good in the long run as it has

been in the short run, we might not have as many people in those jails on repeat performances and the whole community will be better served by Correctional Services in the province.

Mr. Bradley: How can you be so reasonable and sit on that side?

[9:00]

Mr. McClellan: I'm pleased, too, to join in support of the bill. We have argued for a long time, on this side, across the social development policy field, that we need to move away from institutional incarceration and towards the kinds of alternatives that I think are contained within the legislation before us tonight.

I will say, without wanting to become sickening in a chorus of accolades which may well go to the minister's head, that he is the one minister in that cabinet who seems to understand the concept of moving away from institutional incarceration and coming to grips with it in terms of real programs. He is deserving of our applause for that and our encouragement and support, and he will have it, Mr. Speaker.

I think I can offer some advice to the minister. I hope it will be received in the spirit in which it is given and that spirit is a desire to see the program of rehabilitation through work in the community succeed. That hope is shared in all three parties in this House. The minister, if I may say, got off to a bit of a bad start when he talked about his program in terms of Georgia-style chain gangs. That was unfortunate. Perhaps the minister realizes it was unfortunate because it gave a bad impression; and even worse, it gave an inaccurate connotation to what the minister intends to do and seems in fact to be doing.

We have followed the progress of his experiment very closely, and as my colleague the member for Cambridge (Mr. M. Davidson) indicated, we are assured so far that he is proceeding with a good deal of sensitivity. But I want to stress the point that the member for Cambridge made that the rehabilitation program using work for inmates needs to be based on two principles. One he has clearly established and articulated, and begun to implement, and that is restitution through work; but the second of those principles, which is equally important, is that there be decent pay for work. The member for Cambridge indicated how we might structure a decent pay concept for work rehabilitation. It's an enormously important principle that needs to be enshrined in the program if the program is to succeed. If this program is to succeed, there must be not the slightest hint of ex-

ploited labour, not the slightest illusion of the traditional bogeyman of the convict slave labour gang or the chain gang or the cheap labour gang or anything like that.

I don't believe the minister intends that to be the model of his program at all, but it needs to be said and it needs to be acted upon by the ministry. There must be no undercutting of wages in the program; I believe if the principle of decent pay for work, even convict work, even inmate work, is developed along the lines my colleague from Cambridge suggested or along other lines which the ministry or others may be able to develop themselves, there will be no opposition from us. There will be no opposition from organized labour. There will be co-operation because the program poses no threat to the income security of working people. I have every confidence that this kind of a program can work because it works very well in European jurisdictions. We have always viewed with a certain amount of amazed bewilderment how it is that some of the Scandinavian countries are able to operate their societies with a fraction of the institutional incarceration we seem to require in this country. I guess we can say we're starting to move away from that and that this legislation and the program of the ministry are a very good start.

I hope the minister will respond to the suggestion made by my colleague from Cambridge and give us some indication of his own thoughts on the issue of a decent remuneration for work.

Hon. Mr. Drea: A number of speakers have alluded to something, but I think I should set it out very clearly. The prime function of this bill is not only to begin but to implement selective deinstitutionalization of incarceration institutions in the province. That is a fancy way of saying that we want jail—and by jail I mean the local jail as well as the detention centre and the correctional centre or any definition you want—to return to its prime purpose. Its prime purpose is to house only the dangerous.

It is not to be a place of rehabilitation, it's not to be a place of reform, it's not to be a place of punishment; very bluntly and very simply, jail is to protect you, and by that I mean society, from people who are either dangerous to citizens on the streets or dangerous to themselves. Somewhere along the way the spinoffs, which are reform or rehabilitation or certain attempts at motivation, have been so intimately connected with the institution that jail has become quite totally, up until now, the alpha and the omega of any attempt to correct.

Jail is probably the worst place to try to correct or to motivate anybody. That is why throughout the four parts, and the regulatory part, which is part V of this bill, we are going to great lengths to clarify and to limit ministerial discretion.

We have had CRCs for a good number of years. It was at ministerial discretion as to what type of contract would be signed with the private social agency, what the program would be and so on. It was all within the confines of ministerial discretion. Since I had previously, or will have up until the passage of this bill, certain rights to introduce programs which would be beneficial to inmates, we took advantage of that very wide and that very broad scope to begin the funding of community resource centres. Now, as members will notice, we have stated things very specifically, or as specifically as we really can state, because we are in the process of changing the scope of the CRC enormously. A year from now or 18 months from now we will regard as very primitive the type of CRC we have now. I'm talking about the structure of it and the scope of what it's trying to do.

Throughout this in every area, not just the CRCs but in the outside work, we've specifically put it into the act to avoid something I don't like, which is a great deal of ministerial discretion. There's no question that under a ministry act today in a complex field, not only for me in this but for my colleagues in cabinet, ministers have to have an amount of discretion. Otherwise they cannot function on a day-to-day basis.

In this ministry there is a total onus upon the minister for total human behaviour far beyond the dimensions of any other ministry. We literally tell people what time to get up, what they're going to eat, what they're going to wear, what they're going to do and how they're going to talk. We do that for a prolonged period of time in two directions. We literally run a glorified boarding house for the court when the person is a remand inmate, which is a very difficult period because he's in there on a warrant from the court and we can't even let them out the front door for any reason without going back to court. Secondly, there is the sentenced inmate.

When you have that type of onus for the totality of human behaviour, then I don't think there should be any more ministerial discretion or any more discretion of the minister than is necessary to provide the ability to cope on a day-to-day basis; to be flexible in approach to the variables of the human condition, and also to the variations of regional geography, regional attitudes and to the variety of languages in many parts of

the province. I think that we have done this.

Specifically, I would like to give great credit to the federal government, because without Bill C-51 in the House of Commons, without the enabling legislation there, we would not have been able to bring forward many of the concepts expressed in this bill, not the least of which is earned remission. As the honourable members know, in this ministry I have to operate within the framework of federal legislation almost as a municipality operates within the framework of provincial legislation. I do not have to go as far as the federal legislation allows, but I can go no further.

On July 1 there will be simultaneous proclamation across 10 provinces and by the federal government of the system of earned remission throughout Canada. That was made possible, as was the exchange, by Bill C-51. There's no question that from time to time, because federal institutions don't have the flexibility that we do to move people around, we have boarded federal prisoners. By and large, that was because they were waiting as crown witnesses in certain events elsewhere. This legislation will provide for an orderly exchange.

Quite frankly, it's not going to be much of an exchange, because the inmates are all coming one way. They're coming out of the federal system into ours because they have no room to take any of ours. The federal penal institutions are tremendously overcrowded and under very substantial pressure, particularly in the medium-security area in this province, as well as for females. While the House of Commons has authorized an exchange, really what they are authorizing is the movement of federal prisoners back into provincial institutions on a fee-for-service basis. It's almost identical to the concept that we have of putting the provincial inmate into a CRC on a fee-for-service basis.

I may say there has been some concern about compassionate payments, but let me clarify this. Anybody—inmate or officer—who is injured in the course of criminal activity, that is, by riot, assault, what have you, comes before the Criminal Injuries Compensation Board. The compassionate allowances that we are talking about are purely within the area of the concept of workmen's compensation—a small "w" and a small "c."

As a matter of fact, when an inmate is injured, whether it's at recreation or at authorized work—indeed it may very well be a combination of both where he is doing craft work or building something—provided he is acting legally and is injured, the Work-

men's Compensation Board does the paperwork for us, they assess the injury. Remember, of course, that in terms of partial disability, the inmate is not receiving wages.

The concern was raised, "If it's not permanent, why aren't you into it while it's only temporary?" Because in terms of a temporary disability, say a broken wrist, there are no wages to be paid as there would be out in the marketplace. There is no loss of income. It is only after that injury has ceased to be temporary, or the person has recovered, that there is an assessment by the Workmen's Compensation Board as to whatever loss the inmate has suffered. At that time they tell us what they would have paid in terms of pension or in terms of a lump sum because most of these injuries are relatively minor—I shouldn't say relatively minor; relatively on the low end of what a permanent pension would be for an industrial worker. They then suggest an amount that is comparable to what they would pay and we go to Management Board and get it on that basis.

[9:15]

I should point this out too, Mr. Speaker. In terms of our outside work people, one of the reasons we have to have a correctional officer or somebody else around is not for security purposes. It is the fact that the person while digging or while walking or while painting or while doing a lot of things may injure himself. We want a report on it so the injury is properly diagnosed, properly treated and we can go through just as we would do as an employer, except in this case we have total responsibility for sentenced inmates; we have to come to an arrangement on this so it is purely civil.

As a matter of fact, there have been correctional officers who have been compensated by the Criminal Injuries Compensation Board for injuries sustained by assaults coming from inmates. It seems to me that there have been inmates who, if they haven't been compensated by the Criminal Injuries Compensation Board for assaults upon themselves while under incarceration, the cases are still there and may yet be heard.

I would say that I have never heard the name "community relief centre." There is a comparable federal program, although it is in after care, the community residential centre. That is a halfway house; it is for people on parole. I think it is just coincidence that the two of us happened to pick the same initials.

I do want to emphasize that the community resource centre, the CRC, is not a

halfway house. It is for sentenced inmates. It is a jail. In terms of discipline it is under the direct control and under the direct operating authority of the superintendent of the institution to which it is attached. It may be separated physically, but it is none the less attached. The privileges and the responsibilities that go with a halfway house for ex-offenders is simply not present in a CRC, regardless of how flexible our program is in there.

I frankly am very, very concerned about the attitude of the courts towards escape. We have had some disastrous results in the courts where they have taken the position that unless there are walls and wire—in other words, in a minimum security institution—even when they are around institutional property, where there are no tremendous obstacles to leaving, the courts consider it not an escape but consider it simply unlawfully at large, which is a very light offence. It is not a deterrent against escape. Certainly I agree that the public has to be reassured that there must be a deterrent.

These people may be minimum security inmates; there is no question about that. But, by the same token, there is an expense involved when one of them takes off. Nobody has taken off, but when one takes off it is a expense to the police. There is the question of another trial. There is a question of additional sentence and there is also the concern of some of the public that they just don't want inmates running down the street. Usually the people who say this are in the wrong direction, but in any event we want to have a deterrent in there.

I may very well come back to this because I want it to be made a provincial offence. I want it to be made a provincial offence to escape from the work gang or the road gang, anything outside of the institution, because I think the public wants that. They want some assurance that there is a proper deterrent against the ease with which one can walk away, reinforcing the public's attitude that this is a safe and a secure program. That is the basis upon which it operates. There are difficulties. No program I can devise, Mr. Speaker, unless it has the wholehearted support of the public is worth anything in coming to grips with the inmates' behaviour problems or the problems of selective deinstitutionalization that affect us at this time.

It is very interesting that in part IV, which deals with probation, we are doing two things. Quite frankly, I don't know why they haven't been done before, because, when probation was taken out of the Attorney General's ministry with the reorganization of government

back in 1972, they forgot to change many of the clauses. The probation officer, unfortunately, remained an officer of the court. This made it extremely difficult for the probation officer to function in an independent ministry. He had been transferred out of being, in effect, an officer of the court; but notwithstanding the fact that he or she was in a ministry independent of the court, his authority still remained as an officer of the court.

Of course, all that is changed. He now becomes an agent of the ministry. I think this is very important. Up until now, the probation officer has been in a difficult area. On the one hand, the law said he was an officer of the court. On the other hand, because of his practical experience and the work he had to do, he had to be completely independent of the court.

I would point out to my friend the member for Simcoe Centre (Mr. G. Taylor) that the reason we want the right for the probation officer to go into court on a normal basis to vary a probation order is that, notwithstanding the fact that the probation orders come on the advice of or the plea of the solicitor, with the consent of the crown and with the thoughtfulness of the judiciary, the conditions occasionally are impossible.

If there has been a sudden change in a probationer's physical situation or in his economic situation or some other things, at the moment we have to prevail upon a kindly crown to let us go back into the court and have the crown ask the bench for the right to vary the order. What we want in this is that, when there is a change in circumstances or the conditions of probation are simply impossible to fulfil by the probationer, we can go into court, make an application and have it heard in chambers. Of course, this would be with the consent of the defence, and obviously would be brought to our attention by the particular probationer, because he or she would be the one who told us the order was impossible to comply with.

Rather than being an attempt to alter the sentence after sentencing had been done or to introduce a new type of appeal on sentence without going through the formalities of the court, this is an effort to have a viable probation system whereby, if circumstances change, the circumstances surrounding the actual reporting and so forth of the probationer can be changed legally and so as not to leave the probationer in the situation where his probation might very well be breached and he might face additional charges before the court.

I don't know where the concept of the community service order was brought into the

debate on this bill because we have nothing under our act to deal with the community service order in lieu of incarceration. We only begin to exercise authority after the gavel comes down and the sentence is imposed. It is quite true that when the community service order is imposed, then through our probation services—it's always through probation services, because it is basically a probation order—we begin to operate.

I think it is noteworthy that the Attorney General (Mr. McMurtry), under whose jurisdiction that is, is moving towards amendments that would make the community service order a third type of sentence, a real alternative that is not somehow linked together with probation. Certainly it would still have the probation deterrent in it against any default, but we would have an incarceration sentence; we would have a non-incarceration sentence, being probation under loose supervision in the community; and, finally, on an equal basis with the legislation that the Attorney General is seeking, on a straight third level, bringing it right up, not only as a valid sentence but also as an equal sentence with those two types of disposition, we would have the community service order. That is not within the ambit of our ministry. That is within the ambit of the provincial Attorney General and the federal Minister of Justice.

I am pleased that the question of parole was brought up, because, as you know, Mr. Speaker, on or about October 1 we will be assuming parole for all Ontario inmates. Once again, this is enabling legislation from the federal government and without it we would not have been able to go into this area.

The reason I mention this is there was a question from one of the members as to why certain things which were in the previous bill regarding females were not in there. It seemed to have been unisex.

That is because Bill C-51 will abolish the indeterminant sentence, which was applied to females particularly. We either assume parole or we don't, but the indeterminant sentence which was our only authority for parole, has gone with the passage of Bill C-51. That then, is in conformity with the federal legislation.

In regard to the questions about section 12; the function of section 12 is to clarify this business about who you go after if something happens to you as a result of any program by the ministry. We don't want to subject the correctional officer who is supervising outside the institution—or indeed the parks people or recreation people some communities use to take over control themselves—

we don't want them subject to any doubt, we want a very clear-cut procedure whereby the litigant will use the proceedings against the crown act. What we want, clearly and simply, is that you sue the crown. You don't have to start the tortuous proceedings about who was the correctional officer on duty, who was the superintendent of the institution, et cetera, et cetera, et cetera. We want a clear cut route where, if there is an agreement between the ministry, that is the crown, and the person, that any loss or damage to the person will have rather quick service in the courts. Again, that is reflected by the fact that we are now outside the institution. When we were always inside the institution, this was a very rare problem.

I want to point out a couple of other things here. We now have 500 people going out daily to work gainfully through the temporary absence program we have had for some time.

They are working in competitive industries where the product is sold commercially. They are paid dollar for dollar, penny for penny, benefit for benefit the same as the people working beside them who are not inmates. They are in all kinds of plants and offices across this province and there is no question we want to expand it.

One of the difficulties in attracting new prison industries is the economy. But we have attracted prison industries such as the abattoir program at Guelph, which is under a union agreement. I am the only minister of the crown in this field in this country, and as far as I know in neighbouring jurisdictions in the United States, who has a union agreement. I have one with the Food and Allied Workers, and it has worked out well.

We will be expanding our mattress operation at Mimico, where we make the new style mattresses that replace the ones guaranteed to asphyxiate within a little more than two minutes if they catch fire. We have concluded an arrangements with the federal penitentiary service where we will be making mattresses for them and they will be making lockers for us. These will be cash transactions between the two of us. The inmates at the mattress operation in Mimico are paid dollar for dollar, cent for cent, fringe for fringe, what they would be on the outside.

In addition, we are now working in north-western Ontario because the Ministry of Natural Resources, even with the co-operation of Canada Manpower, even with the co-operation of social service departments and municipalities, even with the wholesale advertising of these jobs, cannot find people

who will plant trees and work in reforestation projects this summer.

Last year we planted one million trees. We were paid for it. This year we will probably have to plant more. They will be paid dollar for dollar the wage that was advertised in the newspapers through Canada Manpower, et cetera. Once again, I suppose, it is stoop labour. Very few Canadians want to do it. We have convicts who will do it and who will do it well. This type of work will go to those who are on a sustained work program who have been working for nothing and have assumed their responsibilities.

With the farm labour program for the summer, once again they will be paid competitively because the product is sold and it would be very unfair for one farmer to have free labour and another farmer to have to pay.

They will pay the going rate, which will be supervised by the specialized people in Canada Manpower.

[9:30]

In terms of our overall work programs, I have said, I have put in writing, I have committed myself. I have met with the people from the Canadian Labour Congress; I have met with the president and secretary-treasurer of the Ontario Federation of Labour; I have met with virtually every union person that I know—and I know a great many. We have said that we will not continue any job, even where there is an area of doubt that someone could lose his job. If there is any possible chance the benefit of doubt goes to the workers.

It would be ludicrous to me that we would, in furthering ministry programs, take away a man's job or a woman's job when that man or woman have done nothing against the community, indeed have been assets. That is simply not fair, so we have taken the greatest precautions. I think the best precaution is that these programs are not operated out of the minister's office but they are operated autonomously out of each and every institution. The local group has to meet our local superintendent and knows full well the area problems and so forth and can make the decision.

I will tell you that we have rejected outright proposals that came to us, even with assurances that they were not going to take people's jobs or erode job opportunities. We told them it was our feeling that it was simply too close to the line and that we thought it should be done by paid labour. We have done that and we have done it very consistently.

I want to make one thing plain to the member for Ottawa East (Mr. Roy). In no way, shape or form, at any time, have I ever referred to an inmate with the very derogatory comment of "boy." That is what I objected to. I don't mind using the first person. I use that when we have programs where there is an element of risk. I don't expect the professionals in the ministry to have to assume risks that may jeopardize their careers because they have been ordered to by the minister, because we want to be innovative and imaginative.

But in no way, shape or form would I ever call an inmate "boy." And if I ever caught anybody in the ministry using that very derogatory term towards an inmate, he or she would be fired as quickly as were the people in the Don Jail when certain events were brought to light. That was the particular point that I was trying to make at that time.

Mr. Roy: The minister referred to "my inmates."

Hon. Mr. Drea: Yes, but there is a big difference between "my inmates" and "my boys." "Boy" is a very, very—it has some connotations which are very significant.

Mr. Epp: I think you are overplaying it.

Hon. Mr. Drea: No, it was raised to me and I objected at the time; and the member went on cavalierly again. So I am just drawing the member's attention to it. If the member wants to make comments to me, he has a seat.

In conclusion, I would like to raise one final point—

Mr. Roy: You see that you go by the rules of the House.

Hon. Mr. Drea: There was the point that with the tort provisions under section 12 it might be an encouragement for officers to be cavalier. If an officer was cavalier and it resulted in damage; first of all, as the crown, we would be prepared to pay for the damage, but we have adequate internal discipline that would be a deterrent against the correctional officer being negligent in his job or allowing something to happen to somebody in the community because he did not take precautions and so forth. So I think quite frankly that is covered.

That ends the comments I want to make, except I would leave with the honourable members the fact that I want to take another look at that section regarding escape by people working on projects outside the institution. I think there has to be an additional deterrent so that there is no mistaking

the fact that this is not being unlawfully at large, which is just AWOL, being a little late coming back from a pass. It is a deliberate escape even though there are no fences or no walls.

Thank you, Mr. Speaker.

Mr. Roy: Mr. Speaker, I wonder if I could rise on a point of privilege in relation to a comment made by the minister. I want him to correct the record on—

Mr. Speaker: A legitimate point of privilege is in order at any time.

Mr. Roy: Yes, that is what I am trying to raise.

Mr. McClellan: This would be the first time, Albert.

Mr. Roy: There was some reference made to the minister, when I was making my comments. I said that he personalized the institution and the inmates. I don't recall the exact words I may have used, but I may have referred to "my boys" or something. There certainly was no intention on my part to have any racist or derogatory connotation on it. I meant really that he'd referred to "my inmates," "my institution," and things of this nature; nothing racist or derogatory in any way.

Hon. Mr. Drea: Mr. Speaker, the member for Ottawa East had ulterior motives, but I just don't like leaving those things in Hansard, which is widely distributed. There is no misunderstanding, I just want to make it absolutely certain that term simply isn't used.

Mr. Foulds: Hansard is so widely read. Motion agreed to.

Ordered for committee of the whole.

CHILDREN'S PROBATION ACT

Hon. Mr. Norton moved second reading of Bill 95, An Act to provide Probation Services to Young Offenders.

Hon. Mr. Norton: I would make some few brief remarks. I must say that following the preceding bill, I'm sure that mine will seem like a very humble little bill to be presenting to the House.

Mr. McClellan: It's too bad it's not as good.

Mr. Foulds: You're a humble minister in comparison.

Hon. Mr. Norton: Always.

Mr. McClellan: You could learn something from corrections.

Hon. Mr. Norton: In a very general sense, I suppose, Mr. Speaker, that this is, in a

way, a companion to the preceding bill in so far as it is to provide for the continuation and continuity of probation services to juveniles in the province in view of the fact that the preceding bill provides for the repeal of the Probation Act under which these services have been provided up to the present time.

The bill is not a major departure from the provisions of its predecessor, the Probation Act, but there are a number of specifics in which it does vary, including the fact that we are not re-enacting certain sections of the act which have become a little anachronistic as a result of changing circumstances and changing provisions in the public service in the province of Ontario; and also in terms of the fact that the Probation Act applied, of course, to both adults and juveniles.

Perhaps I could touch very briefly on those areas where there is some departure from the previous legislation. In section 2(2), and in section 3, there is a provision which I suspect might be construed by some—they may not understand the full intent of it at this point—as an effort in some way—

Mr. McClellan: That's called contracting out.

Hon. Mr. Norton:—perhaps to reduce the civil service or to avoid the involvement of public employees on an ongoing basis in the provision of probation services. That, Mr. Speaker, is certainly one of the farthest things from our minds at this point.

Mr. McClellan: Abolish the thought, heaven forbid.

Hon. Mr. Norton: I would like to explain briefly what the principle is that is reflected in those sections. First of all, section 3 provides that agreements can be entered into with persons who may not be employees of the ministry for the provision of specific services. The occasions on which that is required are not a great number of cases, but it is important in a ministry that is providing services in communities from one border of this province to another that we have this degree of flexibility.

If I could I will give just a couple of examples of circumstances under which it is essential, I think, that this kind of flexibility be provided.

In some of the more remote communities of the province—and I think of situations such as perhaps on an Indian reservation in the northern part of Ontario which is removed from centres where we might have offices with probation officers readily available to provide supervision for young probationers—in order

to service the community, or service the individuals in that community, it may be necessary for a probation officer to go in rather infrequently, perhaps on a monthly trip by air in order to reach the community. I believe it is to our advantage to have the flexibility if there is someone in that community who can, on an acting basis, provide ongoing supervision. This can be coupled with the designation that's provided for in subsection 2 of section 2, because the person would be designated by the nearest office of our probation service to provide supervision perhaps on a monthly basis in that case. But there would be someone on site who would have an ongoing relationship as a supervisor with the juvenile in question.

Failure to have that kind of flexibility would create a situation where we might very well have less than adequate supervision of juveniles in remote areas. I think that's not in the best interests of the young people of this province. Certainly if we wish to discharge our responsibilities in this ministry conscientiously it's important that we be able to have some flexibility there.

Another example of the kind of situation where special services have to be purchased from time to time would be a hypothetical situation—in fact I could perhaps give concrete situations very similar to this—where a juvenile who is under probation order from court might require, rather than merely supervision, some family counselling services which would involve more than the juvenile himself, perhaps his whole family. The caseload in any given community might not be such that it would be possible for us to provide that service to the family from permanent and regular staff.

Where the need is there and it's recognized, I think it's important that we have the flexibility in specific cases to purchase that service—for example, from a family counselling agency within the community—and perhaps, in some of those cases, to make a designation so that one of the persons who would be working with the juvenile and the family could also act as the supervisor of the probationer. If that flexibility is not provided, once again it would I think seriously limit our capacity to respond to the specific needs of the probationer. I hope that we don't ever fall into the situation where we are so rigidly restricted by the legislation that we cannot have that kind of flexibility to respond to the needs of the young people of this province.

The other sections of this act, Mr. Speaker, don't really vary in principle substantially from the others. As was true in the Ministry of Correctional Services Act, we have also

included—for the same reasons as the Minister of Correctional Services (Mr. Drea) explained to the Legislature—the provision that the probation officer might apply for a variation of an order which has proved to be impractical or impossible to comply with. I don't think I need elaborate further on the reason for that; I think the Minister of Correctional Services did that quite adequately.

I guess the only other significant change from the previous legislation—

Mr. McClellan: You're very apologetic about this bill.

Hon. Mr. Norton: —is the description, if you wish, of the function of a probation officer. In that description we have attempted to emphasize the role of the probation officer as a helping professional who will provide guidance and advice, not only to a probationer but to the family of the probationer for the purpose of helping the probationer adjust to and benefit from participation in community life.

It's our hope that the role of the probation officer will be seen more in the context of a helping professional than perhaps in the more legalistic and court-oriented role that has often been perceived in the past. I can assure you, Mr. Speaker, that many of our probation officers and most of our probation officers are fulfilling their role in conformity with this description at the present time, but it's our desire to see that reflected in the change in the legislation as well.

I think those are all of the comments I have at this point. Perhaps I would have some further comments at the end.

[9:45]

Mr. Blundy: I'm pleased to speak on this bill, An Act to provide Probation Services to Young Offenders. In total, I agree with the bill and we will be supporting it, but there are several comments I would like to make.

First of all, I would like to touch on section 2(2). This particular subsection is giving some apprehension to some of those people who are now employed in the probation services under the Public Service Act. I believe the apprehension which they have suggested may very well have some foundation. Although the minister has made some comment on that particular section, I believe we ought to have greater elaboration from him in that respect.

I had made a note to question the minister regarding section 3 of the act. However, I believe that the suggested possibilities where an agreement may have to be made sounded very plausible and quite likely might be considered from time to time. I particularly agree

with the suggestion made by the minister that perhaps some one of the social agencies within the municipality may be in a better position at times than even a probation officer in dealing with a youthful probationer and his family where there are certain circumstances. The explanation that was given by the minister in this case of section 3 does seem to answer the questions I had in mind in regard to section 3 of the act.

I am very pleased with the wording of the function of the probation officer. I think this is what I look for in a probation officer. As well as being what is ordinarily thought of as a probation officer, he has to be somewhat of a guidance counsellor and social service worker to be really effective. I'm quite taken with the description there of the functions of the probation officer.

However, I would like to mention at this time one thing with which I am concerned, that is, the current workload being experienced by many of the probation officers now involved, particularly with the youthful offender. I have been given to understand that the workload is such at times that they are not able to devote sufficient time, energy and direction to the probationer to ensure the success of the probationary period.

We have often seen here where programs are funded by the government and widely touted but often insufficiently funded. I've said in this House and I've said publicly that I don't want the government of Ontario to be spending more of our tax dollars, but there are areas where one cannot prevent that. I believe this is one of those cases because it is so important to the future life and the future living of some of these youthful offenders.

I have been told by a friend who is a probation officer that the workload he is experiencing is making it very very difficult for him to participate fully and to be truly successful in his probation services for the youthful offender. I would really like to try to impress upon the minister the need, the really true need, for sufficient funding for probationer services in Ontario.

There is the old adage that an ounce of prevention is worth a pound of cure; I think this is one of the first lines of defence that can be worked very successfully in dealing with young people, provided we have the right type of person and that he has sufficient time to devote to what is often a very time-consuming and difficult problem.

I would like to impress upon the minister that need in Ontario and with these views that I've expressed, I feel the bill otherwise is quite in order. I have no reservations about it except for section 2(2). I am afraid

there may be some misunderstanding about that section among some of our present full-time probationary staff, and I would like to have it more definitively explained for their purposes.

With those few remarks I would like to say that we in the official opposition will support Bill 95. I hope the minister will be able to give me some further reassurances on the one or two points I have raised.

Mr. McClellan: I'm almost apologetic, but I'm afraid we're not able to support this bill because we feel it really represents very bad law. I would prefer that the bill be withdrawn and brought back in a substantially amended form, a form which we could all support.

Let me try to set out my concerns about this bill. Firstly, the bill is made necessary because of the previous legislation, the act to revise the Ministry of Correctional Services Act, and because the two bills separate adult and juvenile probation services. The Minister of Community and Social Services could learn a lot, I think, from the Minister of Correctional Services, particularly with respect to the way one deals with labour when one is trying to bring about major organizational changes or major reforms in one's program.

The Minister of Community and Social Services, if I may say, is doing an exceptionally bad job in dealing with his employees as he makes the transition from one mode of delivery to another. He's doing as bad a job as the Minister of Correctional Services is doing a good job. This legislation before us, Bill 95, further exacerbates the difficulties that the minister is causing for his own employees through his insensitivity.

The original Probation Act, section 1(1) reads as follows: "Such probation officers as are considered necessary for the purposes of this act shall be appointed under the Public Service Act." That is the only route under the original Probation Act for the appointment of probation officers. I note with interest that the bill we just finished discussing, Bill 85, from the Minister of Correctional Services, repeats the wording of the original Probation Act as follows, and I'll read section 42(1) of Bill 85: "Such probation officers as are considered necessary for the purposes of this act shall be appointed under the Public Service Act."

The Minister of Correctional Services understands that that is the route to go through to appoint probation officers. What has the Minister of Community and Social Services done? He has re-enacted section 1(1) of the original Probation Act in section 2(1) of his bill. Then he has added his little section 2(2) which reads as follows: "The minister may

designate any person, other than a person who is appointed a probation officer under subsection 1, as a probation officer for the purposes of this act."

In other words, the minister has taken to himself the power—and as far as I can understand it, it becomes a virtually unlimited power—to make his own appointments of probation officers. This has the effect of giving the minister quite an exceptional power to appoint probation officers who will not be eligible for civil service status by virtue of their appointment under section 2(2). It gives him virtually unlimited power to appoint probation officers on a contract basis.

I don't think that is something that members in both opposition parties would want to see us go back to. I guess there aren't any members here who have been in the House all that long.

Mr. M. Davidson: The member for Kitchener (Mr. Breithaupt) knows what it is all about.

Mr. McClellan: I am talking about a long time ago, dating back to the days of Mr. Frost, who operated a one-man employment agency for his cronies. We have worked very hard, I would say collectively, in Ontario politics to move away from the notion of a public service appointed at the whim and discretion of the minister and beholden to the minister for their job security. We have worked very hard collectively over a long period of time to establish the principle of an independent civil service commission and an independent public service. That is a principle that is very important in this province.

We are not prepared to put into a bill—anybody's bill—a section like section 2(2) which gives the minister a wholly new set of powers to appoint, apart from the regular procedures, under the Public Service Act. I understand that under the Public Service Act appointments can be made both to the public service and to the civil service. I fully understand the distinction, but I also understand the kind of innate checks and balances that are built into the operations of the Public Service Act. It is not easy for a minister to exercise his powers to appoint to the public service in rivalry to the right of the commission to appoint to the civil service.

This bill breaks that relationship down entirely. I think it would be abused, to put it bluntly. I wasn't impressed by the minister's instances, I am afraid.

Hon. Mr. Norton: You never are.

Mr. McClellan: Rarely. Don't be so negative. Occasionally I am impressed. Someday I will tell him when.

Hon. Mr. Norton: Except with yourself.

Mr. Foulds: If the minister should last that long.

Mr. McClellan: I wasn't impressed with the instances given here tonight by the minister with the member for York East (Mr. Elgie) breathing down his neck.

Hon. Mr. Norton: I am healthier this week than last.

Mr. Warner: The cabinet room has a revolving door on it.

Mr. McClellan: The instances that the minister gave were the cases of isolated native communities. I have to say to the minister thanks but no thanks. The native communities are not entitled to the kind of second-class career status that contract probation services represent. If there are needs for probation services, let us provide probation services to isolated communities and to special need communities, but let us provide it on a position of equal status. These are not insubstantial concerns.

[10:00]

People, even in isolated areas, in remote areas and in special need communities, are entitled to be accorded eligibility into the helping professions, not on a contract, ad hoc appointment basis, but on a career basis—on the basis of stability, on the basis of full job protection, job security, civil service status and the opportunity to move through and upward in a professional career. I've had enough experience in my own career to be very leery of these kinds of proposals, the kinds of instances given by way of supporting the need for section 2(2).

Hon. Mr. Norton: What about the second example?

Mr. McClellan: I can't remember the second example.

Hon. Mr. Norton: The family service agency. You don't like family service agencies?

Mr. McClellan: Again, I'm very uneasy about the intentions of the ministry.

Hon. Mr. Welch: Just trust us. You distrust us?

Mr. McClellan: You may say that. You may well distrust, Mr. House Leader.

Mr. Foulds: Is that a flamboyantly dressed page walking along making a noise?

Mr. McClellan: Based on past experience.

Hon. Mr. Welch: I said "just trust us."

Mr. McClellan: You can't heckle from that seat.

Mr. Deputy Speaker: Order.

Mr. McClellan: The House leader is heckling from an illegal position.

The recent hiring freeze which the Treasurer (Mr. McKeough) has reimposed—hiring freezes seem to strike particularly severely at the Ministry of Community and Social Services. I have no idea why that is.

Mr. Warner: Does Darcy hate you?

Mr. McClellan: The recent hiring freeze has, I suppose, made the use of contract positions more attractive to the minister.

Mr. Warner: Darcy doesn't like you.

Hon. Mr. Norton: Equity.

Mr. McClellan: I'm not interested in the kinds of games the minister has to play vis-à-vis the Treasurer to protect the integrity of his programs. Let him speak in cabinet for funding to provide adequate services and not try to run around through the back door through the use of contract positions.

Mr. Warner: Get tough with Darcy.

Hon. Mr. Norton: Too bad you can't eavesdrop. Wouldn't you love to?

Mr. Warner: Maybe we are.

Mr. McClellan: I am not reassured through the second example that the ministry gave with respect to contracting out. Perhaps the minister can elaborate more fully on that, but I have expressed numerous times in estimates and other debates concerns about the issue of limited responsibility and diffused accountability within the social service system. I don't see any particular advantage in extending the principle of limited responsibility or further diffusing lines of accountability at this point in time before structures which can establish a new kind of coherent accountability are in place.

We still have the same old shambles that we had before the minister launched us all into the brave new world of social service reform. This is only the second miserable little piece of legislation that's been forthcoming. All of the major legislation is still locked away in the infinite recesses of the minister's task forces, and God knows when they'll be emerging.

I'm not prepared to fool around with the measures like section 2(2) or section 3 until we have some sense that this ministry has a coherent notion of where it's going and we have some evidence that they have the capacity to initiate reforms—capacity which is reflected not in rhetoric or promises or five-year plans, activity that is not simply in the nature of green papers, white papers, task force reports which seem to extend into infinity—

Hon. Mr. Norton: It is especially confusing when you are colour-blind, isn't it?

Mr. McClellan: Indeed it is. The reality is that, unlike the Minister for Correctional Services, this minister has yet to produce anything.

Mr. Foulds: Even the Minister of Housing (Mr. Bennett) has produced more than this minister has.

Ms. Gigantes: Wonder of wonders!

Mr. Foulds: That took a lot of us by surprise, mind you.

Mr. McClellan: I certainly wouldn't be as cruel as that, Mr. Speaker—

Mr. Foulds: On a point of privilege, Mr. Speaker: I withdraw the remark.

Mr. McClellan: Thank you.

We are simply not prepared to support legislation that undermines the stability and the career status, which I think is very important, of probation workers in this province. We are not going to give the minister that power and we are going to oppose the bill on second reading. Should it pass, we will move amendments in committee to try to have the offending sections removed.

Mr. Makarchuk: If that doesn't succeed, we will remove the minister.

Hon. Mr. Norton: Mr. Speaker, my remarks at this point will be relatively brief. If I may, I will respond in the next few moments to some of the points raised by the honourable members opposite.

The member for Sarnia expressed concern about the principle that might be reflected in section 2(2). I would suggest that the two sections, section 2(2) and section 3, should be read together in that in the kinds of circumstances I obviously didn't explore exhaustively, but used as examples, where it is necessary to engage in the purchase of a service, whether from a family service agency in a community or to make special arrangements in remote areas where, in spite of what the member for Bellwoods said, if you have a community with one or two probationers, it does not necessarily make sense to have on site, on an ongoing basis, a full-time staff person. However, under the supervision of a full-time staff person, one might well have an individual with perhaps a fair degree of professional competence who is in the community doing another task and who would be willing also to assume responsibility as a probation officer in a limited number of cases.

The provisions of section 2(2) are intended, I suggest, to provide that in those situations where there is an agreement for service, the individual may be designated as a probation

officer; so the provisions respecting probation officers under the Juvenile Delinquents Act, which is federal legislation, would apply; so the responsibilities and the protections afforded a probation officer in the discharge of his or her duties would apply; and so the controls and supervision that would be afforded to a probation officer would also apply.

In fact, if one views those two sections as companion pieces, I think one can see that section 2(2) is a necessary one if there are circumstances in which the purchase of services is necessary.

I really don't want to get into a discussion with the member for Bellwoods about the alleged labour problems. I would only point out that in the specific instances that I know of, alleged labour problems have not originated among the direct employees of the ministry but have, in at least a couple of cases that I am well aware of, resulted only after action by certain officials of the union apparently to thwart what are really quite publicly well-accepted policies of the ministry.

Mr. McClellan: This is precisely the kind of silliness I am talking about.

Hon. Mr. Norton: Some of the public statements that have been made have not really been very helpful. I have not engaged in that kind of communication nor do I intend to start debating on that basis—

Mr. Warner: What are you talking about?

Hon. Mr. Norton: —with the individuals who have been making those statements.

With respect to the concern of the member for Bellwoods that the provisions in this legislation are not the same as the provisions with respect to probation officers in the Ministry of Correctional Services Act, I suggest he bear in mind that we are not dealing with the same situation at all. We are dealing here with children in communities across this province where the degree of mobility that may exist with adults is not necessarily the case. These young people may well, in most cases, be remaining with their families—in some cases in very remote communities. All I am suggesting is that we really must have flexibility.

I am not really convinced that the member for Bellwoods is enthusiastically and personally behind the words or the arguments that he put forward in the House. Nor did I sense a great deal of sincere enthusiasm on the part of his caucus in response to his remarks. I can understand why he may see it as necessary to put forth that point of view. It is a legitimate one and I am not being critical of it. I think it is something that should be discussed when legislation like this is before the House, in order to elicit

an explanation of why certain provisions are in the legislation. But I know the member for Bellwoods too well—

Mr. Grande: What are you saying, Keith?

Hon. Mr. Norton: —to believe that he really would feel there should not be flexibility in the capacity of my ministry to respond to the needs of the young people in this province.

Mr. McClellan: May I have a word on this?

Hon. Mr. Norton: The honourable member has had his word. Is this a point of personal privilege?

Mr. McClellan: A very brief point of personal privilege.

Mr. Speaker: What is the point of privilege?

Mr. McClellan: The point of privilege is that the minister is dead wrong when he says or suggests that I am not being sincere.

Mr. Speaker: That is not an infringement on your privileges at all.

Mr. McClellan: I have made the point, Mr. Speaker.

Hon. Mr. Norton: If it makes the honourable member feel any better, Mr. Speaker, I would point out to him that I did not say he was not sincere. I said that I did not sense—and that is a personal, subjective—

Mr. Roy: You are entitled to that.

Hon. Mr. Norton: —I really did not. Very often I do sense a great deal of sincerity but somehow I did not sense that he was wholeheartedly behind the argument that he was putting forward tonight—

Mr. Foulds: On a point of order, Mr. Speaker, I draw your attention to rule 16 (a), clause 9. "The Speaker shall call to order a member who imputes false or unavowed motives to another member." I submit that is what the minister has done with the member for Bellwoods.

Mr. Ashe: He didn't call him—

Hon. Mr. Norton: I clearly did not, as I have said now twice. All I said was that I personally did not sense there was a degree of sincerity I normally identify.

Mr. McClellan: You obviously misunderstood what I said—

Mr. Foulds: That is imputation. Do you know the definition of "impute"?

Hon. Mr. Norton: The fact that my senses may respond in an unusual way to the member for Bellwoods—

Mr. Foulds: You are as muddled about this as —

Hon. Mr. Norton:—has nothing to do with his privileges, I can assure you. I know the member for Bellwoods not to be such—

Mr. Speaker: I submit that the point raised by the member for Port Arthur is not a point that is well taken. It was just an interruption. There is nothing out of order.

Mr. Foulds: On the point of order, Mr. Speaker.

Mr. Speaker: There is nothing out of order.

Mr. Foulds: Could you tell me how you would interpret "unfounded motive"?

[10:15]

Mr. Speaker: Order, order. I said your point of order was not well taken. You can challenge that if you wish. The member for Kingston and the Islands.

Hon. Mr. Norton: Thank you, Mr. Speaker. I certainly was not questioning the—

Mr. Lupusella: On a point of privilege, I don't think the minister is speaking to the principle of the bill. He is out of order in his remarks.

Mr. Speaker: The honourable member may continue.

Hon. Mr. Norton: If I may continue to respond to the points that were made by the member for Bellwoods, I'm sure his mental set is not so rigid as to suggest that—

Mr. McClellan: You have the ability under the Community and Social Services Act to do whatever you want to do. You don't have to mess up your legislation here.

Hon. Mr. Norton: I may have a more favourable impression of the member for Bellwoods than he would like to think I have, but at the same time I would point out that I don't think he has such a rigid mental set that he would deny flexibility in responding to the needs of the children of this province.

Mr. McClellan: That is not what the bill does, and the minister knows it.

Hon. Mr. Norton: In fact, I think that under other circumstances he might well criticize my ministry, if the situation suited him, for lack of flexibility in many circumstances. Sometimes I would agree with him in terms of the way the ministry has been structured in the past.

Mr. Lupusella: You are out of order again.

Hon. Mr. Norton: But I implore him to support flexibility in meeting the needs of young people in the province of Ontario. I recognize the need that he has to put forward the argument he has put forward tonight, and I recognize the need that he has

and his caucus have to go through the procedure of attempting to—

Mr. Foulds: You are attributing unfounded motives.

Hon. Mr. Norton: No, not at all. I am just recognizing that the members opposite have a right to go through the procedure of proposing amendments. But I do hope they will recognize that we must have flexibility in order to do the task that has been assigned us by this Legislature and with which we've been charged by the people of the province of Ontario.

Mr. Warner: You're making a mistake. You should withdraw the legislation.

Hon. Mr. Norton: I'm sure that given a little time to think about it, the honourable members opposite will realize the necessity for this—the fact that the lack of that kind of flexibility may well deny some children in the province the service we really do wish to provide and we have a responsibility to provide.

Mr. McClellan: You have the flexibility under section 4(2) of the Ministry of Community and Social Services Act and you know it.

Mr. Warner: Withdraw or resign, one or the other. Withdraw the bill or resign.

Hon. Mr. Norton: I respect the honourable members opposite for doing what they see they must do.

Mr. Speaker: Order. The honourable minister is becoming repetitious. He has said that three times.

Hon. Mr. Norton: Thank you, Mr. Speaker. I shall cease to be repetitious and, in fact, cease to speak.

Mr. Makarchuk: He is so flexible he doesn't even finish.

The House divided on the motion by Hon. Mr. Norton for second reading of Bill 95, which was approved on the following vote:

AYES	NAYS
Ashe	Bounsall
Belanger	Bryden
Blundy	Cassidy
Bradley	Charlton
Brunelle	Cooke
Campbell	Davidson, M.
Conway	Di Santo
Cunningham	Foulds
Drea	Germa
Eakins	Gigantes
Eaton	Grande
Epp	Laughren
Gaunt	Lupusella
Gregory	MacDonald

AYES

Grossman
Havrot
Henderson
Johnson
Kennedy
Maeck
McCague
McGuigan
McKeough
McKessock
McNeil
Miller, G. I.
Newman, B.
Newman, W.
Nixon
Norton
Parrott
Reed, J.
Riddell
Rowe

NAYS

Makarchuk
McClellan
Philip
Renwick
Samis
Swart
Warner
Wildman
Ziemba—23.

AYES

Roy
Ruston
Sargent
Smith, G. E.
Snow
Sterling
Taylor, G.
Taylor, J. A.
Timbrell
Walker
Welch
Williams
Wiseman
Yakabuski—48.

Ayes 48; nays 23.

Ordered for committee of the whole House.

On motion by Hon. Mr. Welch, the House adjourned at 10:36 p.m.

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No. 75

Legislature of Ontario Debates

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Second Session, 31st Parliament

Thursday, June 1, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 1, 1978

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

CONDOMINIUM LEGISLATION

Hon. Mr. Grossman: Later today I will be introducing the Condominium Act, 1978. I wish to take this opportunity to outline some of the thinking that resulted in the new act in its proposed form.

The Condominium Act, as it currently stands, was originally enacted as an instrument to create a property interest in the ownership of space and to govern the conveyancing of these interests. It does not adequately deal with the many issues which have, over the past few years, caused great difficulty to purchasers and owners of condominium units.

The honourable members, Mr. Speaker, I think are familiar with the history of the development of this new legislation. Therefore I need not document the events leading up to today's statement except I should, of course, pause to acknowledge the contribution made by my friend Darwin Kealey and his excellent associates in developing the report of the condominium study group.

An hon. member: We appreciate what he is doing too.

Ms. Gigantes: He is my friend too.

Mr. McClellan: Where is Darwin Kealey?

Hon. Mr. Grossman: I would like to emphasize at this time, however, that my proposal to you today is, in part, the result of the co-operative efforts of the Ministries of Housing, Revenue, and TEIGA.

In drafting the Condominium Act, 1978, we examined the recommendations of the condominium study group and divided them into those legislative items which fall to this ministry and those which require further discussion and consideration because other jurisdictions are involved.

We have, of course, dealt with security deposits and construction deficiencies already, through the Ontario new home warranties program. In addition, the amendment to the Condominium Act passed in December 1977, giving arrears of common expenses payments

priority over most other liens, has greatly decreased problems of condominium corporations in this area.

I should also pause to acknowledge the contribution made by the other members of the House in assisting the speedy passage of that legislation last fall.

Because consumer protection for current owners of condominiums is one of our priorities, we wanted to enact legislation immediately with the following goals:—

Mr. McClellan: It has been for a long time.

Hon. Mr. Grossman: —to ensure more information for the buyer at the pre-purchase stage; to safeguard consumer moneys through the pre-title stage; to eliminate the costly burden of correcting construction deficiencies; to ensure top condominium management in order to enhance the efficiency of the dollars spent on management;

—to remove some of the day-to-day irritations of condominium living by giving boards broader powers to formulate and enforce rules;

—to ensure that condominium corporations have adequate coverage to avoid any gaps;

—to upgrade financial administration by requiring audited statements and reserve funds, among other things;

—to create an environment wherein boards of directors may with greater flexibility manage the day-to-day affairs of condominium corporations, at the same time making them more accountable; and

—to create a mechanism for resolution of disputes among owners and between owners and condominium corporations as an alternative to the court system.

These factors form the basis of my ministry's proposals; that is, a two-part package composed of a Condominium Act and a new administrative concept which I will discuss presently. The act has been amended with two main objectives in mind:

1. Providing more protection to consumers, and

2. Improving the processes by which condominium corporations and owners manage their affairs.

Purchaser protection has been provided by tighter standards of disclosure between sellers and purchasers; allowing time for pur-

chasers to become informed of their responsibilities; and clarifying purchasers' rights during the interim occupancy period.

To improve the processes we have clarified the financial and operational responsibilities of the corporation; overhauled the processes by which corporations set bylaws, rules and regulations governing the operation of the condominium; defined the responsibilities of owners and rights of corporations with regard to arrears; created an alternative mechanism to settle disputes quickly; and obligated condominium corporations to obtain and maintain adequate insurance coverage on the entire property, notwithstanding the responsibility for repairs.

The Ministries of Housing and Treasury, Economics and Intergovernmental Affairs, the municipalities and the building code branch of my ministry all have a role to play in the revisions to the front-end processes. We have had submissions about the efficacy of the process from virtually every sector. Because of the great divergence of opinion, the planning and approval stages require careful thought. It is essential that we move cautiously in these areas and explore fully the ramifications on municipalities.

Mr. McClellan: You can tell it is private members' day.

Mr. Makarchuk: What are you going to do for rent controls?

Hon. Mr. Grossman: The members opposite have been complaining about the delays in condominiums; let them sit there and listen to what we propose to do.

Mr. Cassidy: People have died in the process of waiting for you.

Mr. Warner: You are taking time away from the private members' hour. You could have made the statement tomorrow.

Hon. Mr. Grossman: If the members opposite are not interested in condominiums, perhaps others are.

We will be further reviewing processes by which condominium projects are approved and registered to reduce the time and costs of developments; municipal planning standards and provision of services to improve the amenity of condominium living and lower operating costs; and building codes as they apply to condominium construction as part of our continuing review of the building code.

The report also recommends that the private sector review and overhaul some of its practices to make them more responsive to condominium problems. To this end, officials of my ministry will be meeting over the next several months with mortgage lenders and

condominium insurers to review their practices.

That brings us to the second part of my proposal, the administrative concept. While the resolution of the front-end and private sector practices will clear up many of the problems, it is clear that an ongoing organization is required to inform and educate the public about condominium matters; assist in the resolution of disputes between condominium corporations and unit owners and among unit owners; ensure that condominium corporations are fully cognizant of financial, operating management practices; and assist in the formulation and conduct of courses for property management.

To meet these needs, the ministry has considered the recommendation in the study group's report to establish an organization within the ministry, under the stewardship of a registrar of condominiums. However, we have opted for an alternative: establishing an organization external to the ministry, comprising the various participants in condominium developments.

We did so for the following reasons: This government is committed to less, rather than more, intervention and regulation of the marketplace. The powers of persuasion of those directly involved in condominiums will be more effective in dealing with the everyday difficulties faced by condominium owners than the direct intervention of a remote government organization. And many owners have already organized local groups and regional associations, and these organizations have proved efficient in dealing with difficulties.

To this end we propose to establish Condominium Ontario as a non-profit, provincially chartered corporation without share capital.

To accomplish this the ministry will provide an interest-free, startup loan, assist in the incorporation of Condominium Ontario, appoint a chairman and executive director and establish a group within the ministry to provide assistance during the startup period.

Ultimately the corporation will operate on the use-pay principle—

Mr. Breithaupt: Who do you have in mind?

Mr. Warner: I wonder if Darwin will get that one.

Mr. McClellan: Is it your make-work program?

Hon. Mr. Grossman: —with every condominium owner paying a small annual assessment to finance the operation. The chairman will initially be appointed by the government. In addition, the composition of the board will be 50 per cent condominium owners chosen regionally and 50 per cent representation—

Mr. McClellan: Is this Darwin's summer job?

Hon. Mr. Crossman:—drawn from the private sector such as builders, developers, property managers, lenders, insurers.

Mr. Sargent: Are you going to sell any beer there?

Hon. Mr. Crossman:—the legal and accounting professions and government. The administration of the corporation, under the guidance of an executive director, will provide legal, financial, technical, and informational services.

In general terms, we have two principal objectives in mind; we want to enhance the lifestyle of present and future condominium owners, and we want to enhance the marketability of condominiums as a viable alternative to other forms of residential ownership.

By treating the new act as a form of consumer protection legislation, I think we can accomplish our first objective and I am confident the second will follow naturally.

I would hope for the co-operation of the honourable members of the House in assuring speedy passage of the Condominium Act, 1978, to ensure protection of the 100,000 condominium owners throughout the province.

URBAN TRANSPORTATION DEVELOPMENT CORPORATION

Hon. Mr. Snow: Recently there was discussion in this House regarding what was referred to as an audit of UTDC and to avoid any misunderstanding, I tabled the UTDC-ICTS project, phase three, interim audit for the period January 1, 1976, to March 31, 1977. That document made reference to the minutes of the post-audit review and I was requested by the leader of the official opposition to table those minutes. I agreed to do so and I am tabling them today.

In the question of the Leader of the Opposition (Mr. S. Smith), he mentioned a final audit. I should make it clear that the audit staff of my ministry does not carry out an audit of the books of UTDC per se, as it is a corporation and it has its own outside auditors.

My audit staff is only involved in the limited role of ensuring that invoices, which we receive under the loan agreement between TEIGA and UTDC with respect to phase three of the ICTS program, reflect only charges which are properly payable thereunder. If my staff are of the opinion that a charge is not proper, it is only a rejection of the item as chargeable under the financing agreement and not an indication that the ex-

penditure by UTDC was in any way improper.

Since this subject was discussed in the House, the provincial auditor has pointed out that it is not customary for the working papers of an auditor, which these documents are, to be made public. In fact, the Audit Act, which was passed in December, specifically prohibits the laying of the provincial auditor's working papers before this assembly or any committee of the assembly. There are sound reasons for this as an auditor, like a lawyer, must feel completely free to make frank and often subjective comments to his clients. On reflection, I have concluded that I should not establish a practice of tabling such reports in the future as a matter of routine.

In his question, the Leader of the Opposition also referred to the monitoring role which my ministry plays under the financing agreement. I am today tabling copies of the ICTS agreements. The agreement between my ministry and UTDC requires that the information which is provided to my staff in their monitoring role is to be kept strictly confidential and I would be in breach of that agreement if I were to make it available. There are corresponding secrecy provisions in the contracts between UTDC and its sub-contractors.

UTDC is a business in a highly competitive industry engaged in the development of new products and concepts, the value of which would be in jeopardy if information made available to my ministry were made public.

[2:15]

ROAD ACCESS LEGISLATION

Hon. Mr. McKeough: Later today I will be pleased to introduce the Road Access Act for first reading. It is modelled on a private member's bill introduced last fall by my colleague, the hon. member for Parry Sound (Mr. Maeck), who sought to prevent the arbitrary closing of private roads, especially in cottage country where owners or tenants are totally dependent on these roads for access to their property.

At the time, the bill received the support of all three parties, whose spokesmen agreed that such arbitrary closures are a problem in many parts of the province. Copies of the original bill and the second reading debate are included in the compendium to this bill. For some time, the government has been studying a related problem, the arbitrary closing of roads which are maintained by a municipality, but which are not registered as municipal property on the titles of the owners whose lands they cross.

The private member's bill proposed what seemed to us to be a reasonable method of preventing the arbitrary closure of both types of roads, which are referred to in this bill as access roads and common roads. We know, for example, of a recent case in the township of Georgian Bay in Muskoka where a property owner challenged municipal ownership of a district road, despite the fact the road can be proved to have been in existence three years before the patent was issued for the land in 1913. Unfortunately, the road was not included in the patent, presumably because it was assumed in 1913 that no sane settler would want to close such a road.

Today's legislation will, therefore, prevent with certain exceptions any person from constructing or placing a barrier or other obstacle over an access or common road unless, one, the person has applied to a county or district court judge for an order granted an order closing the road and, two the person has given 90 days' notice of the application to all affected parties. I believe this new legislation not only will help prevent such road closings, but will also provide a method of arbitrating such disputes in the courts.

BUSINESS LICENSING

Hon. Mr. McKeough: I will be pleased also later today to introduce An Act to provide for the Licensing of Business by Municipalities. The purpose of this bill is fourfold: to give local municipalities a general power to license, to eliminate archaic provisions in the existing legislation, to provide for a hearing when a licence is refused or revoked; and to transfer the power of police commissions to pass licensing bylaws to elected councils.

You will recall, Mr. Speaker, that similar legislation was introduced in the last session of the Legislature. That bill, Bill 119, was allowed to die on the order paper because it was our intention to receive the views of as many municipalities and businesses as possible before proceeding to enactment. We now have had their reaction. I am happy to say that almost 100 municipalities replied and that, in general, the response was very favourable.

However, most municipalities objected to the fact that the legislation contained no provision for the collection of fees from businesses being licensed. There were three common arguments against the no-fee provision: that licences would not be taken seriously without a fee; that since some benefit accrues to the licence holder, he should pay at least part of the cost of administration, and that customers residing beyond

the municipal boundaries who use the service would be paying no part of the cost of protection being provided by the licensing municipality.

We argued that if licensing is for the purpose of protecting the general public from unsafe and unfair business practices, the cost should be covered by general revenues. We also feel that the no-fee provision will encourage municipalities to deregulate and to license businesses only when it is in the interest of the general public to do so. However, this new bill does contain a provision for fees, a compromise that I hope will be satisfactory to all.

The new legislation provides for a maximum fee of \$5, but if an inspection is required prior to the issuance of the licence, the municipality will be able to charge up to \$25. Such nominal fees will ensure that municipalities do not simply use licensing as a means of raising revenues, nor will they represent a significant threat to existing municipal revenues. In fact, at this moment only about one tenth of one per cent of total local revenue is derived from licensing fees. It is our opinion the proposed fee limits will discourage unnecessary regulations.

The only other objection raised with any frequency was the elimination of county licensing. The Association of Counties and Regions of Ontario and the municipal liaison committee have objected to the fact that counties will no longer be able to license restaurants and auctioneers. Since only two out of 26 counties currently license restaurants and county regulation of auctioneers is very minimal, we have decided to hold to the original uniform proposal that local municipalities, and not counties, be given licensing responsibilities.

Other provisions in this bill are the repeal of the Bread Sales Act, the Public Halls Act, and section 19 of the Milk Act, which are no longer necessary. We also stipulate that a municipality cannot require an examination of tradesmen applying for a licence who have a certification under the Apprenticeship and Tradesmen's Qualification Act.

There is also a provision in the act that enables municipalities to delegate the hearing process to one or more hearing officers, one of whom must be a councillor. The decision as to whether a licence will or will not be issued will remain with council. And of course, as promised, this bill contains a sunset provision giving municipal licensing bylaws a lifetime of five years.

One thing I would like to clarify, because I think there has been a certain amount of misunderstanding in this regard, is that some

provisions remain unchanged from the present. The legislation governing nude establishments is that which was enacted earlier this session as an amendment to the Municipal Act. Also, the provisions for licensing taxis are the same as those in the Municipal Act. The provisions for licensing circuses, transient traders, and trailers remain in the Municipal Act, unchanged except for the fact that police commissions will no longer have the power to pass bylaws for these purposes, because they are, in reality, taxation rather than licensing.

YOUTH EMPLOYMENT PROGRAM

Hon. Mr. McKeough: The Ontario Youth Employment Program, now in its second year, has proved to be a most effective job-creating program for young people.

Mr. Laughren: You need a third hand to pat yourself on the back.

Mr. Foulds: That is about the only effective thing you've done.

Hon. Mr. McKeough: In 1977-78 this program created 21,500 private-sector jobs at a cost of about \$10 million. This year the duration of the program has been expanded from 16 to 25 weeks and the subsidy increased from \$1 per hour to \$1.25.

In the 1978 budget it was estimated that 30,000 jobs would be created this year at a cost of \$17.2 million. In fact, participation by employers has been stronger than anticipated. As of today, over 15,000 applications representing potentially more than 38,000 jobs have been received. Most of these have been approved and funds committed. In addition, thousands of application forms mailed out have not yet been returned.

If OYEP remained an open-ended program, I believe we may see an influx of another 11,000 requests, for a total of 26,000 employer participants, representing potentially 67,000 jobs across a broad spectrum of economic activity. For example, students will gain experience in the following areas: tourist consulting; farming; sales; clerical; computer programming; construction; drafting; truck driving; landscaping, and apprenticing to various trades. On a fully funded basis, the potential cost of OYEP for 1978-79 is almost \$55 million.

Mr. Sargent: Point of order, Mr. Speaker—

Mr. Stong: This is what you call a filibuster.

Hon. Mr. McKeough: However, based on the experience of last year, there will be some slippage; that is, some jobs will not in fact materialize, will not be filled, or will be filled only for a short period of time.

Mr. Conway: Who's going to give the weather?

Hon. Mr. McKeough: In spite of this, we estimate that the cost of OYEP would reach \$38.5 million if left open-ended, for a budget overrun of \$23 million. The government cannot afford this large an increase in spending. We have carefully re-examined our priorities and reluctantly concluded that we must immediately place a lid on OYEP funding. Applications from employers post-marked after midnight today will not be processed. All requests for funds currently in the government's hands or mailed to us today will be scrutinized and, if approved, funds will be committed.

Mrs. Campbell: That's the way to get out of it.

Mr. Cassidy: It's a disgrace.

Hon. Mr. McKeough: This news will be a disappointment to would-be employers and students alike. OYEP is opening up meaningful job opportunities, making a substantial dent in youth unemployment and re-directing some of our young people from the edge of the welfare precipice.

Mr. Warner: Why don't you read the phone book while you are at it?

Hon. Mr. McKeough: It is providing on-the-job training and experience which is essential to the eventual gaining of permanent jobs. Nevertheless, priorities involve hard and difficult choices and all government programs are under continual performance review. Resources are not available within the current budget to finance a substantial cost overrun. As it is, the program will now cost around \$20 million, or \$4 million to \$5 million over the budget.

Mrs. Campbell: Twenty-five minutes out of question time.

ORAL QUESTIONS

WASTE DISPOSAL

Mr. S. Smith: A question for the Minister of the Environment. In the light of yesterday's announcement that the Maple landfill applications have been refused, will the minister tell this House whether he now has any policy whatsoever to deal with the Metro waste disposal problem and with waste disposal problems throughout the province?

I would specifically ask him to attend to the fact that he announced in this House that in his view 10 per cent of Metro's garbage was being recycled and then, by personal note to me, he thought that would be closer to 7.5 per cent. Does the minister not agree that in

point of fact the correct figure is 0.76 per cent?

Hon. Mr. McCague: In regard to the 0.76, I won't agree or disagree with that.

Mr. Deans: Keep your options open.

Hon. Mr. McCague: At the time you mentioned 10 per cent, my information was that it was 7.5 per cent. But I will check that out again and if there's any difference in that I will let the member know.

I understand Metro is now working at some proposals from private enterprise to dispose of some of their waste. I don't have any announcements to make on that. I haven't had any announcements from Metro, but that is my understanding.

Mrs. Campbell: You have no concern anyway.

Mr. S. Smith: Would the minister confirm that in the year 1977 the total tonnage of recycling in Metro Toronto was approximately 15,000 tons out of a total load of almost two million tons? Those are the figures I have and would he be good enough to check those? Secondly, what is Metro planning to do, as far as the minister knows, and what leadership is the province giving in a situation—

Mrs. Campbell: None.

Mr. S. Smith:—where landfill sites seem to be its only way of thinking about these things? Even landfill sites are now very difficult to come by. Metro is fed up being sent around the province on a wild goose chase to try to send garbage here or there or somewhere else. What provincial policy exists to deal with the enormous problem of Metro's solid waste?

Mrs. Campbell: None.

Mr. Foulds: Try sending it to the moon.

Mr. Kerrio: They're looking for a big hole in the ground.

Hon. Mr. McCague: I will try to confirm the two figures the leader would like confirmed.

As I said earlier, Metro has some proposals before it, I think. We have a committee of three working with a committee of three from Metro on not only liquid industrial waste but on the whole problem of waste management. I'm convinced they'll come up with a solution.

I don't have any information the member doesn't have.

Mrs. Campbell: Metro will have to care.

Ms. Bryden: Since private enterprise doesn't seem to have been able to submit applications for landfill and waste disposal operations that

are acceptable to the Environmental Assessment Board, could I ask the minister if he is reconsidering his position that the province should not get into this business?

Hon. Mr. McCague: No.

Mr. Gaunt: Since the waste disposal problems in this province are, obviously, very quickly coming to a head—a crisis, if you will—has the minister made a determination with respect to the resource recovery plant which was attached to the approval of the Maple landfill site? Has he determined whether that plant will be built, now that the Maple site has been turned down?

[2:30]

Hon. Mr. McCague: I'm not sure to which plant the honourable member is referring.

Mr. Gaunt: It's the plant that was going to be built if the second adjoining landfill site had been approved—the Crawford Industries plant.

Hon. Mr. McCague: No, Mr. Speaker, there has not been a determination made on that.

Mr. Gaunt: Supplementary: Will there be a determination made on it shortly?

Hon. Mr. McCague: Certainly we can make a determination. It may be yes or no.

Mr. Warner: Supplementary to the original question that was asked—there are really two parts to it: How is it that we have reached this point in time when the minister has less than a month to the final date with respect to the Beare Road site and we don't have a policy? There's no government policy with respect to waste disposal for Metro Toronto. How is it we reached that position and when would the minister expect that there should be a government policy regarding waste disposal for Metro Toronto and other large urban centres in this province?

Hon. Mr. McCague: I think Metro and all other large municipalities are quite capable of solving their own problems. It is not the intention of this government at this time to get into that.

HEAVY WATER PRODUCTION

Mr. S. Smith: In the absence of the Minister of Energy (Mr. Baetz) and of the Premier (Mr. Davis), I'd like to ask a question of the Treasurer if I might, both in his capacity as the minister responsible for finding the money for these things and also, I think, as a former Minister of Energy. Would he care to inform this House of what the government's original intention was when it proceeded with the building of the heavy water plant at the Bruce site? Was the heavy water there intended

basically for the use of reactors that would be located in Ontario, in Canada outside of Ontario, or for export? Can the minister either recall that or does he have some way of telling us what government policy was when the plans were made to build those heavy water makers?

Hon. Mr. McKeough: I assume the member is referring to the story which appeared in today's Globe and Mail—or yesterday's, whenever it was. I think perhaps it might be better if the Minister of Energy answered the question. He will be here, I believe, Monday and probably would give the Leader of the Opposition a full report.

My quick answer was that the four heavy water plants—one, of course, was cancelled—were necessary for Ontario's needs at that time. The experience in Nova Scotia had led us to believe that we would have to look after our own needs. Atomic Energy of Canada Limited felt that production of nuclear plants would go ahead more quickly in the rest of the country, and therefore again Ontario would be required to look after its own needs.

The other point that should be made is that—and I can't give the member the percentages—at both Bruce and Pickering the loss of heavy water, I think, has been much less than was ever anticipated. Therefore the replacement need of heavy water has been much less than was estimated. I've forgotten the exact figures, but I think it was estimated that there would be a 10 or 15 per cent loss or something, and the loss factor has been virtually nil.

But I shouldn't be answering all this. I'm sure the Minister of Energy will be glad to give the Leader of the Opposition a full reply.

Mr. S. Smith: By way of supplementary: Since the original intention was that these heavy water plants serve the Ontario needs, and since these needs have contracted apparently, due in part, the minister says, to the success in keeping the heavy water that's there—the failure to lose it at the rate expected—but in part presumably for other reasons as well, would the minister undertake either to draw my attention to—if it's already been tabled—or to table the original prediction on which the original decision to go ahead with these very expensive enterprises was made? If we could have those original predictions, I am sure it would be of enormous assistance to us in judging just how far off those predictions are and the reasons for the predictions being off.

Hon. Mr. McKeough: I am sure the Minister of Energy would be glad to supply those background papers.

Mr. Cassidy: Supplementary: In view of the fact that the minister was Minister of Energy at the time, I believe, when some of these agreements were concluded, can he explain why Ontario Hydro and, through Hydro, the Ontario government entered into agreements related to the production of heavy water which prevented Ontario from having any access to export markets for heavy water and why there was also no provisions for a buy-back of any excess heavy water such as is contained in the contracts which the federal government concluded over the La Prade project in Quebec?

Hon. Mr. McKeough: I am not sure that the suppositions of the member's questions are correct, and I would prefer to leave that question to the present Minister of Energy.

Mr. S. Smith: I would like to ask a final supplementary—for myself, that is; there may be others.

Mr. Speaker: This will be the final one on this subject.

Mr. S. Smith: The final one for me.

Mr. Cassidy: You were hornswoggled.

Mr. Kerrio: Just listen; you'll learn, Mike.

Mr. S. Smith: Could the Treasurer tell us when it first reached his ears as Treasurer that there might be a very serious problem of oversupply in the Ontario market, even from the three Bruce plants that we are speaking of, and can he tell us what decisions he has taken with regard to the news that he has had? Did he approach the federal government at that point to try to arrange a different deal or did he make a decision regarding the question of going ahead with Bruce D? When did he first find out about the oversupply problem and what did he do about it?

Hon. Mr. McKeough: The responsibility would be that of the Minister of Energy and, I think correctly, it is not up to me to do anything about it.

To answer the question, I think I probably learned about it subsequent to the decision of the government of Canada and the government of Quebec to proceed with the La Prade heavy water plant, whenever that was—in February or March of this year, I believe. I had some discussion about that with ministers of the Quebec government, but not in a knowledgeable way or with respect to our concerns or related to our problems.

I think the answer to the Leader of the Opposition's question is that I learned about it in a vague way perhaps two or three months ago. Certainly, when the recommendation came forward from the Hydro board a month ago with respect to the vari-

ous options which had been discussed here with respect to generating facilities, that question also was raised more formally at that time.

I apologize for answering at such length as I have, because these answers really should be coming from the Minister of Energy.

WATERLOO REGIONAL POLICE

Mr. Cassidy: Mr. Speaker, I have a question of the Solicitor General arising out of what has been happening in Kitchener and the charges that have been laid against the Kitchener-Waterloo Record's publisher, its news editor and a working reporter on that paper. In view of the implications for freedom of the press, is the minister concerned about the charges that the Kitchener police have laid against those three gentlemen on the Kitchener-Waterloo Record, and what action does the government intend to take about that particular case?

Hon. Mr. Kerr: I am concerned, Mr. Speaker. The charges have not been laid as yet. My latest information as of about noon today was that the chief would be attending before the local justice of the peace there to determine what charges, if any, would be laid. I would assume that the local crown attorney, of course, would also be involved in the event that there are any charges laid against the three sources that the honourable member has mentioned.

As far as the restriction imposed by the chief is concerned, I have had an opportunity to speak to Chief Brown as well as the chairman of the local police commission, and that restriction will be lifted tomorrow.

Mr. Cassidy: Supplementary: We understand in fact that the information has been laid but the charges have not yet been processed owing to the absence today of the justice of the peace. If the charges are proceeded with to that stage, will the government intervene to ensure that they are not prosecuted, since the actions of the police in closing their headquarters to Record reporters would indicate that the clear intention of these legal actions is to intimidate the Kitchener-Waterloo Record and to prevent it from carrying out its job of reporting fully and objectively on the work of the police and on the administration of justice in the Kitchener-Waterloo region?

Hon. Mr. Kerr: Is the honourable member suggesting if charges are laid by the chief of police and those charges are processed and accepted by the JP that I should interfere?

Mr. Breithaupt: Following the questions that were asked last week, is the Solicitor

General now able to table the letter from the Waterloo Regional Police Commission which requested the general investigation at this time? More important, and the second part of my question, does the chief of a police force or a police commission have the authority to bar any or all news media persons, or indeed any member of the public, from the headquarters or from other premises of the police force? If there is that authority, precisely what is that authority?

Hon. Mr. Kerr: I will table the letter referred to by the honourable member. I would expect to do that tomorrow. According to my information—and I asked for the precise information that the honourable member has requested of me of the law officers within my ministry—apparently, there is a legal right as far as the chief is concerned in restricting people attending within the police headquarters.

I understand the police building in that area is provided by the region. The region provides the police headquarters. There seems to be a legal right on the chief of police to refuse reporters access to the building. This is the legal information that has been handed to me. Whether or not it is wise or proper is another question entirely.

Mr. Breithaupt: Will the minister provide details of that authority?

Mr. Cassidy: The answer to the minister's question is yes.

I would like to ask this: Since the chief of police has indicated to the press that the charges would not have been laid if the pictures in question had not appeared in the Kitchener-Waterloo Record, would the minister, who has now intervened in order to get the police headquarters reopened to the press, also intervene to ensure that these charges are not proceeded with, in view of the fact that far from being frivolous, they are an attempt to interfere with the basic fundamental democratic freedom of the press to report, because they are a means of seeking to intimidate the Kitchener-Waterloo Record from reporting fully on what happens in the police headquarters?

Hon. Mr. Kerr: My information is that one of the charges being contemplated by the chief is the question of receiving stolen property. That type of charge is not in the same vein as the honourable member's question. It doesn't in itself involve freedom of the press.

Mr. Cassidy: He wouldn't have laid them, if they hadn't run the pictures.

Mr. Warner: The picture was returned.

Hon. Mr. Kerr: It is not strictly the same type of charge. As to interfering with the charges, that is something I will discuss with the Attorney General (Mr. McMurtry) in the light of any decision that may be made by the local justice of the peace.

Mr. Roy: Supplementary: In response to the question of the leader of the NDP pertaining to consulting with the Attorney General, would the Solicitor General undertake to review the propriety in this case of two matters, as I see it, from the press reports? First of all, as raised by the leader of the NDP, is the fact that the chief of police suggested that the charge would be possession. Yet he did not seem as concerned about possession as publishing. That is one of the problems.

The second problem is that the chief apparently, according to the police report, seemed to suggest that if the photographs were returned, no charges would be laid. That leads one to the conclusion that there is some type of threat at that point to the local media and that in itself may be an offence under the Criminal Code.

[2:45]

Hon. Mr. Kerr: That is right. If there is any question regarding publishing as implied by the honourable member then, of course in my opinion, no charge should be laid.

Mr. Cassidy: There definitely is.

Ms. Gigantes: Don't be so vague.

Hon. Mr. Kerr: But if it is a question of possession, again I would say, that would be up to the local justice of the peace.

Mr. Foulds: Are you going to suspend Syd Brown?

SKILLED LABOUR SHORTAGE

Mr. Cassidy: I have a question of the Minister of Colleges and Universities. I draw his attention to a number of warnings, including a speech by the incoming president of the Canadian Manufacturers Association, about impending shortages of skilled labour in industrial areas, as in Ontario.

Can the minister tell us whether his ministry has taken into account the identified shortages of skilled labour in our manufacturing sector, as well as patterns of unemployment in the province; and whether they are also taking into account the patterns of issuing of employment visas to foreign workers to come into Canada on a temporary basis in the designing of a new employer centred training program?

Hon. Mr. Parrott: To the first part of the question the answer is yes. I will be making

a statement in the House on Tuesday of next week with reference to industrial training and changes we hope will benefit the system.

With regard to the second question, if I heard it correctly, I think it really is more appropriately addressed to the federal government than to ourselves. We are simply saying that it is not an area for us to make a decision on.

Mr. Renwick: Oh no, under the BNA Act there is split jurisdiction over immigration.

Mr. Wildman: It should give you an indication of what grades you should be training.

Mr. Cassidy: Supplementary: Is the minister aware that since the beginning of 1976 there have been 14,763 employment visas granted for workers to come into Ontario from other countries on a temporary basis and that those 14,763 workers have come here because of the lack of skilled labour in the province? Can the minister assure us that the pilot projects in the new program will train Ontario workers to fill those jobs?

Hon. B. Stephenson: What are you going to do, deport them?

Hon. Mr. Parrott: We are aware of the statistics, a great number of statistics, on that particular subject. I don't think we can solve all of the problems. We are hoping to make a major step of some significance. But I would say, as a word of caution in that regard, any apprenticeship program would take some time for it to develop its full potential. I think all of us will recognize that.

We have some areas that we think we can improve immediately, but it is an ongoing program that will take some time to develop to its full.

Mr. McClellan: Another 35 years perhaps.

Mr. Warner: In the fullness of time.

Mr. Worton: Thirty-three years.

Mr. Cassidy: Supplementary: Can the minister explain why the number of these employment visas, which allow workers to come in on a temporary basis because of the shortage of people to fill the jobs in Ontario, has continued to be very high, and yet there has not been action by Ontario to make sure that those shortages are met from within our own manpower and womenpower in Ontario?

Hon. Mr. Parrott: I am still convinced that part of that question should be addressed to the federal government.

Mr. McClellan: You have jurisdiction.

Hon. Mr. Parrott: Secondly, all of the figures that the member quotes do not re-

late to skilled trades training. Some of them are production jobs. Other areas of employment, yes, but not necessarily directly related, as he would indicate, to skills in an apprenticeship program.

Hon. B. Stephenson: Such as university teachers.

Mr. Foulds: Why are the visas granted?

Mr. Renwick: By way of a supplementary question, with reference to the second part of my leader's question and the minister's response with respect to the federal government; is the minister not aware that under the constitution there is a shared jurisdiction in matters related to immigration? If not, would he read a little Tory history and consult with the late George Drew about the airlift to Canada?

Hon. Mr. Davis: The latter part may be more difficult.

Hon. Mr. Parrott: I think it would be more than correct to say that in the area of trade training, and these policies that relate to the federal government, we have an excellent relationship.

Mr. McClellan: With George Drew?

Hon. Mr. Parrott: It is too bad that the member didn't have a better one in his youth, he would have been better trained.

Interjections.

D.E.S. LEVELS IN BEEF

Mr. Bradley: A question of the Minister of Agriculture and Food: Is the minister aware of tests which took place in a private laboratory in Toronto which revealed that in nine out of 10 beef livers tested, traces of diethylstilbestrol, known as DES were found in beef originating in both the United States and Canada; and that this synthetic hormone used to increase feed efficiency was present in 3.72 parts per million in one US sample, and 1.94 parts per million in one Canadian sample? If the minister is aware of this, does he intend to undertake an immediate investigation in conjunction with the federal Minister of Agriculture?

Hon. W. Newman: I'm not aware of that particular instance but I can tell the member that I do know the drug and know it very well. It's a growth hormone used for better gains on beef. Of course, it does come completely under the jurisdiction of the government of Canada, and we work with them very closely.

What does the member call the drug? The farmers call it stilbestrol, I believe. That's the common terminology.

Certainly, the health of animals branch in Ottawa works very closely with our veterinary services branch regarding any of these particular drugs that are approved or not approved. There's a whole list of allowable drugs that is cleared by the health of animals branch through the CDA people in Ottawa.

Mr. Bradley: Supplementary question: Since DES was banned in Canada as an agent for promoting growth in cattle, I believe in 1973, because of tests that showed that it is a cancer-causing agent in women; and since cattle raised in the United States are supposed to be certified as not having had DES introduced to their systems within 21 days of slaughter, does the minister not find it alarming that these test results on beef purchased in four stores in Toronto have shown such high levels of DES? Really, I think we have reached a very alarming state in this country.

Mr. Speaker: The question has been asked.

Mr. Bradley: Surely the minister should be bringing this to the attention of the federal Minister of Agriculture.

Mr. Speaker: Order. The question has been asked.

Hon. W. Newman: As a matter of fact, I will be going to Ottawa on Monday. I will be glad to bring it up with the federal Minister of Agriculture, but I'm quite sure that his people are aware of it at this point in time. Certainly, if he wants to use that as a non-tariff barrier to protect our beef producers, that would suit me fine.

Mr. Kerrio: You can't assume that. Come on.

Mr. McClellan: What a nothing minister. A nothing minister.

Mr. MacDonald: When the minister ascertains the facts with regard to this, would he give information to the House dealing specifically with the fact that in Ontario, where presumably this is not being used at all, and there can't be any mix of cattle coming in from the United States, yet one finds levels of DES in meat purchased locally?

Hon. W. Newman: I would like to point out that there are two levels of jurisdiction as far as meat inspection is concerned. In order to make it very clear, our veterinary services branch inspects meat in the provincially licensed slaughterhouses across this province. We have, even with restraints, moved staff from other parts of the ministry so that we could put more inspectors on, to ensure that all animals that go through provincially-licensed slaughterhouses are inspected before and after kill by the appro-

appropriate veterinary people under our jurisdiction. All other plants that kill and move beef on an interprovincial basis come under the jurisdiction of the government of Canada and their veterinary inspectors. I assume this is the meat we're talking about.

I'm quite prepared to look into it, and quite prepared to report back to the House in detail on it, because we do work very closely together.

Mr. Bradley: Supplementary again to the minister: Is it not true that this substance can legally be used in animals in the province for certain—I don't know if one would say medicinal purposes, but for purposes other than producing growth in the animals?

Hon. W. Newman: I'm not exactly sure, but I believe that is true, that it can be used for therapeutic purposes.

Mr. Riddell: I think the answer is no.

Mr. Lewis: Is the minister aware that DES is normally measured in microscopic parts per billion, and that in this case high levels of DES were found in parts per million, that is, 10,000 times higher than the normal measurement applied, and in cattle which was Canadian, not imported? Does he not think, therefore, that he can act with some sense of urgency on it, putting it to the federal people that this kind of thing has to be terminated immediately?

Ms. Gigantes: Is your wife eating beef?

Hon. W. Newman: As I said, if anything like that is reported to me at any time, I act on it immediately.

Mr. Foulds: As the minister did with finding out about discount practices?

Hon. W. Newman: Discounts too. We've had cases where we have acted and when we have found out anything we have contacted the appropriate federal people. Unfortunately, I haven't seen that article that was in the paper.

Mr. Lewis: It is a study.

Hon. W. Newman: I haven't seen it as yet. I've been busy with other matters, but I will certainly make sure I do, and I'm sure my people are aware of it right now and are following up on it.

Mr. McClellan: Has anyone in your ministry seen it?

Mr. Foulds: Don't they read anything?

CONDOMINIUM LEGISLATION

Mr. Philip: I have a question of the Minister of Consumer and Commercial Relations concerning his statement in the House on amendments to the Condominium Act which

will establish an organization known as Condominium Ontario.

Why has the minister not allocated a majority of positions on the board to condominium owners rather than 50 per cent? Has the minister not learned anything from his experience with the HUDAC home warranty plan in which developers and other vested interests manage to suppress the interests of the consumer?

Hon. Mr. Grossman: Yes of course we have learned something from the experience with the HUDAC home warranty plan and that is that it is a very major success. It's treating consumers very well. It has worked better, I think, than the members of this assembly anticipated and I might say, outside of the petition that was filed here the other day, to all those members of the House who think that it isn't working well, it's mainly confined to the third party, and I haven't been flooded—indeed, I haven't even got a trickle of letters from members of the third party pointing out the specifics where the HUDAC new home warranty has not worked.

Mr. Breaugh: The minister got a trickle the other day.

Mr. M. Davidson: You should listen to some of the debates in the House, Larry.

Mr. McClellan: If the minister was in the House for debates he might find out.

Hon. Mr. Grossman: In fact, it's one of the major successes of this government. The reasons that we opted for something called Condominium Ontario are well set out in the statement I made, and if the member feels that more than 50 per cent of the board should go to condominium unit owners then I should tell him that the basics of the scheme set out by me today have been discussed in quite some detail with representatives of all parties who are involved in condominium construction. So before they jump to try and get on the bandwagon on one side or the other, I should tell members that the condominium federation we've met with on, I think, three or four occasions, myself included, I think they'll find they are quite supportive of not only the concept but the distribution of places on that board.

Mr. Philip: A supplementary: Of course, the minister does know that he's had plenty of representations about HUDAC from this member, but unfortunately nothing seems to happen with it.

Mr. Speaker: Question?

Mr. Philip: Can the minister tell the House what he means by his statement that every condominium owner will pay a small assess-

ment for the operation of Condominium Ontario? How much will each condominium owner be charged? Does the minister not feel that this is just one more form of taxation on condominium owners, who are already overtaxed in comparison to other forms of home owners?

Mr. Ashe: Let everybody else pay.

Hon. Mr. Grossman: Of course, we can't say the member is not being consistent, because every time we have a problem out there he wants another big government bureaucracy paid for out of the consolidated revenue of the province.

Mr. Warner: Don't say that. Just try answering the question.

Mr. Laughren: Sid Handleman got through to the minister.

Hon. Mr. Grossman: Frankly, we make no apologies for the fact that some of our major success programs are those which have been funded on a user-pay principle. One of them is, of course, the HUDAC new home warranty program—

Ms. Gigantes: It's another form of taxation.

Hon. Mr. Grossman:—and we think it's worked so well that we can now extend it to this concept. I make no apologies for the fact that those who will be the major beneficiaries will, in one way or another—

Ms. Gigantes: Just another tax.

Hon. Mr. Grossman:—pay for this new administrative process which is so badly needed by those very people.

With regard to the amount, it specifically will be left to Condominium Ontario, the private board—and as I have indicated, 50 per cent of the board will be comprised of condominium unit owners themselves—to determine what kind of fee will be necessary per unit per year in order to fund the operation.

In discussions with the federation, the figures we have been tossing around, in view of the fact there are some 100,000 units, is something in the area of anywhere from \$5 to \$10.

Mr. McClellan: For what?

Ms. Gigantes: Another million bucks on their backs.

Hon. Mr. Grossman: That \$5 to \$10 per unit per year may well vary in the situation in which, for example, the Etobicoke Regional Condominium Association may want to provide a better or more extensive service in Etobicoke. So over and above what they may pay into Condominium Ontario per year, they may want to add a dollar or two—

[3:00]

Ms. Gigantes: Oh, more taxes.

Mr. Warner: Half a million a year.

Hon. Mr. Grossman:—in order to have more accessible services to their own people. But in accordance with our philosophy we think those are decisions which should be made by the condominium unit owners themselves as to whether they want that additional service and coverage and not made by Queen's Park.

Mr. Breithaupt: Supplementary: With respect to the minister's statement that he wants to enact legislation immediately and that he hopes for speedy passage of the Condominium Act amendments, since this bill could not possibly receive second reading in the House before Tuesday, June 13, under the ordinary schedule, and since the House is expected to adjourn 10 days later for the summer—

Hon. Mr. Welch: Recess.

Mr. Breithaupt:—to recess, correct—is it the minister's intention to have this matter dealt with by any form of hearings or opportunity for further public input over the summer months and be dealt with when the House returns, in fact, at the committee stage, or just what are his intentions?

It would appear that while the press release calls for a much more positive and encouraging form than may be practical and may get wide publicity, in fact it may not be possible to deal with this legislation at any time in the next three weeks available to us.

Hon. Mr. Grossman: I must say that I do hope to get the legislation passed before the House recesses.

Mr. Warner: You have got to be kidding. What happened to the public?

Hon. Mr. Grossman: Obviously, if it runs into any disagreement or, indeed, lengthy discussion without disagreement—which I quite anticipate could happen; it is a rather lengthy act—I should add that it is not an amendment to the current act, it is an entirely new act and will replace the old Condominium Act.

Mr. Warner: You want to exclude the public.

Mr. Breithaupt: You are bogged down with the Securities Act.

Hon. Mr. Grossman: It is quite conceivable that that will happen. At the moment I am inclined to get the legislation in place and to give it a try to see if we can get it through in time.

Ms. Gigantes: When are you ready for your next amendments?

Hon. Mr. Grossman: I should pause here to make a couple of points. First, the Kealey study group had extensive public hearings and received—I don't know the figure—I think 220-odd submissions.

Second, the report was distributed widely by us, including a copy to every municipality in the province. A copy was sent as well to each and every condominium—

Ms. Gigantes: At \$2.50 a copy, another tax.

Mr. Warner: We have an act.

Hon. Mr. Grossman: Why don't the members let me answer the question?—to each and every condominium association in the province.

Mr. Breagh: You don't usually do that. We have to write it for you.

Mr. McClellan: Read your statement again.

Hon. Mr. Grossman: In the last few months, our consultative process has included extensive meetings with condominium federations as well as meeting with HUDAC, UDI and so on.

Mr. Breagh: And so on and so on.

Mr. McClellan: Et cetera, et cetera.

Hon. Mr. Grossman: As a result of that process, I must say that I think there has been rather extensive and lengthy consultation. It is because of that process that we have decided we will move forward with the consumer protection portion, which, to a large extent, has received rather unanimous support from all those people I have mentioned and, indeed, rather extensive support from various quarters in this assembly with regard to the basic concept.

In other words, what I am saying is, I think the members will find, when everyone has had an opportunity to read the act, there are fairly straightforward, rather essential gut changes being made to the day-to-day operations. The more far-reaching ones in terms of the planning process, the more complex ones, are ones that are not included in this package.

Mr. Ziemba: What are you saying?

Ms. Gigantes: Is that an answer to that question?

Hon. Mr. Grossman: So I would, in summation, urge the members of the assembly to read the act carefully and assess whether or not we really can get the legislation through next month. I don't think it is an impossible task—

Mr. Speaker: The question has been answered. A new question.

Mr. Brethaupt: Supplementary: The minister is bogged down with the Securities Act—

Mr. Speaker: Order. This is a bill that is going to be introduced later on this afternoon and there will be ample opportunity to discuss it.

Mr. Brethaupt: I hope so.

PIANO TECHNICIANS

Mr. Cunningham: I have a question for the Minister of Labour in her capacity as the minister responsible for the Ontario Human Rights Commission.

Is the minister aware, or have members of the public or members of the Ontario Guild of Piano Technicians been in contact with her or with her ministry with regard to the possibility of discrimination against people who are blind and involved in piano tuning?

Hon. B. Stephenson: Yes, Mr. Speaker, I have had a letter from one of the blind piano tuners bringing to my attention some information which was distributed by an association of piano tuners in which there appeared to be some statements which I think could be construed as discriminatory. They have been brought to the attention of the human rights commission.

Mr. Cunningham: May I ask, through a supplementary question, whether or not the minister will involve herself, in her capacity as Minister of Labour, in this rather invidious practice to see that it is discontinued?

Hon. B. Stephenson: The matter is certainly one of discrimination based upon a specific problem suffered by a certain group of people and it is one which I have asked the human rights commission to review and to report to me about, and I shall most certainly do what I can to resolve the problem.

Mr. Mackenzie: How many years will we hear that?

Mr. Lupusella: Another 35 years.

SPADINA EXPRESSWAY

Mr. Grande: My question is for the Minister of Transportation and Communications, who was here a few minutes ago and has now disappeared, and I don't know where.

In the absence of the minister, if he's not in the wings, may I ask the Premier the question? The question is in regard to the disposition of the properties on the Spadina right of way, south of Eglinton Avenue.

Given the fact that the province and Metropolitan Toronto are losing \$700,000 per year in interest, maintenance and taxes on these properties and given the fact that the Cedarvale Metropolitan Properties Tenants' Association have carried out a survey which shows that 40 of those tenants are willing to buy

these properties, has the Premier or the Minister of Transportation and Communications made a decision on the proposal of the Cedarvale Ratepayers and Residents' Association and the borough of York council which suggests to him that the expropriated homes should be placed on the open market, given the fact that there are 40 willing buyers?

Hon. Mr. Davis: I will try to get a particular answer from the minister for the member. I am once again going by memory, but my recollection is that those properties were ultimately to be transferred to the Metro Housing Corporation, which would have the responsibility for their administration. I don't recall the question of whether or not those properties would become available for purchase being explored at the time; it may have been but I don't recall it. I will get further particular information for the member and perhaps have it here tomorrow morning.

Mr. McClellan: By way of supplementary, Mr. Speaker?

Mr. Speaker: You can try.

Mr. McClellan: May I ask the Premier whether he would not agree that to transfer the properties to Metro, as is planned, offers no guarantee that at some future date—Metro is still, unlike the Premier, pro-expressway—the properties may be brought back into use for expressway purposes and that my colleague from Oakwood's suggestion is eminently sensible? Would he not agree?

Hon. Mr. Davis: With great respect, if the member for Oakwood was suggesting that if there are some pro-expressway enthusiasts selling those properties to individual owners would preclude then the possibility of Metropolitan Toronto again expropriating from those private owners, of course, the question is really quite irrelevant. I think what is relevant is who has control over the properties, the three-foot reserve—

Mr. McClellan: Whatever happened to that? Whatever happened to the three-foot reserve?

Hon. Mr. Davis:—not all of the land is covered by residential accommodation—

Mr. Warner: Whatever happened to the three-foot reserve?

Hon. Mr. Davis:—and the ownership of that particular land. So while I appreciate the constructive suggestion, rather than a question, being put by the member, I really don't see that as being an anti-expressway sort of legal solution that would not have complications that could be resolved if Metropolitan Toronto attempted to build the expressway in any event.

ENERGY CONSERVATION

Mr. J. Reed: In the absence of the Minister of Energy (Mr. Baetz), I shall once again call upon that repository of all knowledge, the Premier, to come into the breach. I wonder if he would be kind enough to find out—I realize he may not have this information at his fingertips—and report to the House—

Mr. Peterson: Ask it anyway.

Mr. J. Reed:—if in fact Ontario Hydro is planning within the next year to abandon its energy conservation program in view of the recent announcement that the director of energy conservation, Mr. Wright, is being transferred to northeastern Ontario and that no replacement for him has been announced?

Hon. Mr. Davis: I will endeavour to get that information for the honourable member. But I would be surprised if Ontario Hydro were abandoning its approach to the conservation of electrical energy. Certainly there would be no rationale for them doing so. It may be that they can alter administrative structures in order to accomplish the same objectives.

Mr. S. Smith: According to your minister, conservation costs money.

Hon. Mr. Davis: There is no question that one has always to weigh the conservation ethic, or whatever terminology one may use. I know that all of us support it in some respects and don't when it suits us in others. That is not unusual. I would only say that I would be very surprised if Ontario Hydro were going to suggest to the electrical consumers of the province that they now start to use far more electricity than is necessary. I will find out, but I will be surprised if they have that in mind.

YOUTH EMPLOYMENT PROGRAM

Mr. Laughren: A question for the Minister of Treasury, Economics and Intergovernmental Affairs on his statement today on the progress report on the Ontario Youth Employment Program—although I don't know how guillotining a program can be called progress.

In view of the fact that the Ontario Youth Employment Program was the only real job-creation program in the budget and in view of the fact that the large number of applications for the program by employers is an indication of the need for such a program and the success of the program, why is the minister at this time transferring the obligation for young people who cannot get jobs to the municipalities? Why is he further increasing

the financial problems at the municipal level? That's who will be picking up the tab for those people.

Interjection.

Mr. Laughren: Perhaps if the minister doesn't understand, I could clarify: On page three of his statement the Treasurer says, "OYEP is opening up meaningful job opportunities, making a substantial dent in youth unemployment, and redirecting some of our young people from the edge of the welfare precipice." Is he not saying, in effect, that the municipalities are going to be the ones who will pick up the tab, rather than the province through its Ontario Youth Employment Program?

Hon. Mr. McKeough: General welfare assistance, which is what the member is referring to, is a program shared by all three levels of government. I would say that the statement doesn't refer specifically to the dollars-and-cents aspect of general welfare assistance; it refers more to the problems coming from lack of employment. There is no attempt in bringing to an end, unfortunately, a program which is too successful; but at some point you have to say no.

Mr. Foulds: At some point you have to say yes, too.

Mr. Peterson: Supplementary: I don't understand—perhaps the minister can explain it—does he not think it is somewhat unfair to cut off the program tonight without giving some notice to those people who may have applications in the mill so that they could be considered on their merits? Could the minister not give them a week at least, after his announcement, to make sure all the paperwork that is being processed now could come to his ministry for approval?

Hon. Mr. McKeough: Yes, for paperwork which is being processed now and that which is in the mail. But at some point you have to stop.

FARM LABOUR SUBSIDY

Mr. McKessock: I have a question for the Minister of Agriculture and Food. In view of his announcement this week pertaining to the pilot youth employment program and in view of the present controversy over kickbacks and rebates, why does the minister get involved in such a controversy?

Mr. Foulds: Why isn't McGuigan asking this question?

Interjections.

Mr. McKessock: The announcement states that the farmer will have to pay a fee of \$90 per day for five young people. At the

end of the program farmers will be reimbursed \$35 for each day they have used the service.

Hon. W. Newman: We developed this new program this year to help the farmers in this province. They are really like a flying squad of young people who will go out and help a farmer for a maximum of five days.

Mr. McKessock: That's right.

[3:15]

Hon. W. Newman: I hope the member read the whole release. They are to help where the farmers have got problems—seedling or harvesting or something else. They are sent out on an experimental basis in certain counties this year. We have a group of five who will go out and work for a farmer for a maximum of five days, if they get to know of a particular problem where somebody's sick or something has to be done. It's a whole new concept—it's what I call the flying squad—a group of young people who have been organized through our ministry to go out and help individual farmers.

Interjection.

Hon. W. Newman: Don't start talking about kickbacks over there. Their leader, for instance, takes a prompt payment discount with zero credit risk that doesn't give volume discount. Do the members realize that?

Interjections.

An hon. member: Take it easy, Bill.

Mr. Speaker: Order, order.

Mr. Sweeney: You are stuttering Bill. Even you don't understand that.

Mr. Kerrio: There's a connection there somewhere.

Mr. McKessock: The members didn't miss anything. The question is, why does the farmer have to pay more than the \$55 right at the start, because he's going to be reimbursed \$35? Why charge him \$90 and give him \$35 back?

Hon. W. Newman: The whole purpose of the project is to make sure it works well. We are charging them so if there are problems, and there could be from time to time, we want that holdback in order to make sure the program works effectively.

Mr. Peterson: The Lord giveth and the government taketh away.

SCHOOL CONSTRUCTION

Ms. Gigantes: I have a question for the Minister of Education. Can the minister confirm that there's a proposal before cabinet from his ministry for the development in

Ottawa of a French-language residential school for the learning disabled? Is the cabinet stalling on approval for the school?

Hon. Mr. Wells: The answer to the first question is yes. The answer to the second question is no.

Ms. Gigantes: Supplementary: If the cabinet is not stalling, why was the minister able to announce the development of a site in Milton as an English-language residential school when there's still no word from the government, aside from the minister's response now, on the French-language school?

Hon. Mr. Wells: This matter is still before cabinet and it will be announced in due course.

It saddens me to have to tell the House, because I think it infringes on the privileges of all of us in this House, that a confidential cabinet document on this matter is in the hands of one of the members of the press gallery. I presume that's where my friend is getting her information.

Mr. Cassidy: You sent it upstairs, eh?

Mr. Warner: The good old brown paper envelope.

Mr. Lewis: Why does it sadden you? It's a free press.

Hon. Mr. Wells: Because I think it is leading to the very kinds of misunderstandings—

Mr. Cassidy: Are you going to charge him with possessing a stolen document?

Mr. Lewis: It came unannounced.

Hon. Mr. Wells: No, I'm not going to, but I think it's an affront to each of the members. They could rightly say they each should have the document.

Mr. Lewis: We don't consider it an affront.

Hon. Mr. Wells: If the member doesn't I think he should.

Mr. Martel: I heard the minister sent it to him.

Mr. Lewis: That's what the word is, the minister sent it.

Mr. Speaker: Order. Order. We've taken the last minute and a half on irrelevant interjections that are out of order.

PIPEFITTERS' UNION

Mr. Sargent: A question to the Minister of Labour. Is the minister aware of the dictatorial hiring and lay-off practices, which in many cases favour Quebec workers, of the pipefitters' union carried out by union Local 527 of Kitchener, where non-union employees for years have had to pay monthly dues of \$15 but have received no benefits from them

and no receipts are issued by them? Will the minister have a look at this?

Hon. B. Stephenson: Yes. I am aware there are a certain number of qualified skilled tradesmen who are permit workers in the province of Ontario, although they are citizens of Ontario. I am also aware there are some workers from Quebec who happen to be members of the union, and as a result of the negotiated contract and the constitution of that union are permitted free access to those jobs within the province of Ontario. Yes, I will look into it, if you give me the specific number, which will, of course, be recorded in Hansard.

Mr. Sargent: Without getting into the Canadian bit on it, what steps can be taken to assure me or the House and to advise the Premier of what's going on to give our citizens the same protection as the province of Quebec gives their people in the job field?

Hon. B. Stephenson: As this House is aware, this is a matter which has been of some concern to the government and to other members of the House for some time. We have been having a series of meetings in order to try to resolve the difficulties. We were promised by Mr. Levesque that there would be a solution which would reflect equity and reciprocity. We're looking for that solution right at the moment.

I can tell the member there was a meeting yesterday of the officials of the Ministries of Labour of Ontario and Quebec in Montreal. I anticipated meeting Dr. Johnson on Monday of next week, but apparently, I will not be able to until Saturday of next week.

WILKINSON FOUNDRY FACING

Mr. Lupusella: I have a question of the Minister of the Environment. During the estimates of the Ministry of the Environment, I brought to the attention of the minister the issue of Wilkinson Foundry Facing and Supply Company Limited at 81 Florence Street, which is emitting disastrous coal dust in the surrounding residential area, causing health and environmental problems to the people in the immediate area.

On May 26, 1978, around 2 o'clock in the afternoon, the same company was responsible for yet another serious instance of pollution by an unknown polluting agent which is contained in this plastic bag. Will the minister report to this House the details of this particular emission of May 26, 1978, the sources of the problem and considering that the total residential area has been contaminated by an unknown element as shown in these photographs, will the minister analyse the

chemical composition of it and report to the House?

Hon. Mr. McCague: Yes.

Mr. Lupusella: Supplementary: Considering that for too many years the residents have been pushed around from place to place seeking assistance and that no progress has been made to date and considering the health hazards involved, when will the minister undertake his responsibility by ensuring that this type of incident will not recur? Will he in this specific instance issue a court order against the company, forcing the company to close its operation until such time as the environmental regulations will be followed, for the sake of the workers and the people living in the community?

Hon. Mr. McCague: The industry mentioned by the honourable member is being monitored. I'm not personally aware of any health hazard. There is a nuisance to the people in the area.

Mr. Lupusella: There is. I will send the minister this sample.

Hon. Mr. McCague: I'll be glad to look into it further and investigate the matter which he brings to my attention.

Mr. Lewis: Supplementary: How is it that when my colleague raised this with the minister carefully and at length in the estimates and he undertook to look into it, there is then another very serious dispersal of dust covering everything—gardens, homes and cars—to the depth that one can actually write on it, for instance, if it was on the side of the car? Why is not the ministry moving in on the industry with a rather more serious sense of urgency than was demonstrated in the estimates?

Hon. Mr. McCague: I don't think that there's any slackness on the part of my ministry. I'm not sure whether this occurrence that was mentioned as happening on May 26 was reported to my ministry or not. I will look into it and report back to the House.

Mr. Lupusella: That's a shame. The minister should resign about this particular issue. I spoke for half an hour about this particular problem.

Hon. Mr. McCague: For two and a half hours.

WATERLOO REGIONAL POLICE

Mr. Sweeney: I have a question for the Solicitor General to do with the investigation with respect to police brutality taking place in the Waterloo region. Can the minister explain why the Ontario Police Commission has

broadened the scope of the investigation well beyond the original request? Can the minister explain why he refuses to meet with the regional chairman and the chairman of the police commission to discuss the scope of the investigation?

Hon. Mr. Kerr: To answer the last part first, I have never refused to meet with the chairman of the local police commission. Because of recent events I am on the phone with that gentleman probably two or three times a week. I have never refused to meet with him. I have discussed the terms of reference with the local chairman. They have been discussed with the Ontario Police Commission. There is some difference of opinion between the chairman of the Ontario Police Commission and the chairman of the local commission. However, I do not want to interfere in the decision of the OPC to broaden the terms of reference a little more than is desired by the local commission.

There are incidents that are related to the particular security force that is part of the regional police force that concerns the commission and involves more than just the Henchmen incident that took place and which was the reason for launching the inquiry in the first place.

In my opinion, the terms of reference are not too broad. They are wider than the local commission would like, but in my opinion I can't take issue, argue, or find any fault with the decision of the OPC.

PETITION

MINISTRY OFFICE CLOSURE

Mr. Laughren: I have a petition protesting the closing of the Natural Resources office in the community of Foleyet, and the transfer of Ministry of Natural Resources personnel from that community.

The closing and transfer of that office will be of serious detriment to the life of the community involving loss of jobs, declining tourism, and declining population. The undersigned citizens in Foleyet urge the government to put an immediate stop to that plan.

REPORT

STANDING PROCEDURAL AFFAIRS COMMITTEE

Mr. Breaugh from the standing procedural affairs committee presented the committee's report which was read as follows and adopted:

Your committee has carefully examined the following applications for private acts and

finds the notices, as published in each case, sufficient:

City of Hamilton;
City of Thunder Bay.

INTRODUCTION OF BILLS

CONDOMINIUM ACT

Hon. Mr. Grossman moved first reading of Bill 103, An Act to revise the Condominium Act.

Motion agreed to.

ROAD ACCESS ACT

Hon. Mr. McKeough moved first reading of Bill 104, An Act respecting Motor Vehicle Access to Property by Road.

Motion agreed to.

MUNICIPAL LICENSING ACT

Hon. Mr. McKeough moved first reading of Bill 105, An Act to provide for the Licensing of Businesses by Municipalities.

Motion agreed to.

CITY OF THUNDER BAY ACT

Mr. Hennessy moved first reading of Bill Pr26, An Act respecting the City of Thunder Bay.

Motion agreed to.

[3:30]

ROYAL TRUST CORPORATION OF CANADA ACT

Mr. McCaffrey moved first reading of Bill Pr25, An Act respecting the Royal Trust Company and Royal Trust Corporation of Canada.

Motion agreed to.

TAX EXPENDITURES DISCLOSURE ACT

Mr. Peterson moved first reading of Bill 106, An Act respecting the Disclosure of Tax Incentive Costs.

Motion agreed to.

CITY OF OTTAWA ACT

Mr. Roy moved first reading of Bill Pr17, An Act respecting the City of Ottawa.

Motion agreed to.

OTTAWA CHARITABLE FOUNDATION ACT

Mr. Roy moved first reading of Bill Pr24, An Act respecting the Ottawa Charitable Foundation.

Motion agreed to.

LABOUR RELATIONS AMENDMENT ACT

Mr. Ziemba moved first reading of Bill 107, An Act to amend the Labour Relations Act.

Motion agreed to.

Mr. Foulds: Off the cuff, I'd say it might be skewered.

Mr. Ashe: You're probably right.

Mr. Ziemba: Mr. Speaker, the purpose of this long overdue bill is to provide the minister with authority to settle the terms of a first collective agreement.

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

ONTARIO FRENCH LANGUAGE SERVICES ACT

Mr. Roy: Prior to commenting on the various aspects of this bill, I'd like to underline—

Mr. Speaker: Would you move second reading of the bill, please?

Mr. Roy: I apologize.

Mr. Roy moved second reading of Bill 89, An Act respecting French Language Services in Ontario.

Mr. Speaker: You have up to 20 minutes to speak to the bill and you can reserve any portion of that time for a windup, if you so choose.

Mr. Roy: Thank you, Mr. Speaker. Now, if I can get wound up. I would like to underline, prior to referring to certain aspects of the bill, the initiatives taken by the Leader of the Opposition (Mr. S. Smith) in insisting on bringing forward this legislation. For two years he has talked about the fact that we should have an omnibus bill in this province whereby we could provide or guarantee services in this province by way of legislation. This bill is the result of the initiative taken by the Leader of the Opposition.

I am deeply indebted to my colleagues in the caucus and people working in the leader's office who have worked with me on the bill in attempting to put forward a bill which reaches a common consensus in this Legislature. I'm extremely encouraged as well in reading the press reports. I have no first-hand knowledge, but it would appear that our party in the large majority will be supporting the bill, that my colleagues to the left, members of the NDP, are supporting this legislation as well, and that my colleagues, the members of the government party, have decided to allow this bill to come to a free vote.

Mr. Peterson: That's a refreshing change.

Mr. Roy: This is an important aspect, and I'm deeply encouraged by this approach by all members of the Legislature. I would say, because of the limit of time, a few words in French.

Tout simplement, monsieur le Président, je voudrais souligner, dans la limite de temps qui m'est donnée, le fait qu'un précédent est établi ici aujourd'hui à la Législature. C'est la première fois, à ma connaissance, surtout depuis que je suis ici, depuis 1971, qu'une législation est présentée dans les deux langues. Et le Bill 89 est un Bill qui est avec nous aujourd'hui en Français et en Anglais, et je trouve que c'est une étape importante ici dans l'acheminement des droits des revendications des Francos-Ontariens. Monsieur le Président, je voudrais tout simplement dire que notre but principal avec cette législation est d'établir un point commun: notre idée n'est pas d'embarrasser personne, notre idée n'est pas de jouer d'une façon partisane avec un point aussi important que celui-ci, mais c'est d'établir surtout un point commun où tout les membres de la Législature ensemble, sans partisanerie, pourraient enfin en venir à une conclusion, enfin arriver à légiférer les droits des Francos-Ontariens. C'est pour cette raison qu'on a procédé de cette façon et je suis fortement encouragé par l'initiative premièrement prise par le Chef de l'Opposition, mes collègues, qui m'ont encouragé et m'ont aidé à produire ce Bill, et tous les membres de la Législature qui ensemble, comme nous en avons l'espoir, vont avoir un vote libre sur ce Bill. Et pour moi, c'est une étape importante, je suis optimiste que ce genre de législation va recevoir l'approbation de la majorité des membres de la Législature. D'après moi, c'est une preuve concrète pour les Francos-Ontariens qui ont lutté si longtemps. Aujourd'hui, on espère acheminer jusqu'à un point, et ainsi leur faire justice et en même temps leur donner la preuve, à ceux qui croient encore au Canada, au Québec, et à travers le Canada qu'ici en Ontario, on est prêt à donner du leadership; qu'ici en Ontario on est prêt, même s'il y a certains aspects d'autres législations au Québec avec lesquels nous ne sommes pas d'accord et même qu'on trouve aller contre les droits des minorités au Québec, que nous ne sommes pas prêts à sauter dans le piège, mais que nous sommes prêts, même dans une situation difficile, à faire des revendications et de légiférer les droits des Francos-Ontariens. Je considère, monsieur le Président que c'est une étape fort importante.

To all my colleagues, I wish to emphasize exactly what the bill does. Basically, its purpose is to try to find common ground among all members here. It was not our attempt to embarrass anybody in this Legislature. We set out to try to find common ground, to try to remove a subject as important as this from all partisanship, so that we, as members of the Legislature, could all see and agree with the fact that the emphasis in this bill is on the aspect of services.

Therefore, we have proposed a bill which would legislate the right to these services. In the process, we have set up a mechanism to do so. We have set up a mechanism having in mind, as well, a cost factor in this. That's why we set up the board; and we think that the board can do its work in one year.

I'd like to clarify and emphasize again that the purpose of the board is simply to make an accounting of the services that are available now, to tell us the areas where there is demand, and what services should be necessary. This is the purpose of the board. The yearly supervision of events under this legislation will of course be the work of the co-ordinator. We feel that with the board there have been sufficient studies made and that the procrastination should end. We're trying to say that having established a common ground we're prepared to legislate in these areas. To this end we have presented a bill which we consider to be reasonable, practical, and extremely flexible.

I would repeat, with emphasis, that what the bill doesn't do is make French an official language in this province. I want to stress that once again, because I've seen reports where people suggest that it does in fact do that. I would emphasize again that we are not about to bilingualize the province. That is not the purpose of this legislation.

I would also stress that we're not attempting to create a large bureaucracy within the civil service, or asking the civil service to learn French. This is not the purpose of the bill. The purpose is to provide services for Franco-Ontarians. That's where the emphasis is in this bill. It seems to me that we should keep in mind that we're not trying to force French on anybody.

I've read comments to the effect that something is being shoved down certain people's throats. That, as I have said, is not the purpose of this legislation. The services are for Franco-Ontarians. Can anyone say that in areas like Prescott-Russell, Sudbury, and Ottawa-Carleton, for example, where there is a substantial number of Franco-Ontarians, these people cannot speak to their government in their language, cannot talk to their doctors

in their language, that they cannot get services in the courts in their language? This is where we have put the emphasis in this legislation—on services for Franco-Ontarians.

If we proceed as I'm hopeful we will this afternoon, and if this legislation receives the approval of the majority of the members of this Legislature, we will accomplish a two-fold purpose.

First of all, we will finally render justice to the Franco-Ontarian citizens in this province and assure them that they will be treated with equality and fairness. We in Ontario will show we are prepared to legislate their rights just as we do every day for others. They are asking for no more. They are asking for no less.

[3:45]

At the same time, in the process of trying to arrive at a consensus, and I say to my friends across the way, we are reasonable in this aspect. Anyone who doubts our good faith in this should consider that we worked together on the amendments to the Judicature Act which the Attorney General put forward. All three parties got together on it. My colleague from the NDP, the Attorney General, the critic in our party and myself discussed it and produced a piece of legislation which we consider to be practical because all of us here know that there are problems in this province in having wholesale matters of principle legislated, and that the legislation must be flexible and practical. We have done that, I suggest in the Judicature Act.

Just as important, it seems to me that the majority of the members of the Legislature of Ontario together approve this type of legislation, and approve the principle, we are sending a very strong and positive message to the federalists in the province of Quebec, to our federal colleagues and to the majority of the people in the province of Quebec who still believe in Canada and who still believe in this country. I think we are sending them a very important message in light of the fact that over the horizon the referendum is coming.

It is important that these people have some ammunition at a time especially when the PQ strategy seems to be to annoy and sometimes to intimidate to a point where they are hopeful that the majority of anglophones and the rest of the country will say: "Let them go, for God's sake. They are getting to be a pain. Let them go, and good riddance." By taking the step that we are here today, we are not falling into this trap. We make the distinction between a separatist government and the majority of the people

in Quebec who still believe in federalism. That's the message.

In my opinion, it's a ringing declaration of what we believe in in this province and in this Legislature. At a time when the PQ is attempting to restrict schools to certain classes of Canadians, we pass a bill here like the Essex school bill; at a time when they are attempting under Bill 101 to restrict the use of English in their courts, we pass amendments to the Judicature Act; at a time when Bill 101 and other culture reports which are just on the horizon are coming forward, when we see something as ridiculous as we have here read about recently about the changing of signs and so on, we, the members of this Legislature, are not about to be intimidated. We see what is going on, but we are still prepared to give leadership and we approve a bill like Bill 89 by a majority of the members in this Legislature.

We are prepared, by approving this bill, to give this type of leadership. For those who think the battle over the referendum is limited to Quebec, I ask why is it that when they are discussing certain legislation over there, people like Laurin and Morin point to Ontario and say, "Look what is happening in Ontario." They think it is important and I say to members that it is important what happens to our sister province. I think it is important when they are looking at the way we treat our minority that the majority in Quebec will be very impressed by what we are doing here. When Camille Laurin points to Ontario, we can stand here with leadership and start enumerating some of the things that we have done in this province.

In closing, may I say that in some of my discussions with some of my colleagues—and I can remember discussing this with the member for Renfrew North (Mr. Conway)—we used to discuss what happened in the early days of Confederation between some of the Fathers of Confederation. We are left with the impression today that at that time, all of these people were great buddies and great friends, that there were no major issues really dividing them and that it was a time of friendship with no animosity or prejudice or anything of that nature.

One has only to read some of the debates of that time and to look at them closely to wonder how they managed to be in the same picture, in view of some of the things they were saying to each other and of the prejudice that existed at that time, and the animosity between the linguistic groups.

What the Fathers of Confederation were able to do, in spite of all this, was to have a common goal and, in their attempt to

achieve their common goal, they were able to compromise. Wanting to achieve this common goal, they were prepared to make concessions. In so doing, they set a tremendous example for us.

Since the election of the PQ government back in 1976, I have had many people who have come, sincere, in good faith, and said, "What can we do? What can we do to help? Is the debate limited to Quebec? What can we do?" And basically what I try to tell people is simple, "First of all, you have got to keep your sense of perspective. You can't get carried away by one event, whether it's the boing of the national anthem sung in French at a baseball game or whether it's some other situation in Quebec where people who are trying to speak English at a meeting are shouted down." I think we have to keep things in proper perspective.

And the other matter that the people have to keep in perspective is to try to be informed. When people make wholesale declarations or when people—for instance, in this legislation—say this and this, we should at least take the time to read it and see exactly what it does and what it doesn't do. I think we have a duty all of us to do this.

But it seems to me that a question is asked of us here: "What can we do?" I think we as members of this Legislature, leaders in our own community—and I understand that there is not 100 per cent support for this thing; that some of my colleagues in many of their ridings will have great difficulty with this—surely have a duty to explain it, explain what it does and what it doesn't do; even to rise above that, to rise above it, and to say: "What can we do?"

I think that we are given an ideal opportunity here to send a message and to send ammunition to our friends in the province of Quebec. I think it's an opportunity and when my colleagues ask: "What can we do?" I think we are afforded an opportunity here to do not only justice in this province but to give leadership across the country, something that this province should do and has done in the past.

I wouldn't want to miss this opportunity. I don't think we should let it go by and I think this is the purpose and this is what we are attempting to do. We have found common ground on Bill 89. We are prepared to sit down and work together on it. We are prepared to accept some amendments to it, suggestions from the public but, surely to God, the principle should be important enough for all of us together, in the majority, to support this important principle, while at the same time doing justice for the citizens of this

province—Ontarians, Franco-Ontarians—and at the same time make it very clear to the people in Quebec fighting for Canada, fighting for federalism, that they have allies here in the province of Ontario.

Mr. Deputy Speaker: Order. The member for Ottawa East has three minutes remaining. Do you wish to reserve that time for the end?

Mr. Roy: I may, Mr. Speaker, thank you.

Mr. Cassidy: Merci, Monsieur l'Orateur, je voudrais commencer cette journée historique avec quelques mots en français pour accueillir le projet de loi qui vient d'être proposé comme un pas dans la direction qu'on a cherché depuis longtemps et puis aussi pour accueillir le fait que le Premier Ministre de notre province a accordé un vote libre sur cette mesure et assuré le public que la Parti Conservateur ne va pas bloquer ce projet de loi.

J'espère que cela indique un changement de politique de la part du gouvernement et j'espère que ce jour verra le commencement d'une vraie législation pour la protection des droits linguistiques de notre communauté franco-ontarienne.

La vie n'a pas toujours été facile pour les Franco-Ontariens. Nous avons depuis longtemps dépassé l'époque du règlement 17. Les Franco-Ontariens ont fait du chemin depuis cette époque, une des plus sombres et des plus scandaleuses de l'histoire de l'Ontario.

Mais cette route vers l'épanouissement culturel et la reconnaissance de leurs droits les plus fondamentaux a été longue et pénible. Par exemple, ce n'est que depuis dix ans que les Franco-Ontariens ont commencé à acquérir un système d'écoles secondaires publiques.

La nécessité de cette lutte pour avoir une égalité linguistique et culturelle continue jusqu'à nos jours. Est-ce qu'on peut affirmer qu'aujourd'hui les Franco-Ontariens ont vraiment droit de cité dans leur propre province? J'ai bien peur encore que non.

Il est temps d'écarter tout vestige de domination linguistique et économique. L'Ontario se doit de refléter le véritable "partnership" des deux peuples fondateurs du Canada. L'Ontario se doit de donner l'exemple et d'accorder pleins droits aux Franco-Ontariens, la plus importante minorité francophone du Canada Anglais. Pourtant, jusqu'à hier, le Premier Ministre William Davis refusait de déclarer le français langue officielle en Ontario et même de reconnaître en statut la position du français. Il juge que ce serait un geste purement symbolique. On a entendu même il y a deux semaines quand il a répondu au mémoire qui lui a été proposé par l'Association Canadienne-Française de l'On-

tario. Alors, je veux croire que Monsieur Davis est un homme de bonne volonté mais ce qu'il ne parvient pas à comprendre, c'est que les droits fondamentaux ne devraient pas être à la merci du gouvernement au pouvoir. La question du droit linguistique ne devrait pas se situer au niveau purement administratif. J'espère, comme je viens de dire, que chez lui on verra un changement de principe de la part du Premier Ministre.

It's been a long time since we've come even as far as the bill that we have today. In welcoming the bill from Mr. Roy I also want to welcome the assurance of the Premier that there will be a free vote on this particular legislation and that his government does not intend to block this first venture into seeing that legislation is passed.

I've been personally involved. As a member with a riding in which 20 per cent are francophones, I've been fighting for this issue since 1971. My party has fought even longer and has, in fact, become effectively a party that works in both official languages over the course of the last six years.

When I spoke in the throne debate last February, shortly after becoming leader, I made it clear what the position of the New Democratic Party of Ontario was. We argued, and we still believe, that the government's refusal to make French an official language has been enormously destructive in the effect on our credibility in contributing to the cause of national unity.

We have welcomed the promises that were made in the throne speech by the government this year about particular services that will be made in French. As a party, however, as I said at the time, we are still looking for legislative and not just administrative protection for the rights of Franco-Ontarians in services to health, in education, in the courts and in all areas of government. It is in that spirit that members of my party intend to support the bill which has been proposed by the member for Ottawa East today.

We do so, however, with a feeling that this does not go far enough, even though it is a step in the right direction. As I said in February, to make French an official language is quite simply a part of the overall approach of guaranteeing linguistic rights for Franco-Ontarians. But an enormously important step is the guarantee of survival to Franco-Ontarians as well as a sign of good faith to the rest of Canada.

I suggested at the time, and it's the case as well today, that after what has been promised by the government, if those promises are carried out to make French an official

language, it would be a step whose additional costs are insignificant.

The Premier has taken several stances. He told ACFO he was not prepared to move on French. In Montreal, shortly before the throne speech, he said the government had not rejected the possibility of a statutory framework for the French-language-service commitment that we already had. In the throne speech they talked about specific measures and now the Premier says he's prepared to see at the very least a free vote on this bill.

I would hope very strongly that the government will make a further commitment and that that further commitment is either to see this particular bill, suitably amended, strengthened and improved, passed into law before the end of the year, or alternatively that the government will bring forward its own law to ensure that legally, in the statutes of Ontario, French-language rights are enshrined for good. I would hope that it will bring that bill forward and have it adopted between now and the end of the year.

I challenge the government to make that statement today because then this will be truly an historic occasion, with all three parties of the province of Ontario uniting in making the commitment that we have had for so long to Franco-Ontarians into not just rhetoric but into a reality through the statutes of Ontario.

The bill which Mr. Roy has put forward moves, as I have said, in the direction of ensuring French-language rights. It does, however, have a number of weaknesses which I am concerned about. Many people, including the members of the Liberal Party, have complained about the government's administrative approach to providing an increase in the French-language services. The bill, however, simply substitutes a different administrative approach for the administrative approach which has been taken by the government.

[4:00]

It is therefore a weak bill. It's weak in particular because the proposed Language Service Board, which is meant to delineate what services and in what regions French-language services would be provided, will expire after only one year. After that it will be carried out by a French-language coordinator, an office which already exists at the ADM level, I think, along with representatives from various ministries. That's very close to what we have in practice in the province already.

We're concerned over the fact that this bill might even be adopted with the co-operation

of the government and then prove to be ineffectual because of the fact that the civil servants, acting under political direction from the government who are to carry it out after the demise of the Language Services Board, might not carry out the commitment which we certainly have in this party and which I hope and believe all parties now have.

I do want to suggest that while we intend to support the bill of the member for Ottawa East, the bill that was proposed last fall by my colleague, the member for Cornwall, is a good deal more effective and strong in assuring French language rights. The bill that my colleague proposed, for example, makes the declaration of principle about French-language rights and services which was sought by l'Association Canadienne-Française de l'Ontario. This I'm afraid is not contained in the bill which has been put forward by the member for Ottawa East.

ACFO has asked that municipal services be available in French and that is not contained in this bill. ACFO has also asked that it be the Ombudsman who polices this, rather than leaving it to an in-house committee of civil servants. That is not included in this bill, because the oversight over the assurance of French-language services is being left to a co-ordinator.

As I said in French, it has been a long and hard road for Franco-Ontarians to fight for their right to exist. Their experience, because of the inequality of French language in Ontario, has been completely different from Anglo-Ontarians. If you always have to fight over the security of your language, you can't go and picnic and work and study and make love and do all of the other things that other people want to do without that nagging fear of not being able to survive always at the back of your mind. Given the intimate relation between cultural survival and linguistic rights, the measures being proposed now and which we will consider over the course of the coming months are many decades overdue.

The time has come to grant justice to Franco-Ontarians. We believe this is a matter of simple natural justice to provide legislative protection for French-language rights, whether you move by making French an official language as we would prefer, or whether you move in that direction as we have before us here today. We in the New Democratic Party are prepared to take that move and enshrine French-language rights in the law regardless of what happens in Quebec—

Mr. Deputy Speaker: The honourable member's time has expired.

Mr. Cassidy: —because we think this is an important matter for the Franco-Ontarians in this province alone. But we also believe that, particularly as has been evidenced by the events since November 1976, this is also a vital, crucial and important step to take for Canada and for the continued survival of our party—of our country.

Hon. Mr. Norton: Let Hansard show that.

Mr. Warner: One and the same.

Mr. Deputy Speaker: Order.

Mr. Conway: I think I know what the headlines will be.

Mr. S. Smith: Priorities, priorities.

Hon. Mr. Brunelle: Monsieur le Président, en tant que Franco-Ontarien, et représentant de Cochrane Nord, un comté dont plus de 60 pour cent de la population est francophone, il me fait plaisir de participer à ce débat, et d'indiquer l'appui en principe du gouvernement au Bill 89.

Mr. Speaker, I am also proud to be a member of the Davis government which has recognized the French fact in the province and whose policy was clearly stated in the Premier's statement in the Legislature of May 3, 1971. I believe it bears repeating, and I quote: "We will provide, within the areas under our jurisdiction and wherever feasible, public services in the English and French languages; we will provide education, wherever feasible, to students of the French-speaking and English-speaking minority in the language of that minority. We will also provide them with the means to acquire a good command of the language of the majority."

The approach which has been developed has been clearly understood. I want to repeat here as explicitly as possible that our approach to French-language services in Ontario will not force anything on anyone. Our policy does not require Ontarians to become bilingual. It does not mean that we are trying to force two languages and two cultures upon every Canadian. As the first volume of the report of the Royal Commission on Bilingualism and Biculturalism stated, "a bilingual country is one in which the great majority of its citizens may well be unilingual. Therefore, what Ontario's policy means is that the legitimate requirements of Ontario's French-speaking population are being met and will continue to be met."

The policy of this government was again very clearly enunciated in Her Honour's address in the beginning of this session. I quote: "The fundamental right of Franco-Ontarians to education in the French language have long been recognized in Ontario. Franco-

Ontarians also have a commitment from the government for the expansion of government services in the French language in accordance with the need and population distribution. We shall continue to build upon the strong foundation already in the field of education to ensure that French-language programs are available at all levels, where practicable, to French-speaking Ontarians."

Let me outline briefly some of the accomplishments of this government in the provision of services to the French-speaking citizens of this province. Again, in the speech from the throne at the beginning of the session, it was stated "that the present government translation services will be augmented to make more public documents, publications and forms available in both English and French. Of particular importance, a special section will be established to begin work on translating Ontario's statutes into French."

I am pleased to inform this House that a translation unit under the Ministry of the Attorney General is now being established. The government has presently—in English and French—more than 500 publications and forms and documents available in both languages.

Over the last two years, the Ministry of the Attorney General has made criminal division court services available in French, throughout the main francophone areas of the province. Family court services in French are also available in the Sudbury region on a trial basis and it is anticipated this service will be expanded to the Ottawa area and to other designated areas as soon as the necessary court personnel are available.

It is estimated that some 66 per cent of the French-speaking population of Ontario can obtain 98 per cent of their court trials in bilingual or French-language courts. Bills to amend the Judicature Act and Juries Act to allow French-language services were passed in this Legislature in the last two weeks.

There are a number of other programs that are proceeding and which will have direct benefits to the francophone community. The government instituted guidelines to provide that those who communicate with the government in French, either in writing or orally, can expect a response in that language.

The government has established specific organizations which are designed to help support the French-speaking community. These include; the Council on French-Language Schools, to advise the Minister of Education (Mr. Wells) on existing or new policies that will ensure that the French-language

dimension is respected; the Council on Franco-Ontarian Affairs, which advised the government of the needs of Franco-Ontarians by identifying their cultural, educational and other requirements; in 1970, the office of the co-ordinator on bilingualism was established. His main job is to advise ministries and co-ordinate their efforts with respect to French-language services, and to recommend to government ways of implementing policy more effectively. An interministerial committee of advisers on bilingualism was set up to assist the co-ordinator in implementing policy.

A policy of financial aid to municipalities providing services in French was established and is now in effect. Several municipalities, many in my own riding, are presently receiving compensation from the province for these services.

I have outlined briefly some of the current programs the government has in operation. We will continue to improve and expand those programs.

As I mentioned at the beginning of my speech, we have no difficulty in supporting the principle of this bill. In accepting the principle, the government has some reservations as to this bill, and to the limitations inherent in drafting a meaningful legislative framework at this time.

This government has not set aside the possibility of a statutory framework as was mentioned by the leader of NDP and others. I quote from the Premier in his speech in Montreal of February 16 of this year:

"We have not as a government set aside the possibility of a statutory framework to the French-language-service commitment we already made. I refer to the type of statutory guarantee already existing in the context of education and of course, now in the Judicature Act and the Juries Act, the kind of meaningful, practical guarantee our population has every right to expect."

This matter was further discussed with ACFO, l'Association Canadienne-Française de l'Ontario, delegation when they were meeting with the cabinet on May 10, 1978, and the Premier indicated his willingness to meet with them again before their September meeting.

Mr. Speaker, in closing, this government is proud of its record of action and its ongoing program of providing French-language services. Let me be clear that in accepting the principle of Bill 89 we are not altering our course of action. We will continue to pursue our policy of French-language service in accordance with our desire to serve the interests of all the citizens of Ontario.

Mr. S. Smith: I am very pleased to be able to rise at this time and take part in a debate of which all of us can probably be quite proud as years go by.

Je veux dire quelques mots premièrement en français seulement pour expliquer que je suis, très fier d'être un membre du Parti et Chef du Parti qu'hier comme membre Monsieur Roy, qui a présenté aujourd'hui un Bill très utile dans notre histoire, un Bill très important à cette époque dans laquelle nous vivons et je suis très fier de donner mon appui à ce Bill et de féliciter Monsieur Roy pour avoir fait quelque chose qui signifie une vraie étape en avant à ce temps dans notre histoire.

What we are doing here today is important for a number of reasons. First of all, I want to salute the government. In accepting the principle of this bill, although I realize they are not really going a whole lot further than what they have already been doing, they made a choice.

There were two options open on the political scene with the presentation of this bill. One was what we might call the low road in politics, the option of assuming that most citizens would not bother to read the bill portraying it as something which was somehow or other going to give us an awful lot more in the way of costly French-language services that would hurt English-speaking civil servants, that would force French down people's throats and so on and so forth. That option was open, and politically it might well have paid dividends for those willing to exercise that option, because it would have forced people like the member for Ottawa East and myself and my colleagues to say, "No, our bill wasn't really doing any of those things," and the defensive is not an easy position in politics.

I want to salute the government for not taking that road and for taking the high road instead. They have taken the high road; they have recognized their own record in the area of French-language service is really pretty good and if they can be faulted for anything, it is the fact they haven't been as vocal as perhaps they should have been in making sure all the citizens, not only of Ontario, but of Canada, knew the extent to which the generosity of spirit of Ontarians has brought us to a point where there are a great many French-language services in Ontario, both in education and in justice, and in certain other areas as well as outlined by the minister just a moment ago. So I am happy about that. The potential for divisiveness which could have hurt politically, and more importantly could have hurt in the search for

national unity, has been avoided and I am pleased.

The bill itself is very important. There is a lull at the moment in the national unity debate. It is as though people don't want to hear any more about it. It is as though they feel that now Mr. Ryan has been elected to lead the federalist forces in Quebec we can just relax and everything will be fine. Nobody wants to hear about French and unity and all that stuff any more.

[4:15]

However, this lull is almost in itself part of the separatist strategy. In many ways, it plays into the hands of those who are going about their work in Quebec, trying to persuade the average Quebec citizen that nobody much cares about the future of our country and that, in fact, they would suggest that most people probably like some kind of sovereignty association; only they want another name—they want to call it something else.

It's interesting. If I had to assess what I think the average citizen wants today, outside Quebec, I would venture to say that most of them—probably without thinking much about it—have decided that what they would like is a country with nine English provinces and one bilingual province. Failing that and put to the test, they might agree to have nine English provinces and one French province, and figure that the English in Quebec can somehow muddle through.

Only with a certain amount of resistance can one, I think, create the feeling that our country should be more than just nine English provinces and one French province, that it can be something richer than that. It can't really be 10 thoroughly bilingual provinces in the sense of Ottawa's idea of what bilingualism means. It can be 10 provinces in which, whether you come from English-speaking Canada or French-speaking Canada, you can move, you can visit, you can be transferred, you can study, you can spend a little time during your business career in any part of the country without feeling the necessity to give up entirely your culture, your language, your opportunity to educate your children.

It is a rich and an advantageous thing to have more than one language. To have that around us in our atmosphere, in our milieu, makes us richer and more distinctive as Canadians at a time when our distinctiveness as a country is going to have to be made clearer and clearer to people because our financial cost to remain an independent coun-

try is day by day becoming more apparent to every one of us.

All I can say, therefore, is that we in this Legislature must not simply accept blindly the sentiment that we would be okay with nine English provinces and one French province. We must make sure that in Ontario the Franco-Ontarians—granted a small percentage, six per cent or so—feel comfortable; and all of us feel comfortable seeing them comfortable; and all of us feel enriched by their presence here and by the presence of their language; and that we are a place where those Quebecers whose native language is French feel comfortable, wanted, appreciated and at home. That's all that's asked.

The bill itself does deal with emotional, judicial, health, social, municipal—I just might mention "municipal" because I think it was missed by previous speakers but one—and other public services.

Ms. Gigantes: You weren't listening.

Mr. S. Smith: The bill itself doesn't go as far as some would like, but it goes, I think, as far as it should at this time. It does what's right. It declares the right principles and it shows the way by which, first of all, we can remove this matter from the political realm, the divisive partisan realm, into one which is less divisive and less dangerous for the country; and secondly, it gives the Franco-Ontarians the feeling that their rights are being enshrined in the law and are not simply at the whim of a given minister of government, however generous or however enlightened that government of the day may be.

I congratulate my colleague, I thank those who have already spoken for their indication of support, I congratulate the government for taking the high road, and I feel very proud in this small way in this Legislature to be taking part in a debate which may, both in terms of substance and in terms of symbol, be another building block at a time when we are, in fact, constructing over again a nation which had its first attempt at construction over 100 years ago and which I still think will prove in time to be the greatest living example of co-operation and tolerance for this entire world.

Mr. Acting Speaker: The honourable member for Cornwall.

Mr. Warner: The voice of eastern Ontario.

Mr. Samis: Merci, Monsieur l'Orateur. Il me fait plaisir de dire quelques mots en français. Je pense que ma position sur cette question est très claire parce que j'ai déjà introduit un projet de loi à l'Assemblée il y a huit mois. Ce projet de loi donnera la recon-

naissance officielle à la langue française en Ontario et naturellement j'appuierai ce projet de loi présenté par le député d'Ottawa Est.

Je ne le regarde pas comme l'équivalent de mon projet de loi mais je peux l'appuyer sans aucune difficulté formidable et j'aimerais profiter de cette occasion pour féliciter mon collègue le député d'Ottawa Est.

I rise in support of the bill, Mr. Speaker, and I would call to your attention the fact that it was over eight months ago that I introduced a bill on the floor of this Legislature which would give full legal recognition to the French language in the province of Ontario. I would also bring to your attention the fact that the New Democratic Party in 1969 in its program passed a resolution that would give full legal recognition to the French language in this province. At our most recent convention in February of this year, we re-endorsed that resolution as an integral part of the policy of this particular party.

When we discuss this bill we should look at some of the other jurisdictions to give us some sense of perspective. The leader of the Liberal Party and I both come from the province of Quebec and we both know the rights of the English minority in that province were enshrined in the BNA Act over 111 years ago. Even with Bill 101, it's been estimated by several groups that the English minority in the province of Quebec still has more rights than the Franco-Ontarian minority has today in the province of Ontario.

I also think of another province that has a large minority, namely, the province of New Brunswick which in 1969 passed its languages act. I would point out that that act has been implemented, supported, endorsed and very effectively implemented by the Progressive Conservative government of the province of New Brunswick. Unlike the Premier of this province, the Premier of New Brunswick was not afraid to take a stand and say, "I support the official recognition of the French language in the province of New Brunswick." He knew there was a backlash. He got flak and criticism but he stood up because he believed it was right and good for the province of New Brunswick, good for les acadiens and good for Canada in the long run.

That contrasts with the record of the province of Ontario. I'm afraid that if we compare the treatment of the Franco-Ontarian with the Acadians, and with the English in the province of Quebec, it's a pretty sorry record. Anything and everything that the French have got in this province they have had to fight for. They've had to put the pressure on the government and the govern-

ment acts only when it is cornered, only when it has been embarrassed, and only when the publicity has forced it; and when it does act, it gives as little as possible.

I recall quite visibly in my own riding how they had to fight five years ago to get their own French-language high school, while 25 miles down the highway for 111 years they've had the right to English-language high schools in the city of Valleyfield, Quebec. That is no formula for keeping a country together when there are two provinces, two communities side by side with such disparate and unequal treatment of their two minorities. No wonder the French-speaking people of this province are so worried. No wonder they want their rights legislatively enshrined.

All one has to do is look at the assimilation rate. No wonder they're so insecure. In my own area, for example, the assimilation rate is almost terrifying to some people. When one looks at the figures produced by lower Quebec, by ACFO, they are talking in a general average of 27 per cent. When one looks at this monolith to the south and looks at the general anglicization of society, no wonder they do not want compromises, privileges, concessions or breadcrumbs, they want their rights guaranteed by law. And who can blame them? That's what this bill is all about today.

When we discuss this bill, I think we should consider some of the circumstances as well. We're a country that is doing a lot of soul-searching, our whole national unity is being challenged and hopefully we are looking at what have we done in the past, what are we doing now and what lies ahead.

The issue we are discussing today is anything but a provincial issue because what we are discussing today and what we decide today has national ramifications. You can be sure, just as the Premier said no to ACFO when they asked for official recognition of their language—and that made the front page of almost every newspaper in Quebec—that what we decide today will receive equivalent treatment in the Quebec press and the Quebec media. As the Leader of the Liberal Party said, we have to show the people of Quebec that we are prepared to remedy some of the injustices of the past, and the time has come.

Another circumstance of this bill—let's be honest—is that there is a backlash in this province. The word "bilingual" has unfortunately become a dirty word. You can gain votes by playing to that backlash. You can gain added support if you play to that backlash, but it seems to me when your country's whole future is under threat and being ques-

tioned by a government, you just can no longer play that short-term cheap political game of either holding seats or getting more votes.

Now is the time, as in 1864 and 1865, when we have to stand up for our country and overcome that backlash, not give in to it, not accede to it, but display leadership and give the people a sense of vision and generosity—that we are Canadians first, Ontarians second.

You know, Mr. Speaker, when I heard the Premier in some of his earlier speeches, as reported in the press, talk about that word "bilingualism," I wonder about the imagery conjured up. The leader of the Liberal Party and the member for Ottawa East also talked about it. Nobody on this side is in favour of ramming French down anybody's throat. Nobody on this side is in favour of taking away anybody else's rights.

What we are trying to do is protect the rights of an endangered minority. What we are trying to do is give equality to minority in this province. What we are trying to do is see that all Canadians in this province at least have an equal opportunity to lead their lives in whatever language, whatever culture, whatever mode of life they want to lead it in.

That is what it is about, not the Trudeau-style bureaucracy. I would really emphasize that if one looks in North America and around the world, there is more than one model of bilingualism. It need not be the Trudeau federal model. There are many models available.

Speaking about the bill, in particular—in the short time allotted—I would say that I do regret the absence of a commitment to recognizing the French language officially. I think that is essential. I wish the mover of the bill had included that.

To me it is somewhat akin to the idea of a man and a woman who have been living together. What this bill says is: Here are the rights of two people in their conjugal state, but who are not going to get married, are not going to formally, officially legalize it. We will legalize the rights of the two parties but we won't call it marriage and we will avoid that word at all costs. I regret that.

The question of the Language Services Board: I appreciate the comment made by the member for Ottawa East, but I would ask him to consider the whole sunset concept. I really don't think it is essential to the bill.

There will be some difficulties in implementing the bill and I would think, if he is not prepared to withdraw the sunset concept, he should at least extend it beyond the one year to overcome any of those difficulties.

In closing, Mr. Speaker, I would say I support the bill. I think it is a step forward. I think it provides for greater rights for the Franco-Ontarian minority. I think it will remedy many of the injustices current. It will provide for greater equality. I only wish it provided for official recognition for the French language.

Hon. Mr. Wells: Mr. Speaker, I think between men of goodwill there often occur disagreements which are based not so much on principles or objectives, but rather on the implementation of those principles and the means by which to best reach those objectives.

I think the debate surrounding this bill today, Bill 89, is a good example of this type of situation, be that a debate in this House or a debate that has gone on outside the confines of where we are all sitting here today. I would, however, like to believe that there will not be one member of this House who doesn't basically agree with the principle of this bill.

[4:30]

As I have stated previously in this House in many debates, I think Ontario has a very crucial role to play if the French-Canadian component of our national heritage is to survive and prosper in a united Canada. Why do I say this? I say it because the greatest concentration of French-speaking citizens outside of Quebec reside in this province.

Every measure that we as a government have taken—and we have taken many, and we took many long before November 15, 1976—has been first and foremost in the interests of the French-speaking citizens of Ontario. I think we must also realize that anything we do to help preserve our French-speaking community here in Ontario has strong national connotations. We can't get away from that. I would go even so far, as some have already said, as to include the debate that is now going on in this House. This debate today will have certain national connotations.

I am very pleased to join with my colleague in cabinet, the member for Cochrane North; the Leader of the Opposition; the member for Ottawa East, and others in taking part in this debate. I think we have to put on record the framework within which this government operates and that could be no better stated than in the words of the leader of this party, the Premier of this province, when he said recently—this is not a speech from 1971 or 1975, but from only a few months ago—and I quote:

"We must continue to do what is right. What is right for Ontario is continued ex-

pansion of French-language services to meet real needs openly and directly. This is our formula. It has no ceilings, no fixed budgets, no artificial deadlines. There are not limits imposed by any preconceived notions. What there is, is a deep-rooted commitment to ensure equality of opportunity for the French-speaking population of our province."

Flowing out of that commitment have been and will be many initiatives. My friend from Cochrane North has itemized many of them. I am particularly pleased to take part in this debate because many of those initiatives flow out of the ministry that I have had the honour to head up for the past six years. I think the initiatives in the education field are very important because from them will flow much of what will happen in many other areas in the future.

I am not going to itemize all the initiatives that have taken place or will take place, except to say very quickly that they have been significant: initiatives such as the appointment of an assistant deputy minister in our ministry; the increase from 16 Franco-Ontarians in our regional offices a few years ago to 30; the new program of providing teams of program consultants to help the French-language units and the French-language schools—21 educators working with these people to help improve the program in the French-language school system; increases in supplemental grants this year—that's grants per pupil above the normal grants for all students from \$9.5 million to \$17.4 million; establishment and financial assistance of the Franco-Ontarian resource centre in Ottawa—\$2.5 million this year and an ongoing commitment for the development of French-language learning materials; correspondence courses moving to provide more and more services for the French language.

I could go on and on. I don't think that's necessary today. All I am doing is illustrating the commitment the Premier stated and which, I have stated many times, is a commitment we intend to keep.

The commitments in the educational field, the law field, and the other commitments itemized by my friend from Cochrane North and known to the members of this House, represents a list of initiatives that substantiate the Premier's statement that the government of Ontario prefers concrete measures to symbolic gestures. I believe the action of the government, in particular the Ministry of Education, will help ensure that the French language remains a living language in this province.

I would say that inasmuch as the bill introduced by the member for Ottawa East will help ensure the attainment of this objective,

I will support it. But I also say this to the honourable members, and probably they all agree, it's not the passage of a bill that counts, it's the action taken that really counts—actions that will significantly improve the situation of the French language in this province; actions that will make it easier for French-speaking Ontarians to fulfil their cultural aspirations; actions that will assist them in checking the high assimilation rate affecting their community. These are what we are concerned about and these are the kind of actions we will take to overcome these fears of this community.

In my term of office as Minister of Education, I've been very privileged to have had the opportunity of getting to know our French-speaking compatriots. I've found them generally to be reasonable in their requests, courteous in their dealings with us, and patient yet determined in the face of the misunderstandings and frustrations they often have to live with day by day.

I think what I am saying here would be echoed by most members of this House. It's my fervent hope that whatever debate goes on in respect of this bill will not create the impression that this House is divided in its support of the just cause these people have, but that on the contrary our discussion here today is motivated by a strong desire to find the most effective response to what I think are the real, legitimate aspirations of the Franco-Ontarian citizens of this province.

Mr. Acting Speaker: The member for London Centre. You have about two minutes.

Mr. Peterson: I am sorry I only have two minutes. I just want to say a personal note, if I may.

I have never in my brief time in this House participated in a debate that was more emotional for me. I would like to say how proud I am not only of my colleagues, my party, but all members of the House. I am so terribly impressed with the tone, with the moderation and with the community of feeling on this bill. There's been so little heckling today. Everybody, I feel, has been extending themselves to understand the points of their colleagues, their friends, and even the opposition members in the House. That's a constructive thing and it's a good thing.

I suspect, as my leader pointed out earlier, that this afternoon will be a very significant one and an important one in the history of this province. Indeed, as the Minister of Education said, it possibly will have national repercussions.

That tone has been set so beautifully. I compliment the ministers who have spoken and the Leader of the Opposition and my own leader and the introducer of the bill, the member for Ottawa East.

Mr. S. Smith: I am the Leader of the Opposition.

Mr. Peterson: Leader of the Opposition. I'm falling heir to the same mistake he's made. It's a terrible thing and I apologize for that.

But it's a very important time for moderate men, for reasonable men, to stand up. When we take the vote on this day, I desperately hope everyone stands up together, joins hands and votes on this bill.

We all know it's not easy. We all know it's difficult, particularly for a person like myself who represents a riding in southwestern Ontario that occasionally has a repercussion. It doesn't have a major percentage of Franco-Ontarians there. There's no need for this particular kind of service there, in large measure, with the exception of some isolated pockets.

It's an important act, in terms of its symbolism as well as its substance here. I compliment all the members and I'm proud to participate even for these brief two minutes.

Mr. Roy: Mr. Speaker, I would only say how encouraged I am about the comments made by all members on all sides of the House on this legislation.

If I may introduce a few moments of levity I would say to my colleague from Ottawa Centre that we Franco-Ontarians have had many problems but one of them has not been that we have any difficulty making love. I should put that on the record.

Mr. Cassidy: You've only got three minutes to talk about it, Albert.

Mr. Roy: One of the things I would say to my colleague from Cornwall is there was no intention of giving any thought or reflection that we were disfavouring marriage. We're all in favour of marriage, families and so on in this bill.

I would say to my colleagues to my left, especially to my colleague from Cornwall, that yes, it may be that it would have been better to go further, to have legislation which had more principles in it. The fact remains that all of us here from various areas, represent the province. It was our attempt in this legislation to try to reach common ground. We felt, with this type of legislation, that finally we were together. All of us are taking a step forward, rather than taking positions, for instance, that are maybe

more laudatory principles, but when we sit back and look at each other we say we can't agree.

What I find encouraging is we are in agreement. I think that is important. I would say to my colleagues from the government side, there have been important steps taken towards guaranteeing and giving services in French in this province and they should be underlined. They have received our support. We, on this side have, I think, especially since minority government in 1975, shown our flexibility and shown our goodwill.

The fact remains that Franco-Ontarians, like every other citizen in this province, want their rights guaranteed through certain legislation. After all, what we're doing all day long is passing legislation either giving rights, giving privileges, or allowing people to do certain things. This is what they're asking for.

I'm deeply indebted to all the members who have participated. I'm extremely encouraged, not only for the future of the Franco-Ontarians and the justice that we're rendering to them today, but I'm deeply encouraged in the message and the ammunition we can give to people who believe in this country.

PUBLIC PARTICIPATION FUND FOR ENVIRONMENTAL LEGISLATION

Ms. Bryden moved resolution 17:

That the government consider bringing in legislation to establish a public participation fund to which individuals, non-profit groups and associations may apply for assistance to insure effective participation by the public in hearings instituted under the Environmental Assessment Act, the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act. The parties assisted should be representative of the various interests which are directly or indirectly affected by the hearings.

Mr. Acting Speaker: The member for Beaches-Woodbine for up to 20 minutes.

Ms. Bryden: It's only in recent years that public participation in decision-making has become an accepted principle. Governments used to adopt the attitude that father or mother knows best, but for a considerable time there has been some participation of the public in the regulation of rates for monopoly-type public utilities. The extension of public hearings to other areas of decision making grew out of a feeling that under today's conditions of resource scarcity, governments have to make critical decisions in order to meet people's needs. Acceptance of such decisions

is more likely if the people affected have a say in them.

Pressure for public involvement in environmental decisions built up when we discovered that our lakes and rivers had been allowed to become public sewers and our air was hardly fit to breathe. Concern about the potential health hazards in the thousands of new chemicals being introduced into industry and agriculture added to the demand for a public voice in standard setting and control procedures. The United Nations recent conference on human settlements stated that, quote, "Public participation is a right that must be accorded to all segments of the population."

[4:45]

So, after a long period of foot dragging, we now have in this province provision for some form of public hearings on approvals for waste disposal systems and sewage works and on environmental assessments of new and expanded undertakings. But all too often there is a gross under-representation of the public interest in these hearings. The public voice is very weak in comparison to the applicant's voice. It is generally a David and Goliath situation.

A hearing which appears to be fair because all interests are invited to participate is really a mockery and a sham if the interested parties are on an unequal footing. We know that most of the applicants for approvals and licences hire lawyers, consultants and expert witnesses to present their case and to conduct cross-examinations of opposing witnesses. Most of the interveners cannot afford this. They are either public interest groups or ad hoc organizations of citizens or individuals.

The applicants can deduct their costs from their taxable income and thereby recover up to 50 per cent of the cost. The interveners cannot generally do this. In fact, they and the rest of the taxpayers in Canada and Ontario make up the revenue lost through these deductions.

The Maple landfill application is an illustration of the problem. A gravel company and a waste disposal company applied for permission to set up the largest landfill operation in North America near Maple. Public hearings started on July 6, 1976, and went on intermittently until November 25, 1977—well over a year. A total of 80 hearing days were required. It is estimated that the companies spent at least \$1 million in their applications.

Local residents paid thousands of dollars to monitor the hearings and to make their case against proposals that they thought

would be very damaging to the environment and the community. One citizen paid out \$600 just to get one expert witness. Others spent large sums on transcripts and preparations of briefs. No one calculated the cost of attendance for 80 days at the hearings by people who lost time off work or by volunteers who sat in for those unable to be present.

The Environmental Assessment Board has recently ruled against this project in very forthright terms. I am very glad the Ministry of the Environment just yesterday has accepted the recommendations of the board. I sincerely hope the cabinet will also accept these recommendations. I feel the efforts of the citizens' groups had quite a bit to do with the decision. They brought out all the counter arguments very forcibly. The residents were fortunate that people were ready to put up the kind of money they did to make their case and there were volunteers to monitor the hearings.

But it really isn't fair to expect individual citizens to finance such expensive interventions out of their own pocket. In many other areas it would not be possible for this kind of activity to be financed without outside help.

The sources of funds available for citizens' groups which intervene are very limited in Canada. We have no huge foundations like the Ford Foundation which might finance them. They cannot raise large sums through membership fees or donations, even with the help of an income tax deduction. Nor do we have large public-interest groups of a national nature such as exist in the United States, partly with the help of wealthy foundations. The Consumers' Association of Canada and the Public Interest Advocacy Centre in Ottawa do yeoman service in public intervention but their puny finances require them to limit their activities severely.

My resolution calls for a correction of the serious under-representation of the public interest in environmental hearings. It proposes the establishment of a public participation fund to which individuals and non-profit groups and associations may apply for assistance to ensure effective participation by the public in hearings.

The principle could be extended to the Ontario Municipal Board hearings and to the rule-making and standard-setting activities of other government agencies. I have chosen to confine my proposal to hearings under environmental legislation simply because I feel this is the most important area where action is needed right now, and also, to put my proposal in the form of a pilot project for

legislative action on public participation funding.

The fund could be administered by a small government-appointed board which would be independent of the Ministry of the Environment. It would receive application for assistance and make awards to those it considered needed aid in order to ensure representative public participation in hearings. It could draw up guidelines for determining eligibility. In some cases, it could make awards contingent on groups or individuals with similar interests joining together in their participation to avoid duplication of effort.

Basically, an award would cover such things as legal fees, expert witness costs and research. It could also cover transportation and accommodation, if interveners had to travel considerable distances to the hearings. It should also cover transcript costs and the costs of reproduction of briefs if several copies are needed. In some cases, it might cover a monitor's cost where attendance at lengthy hearings by someone other than a lawyer was deemed necessary.

We already have several precedents for funding of public participants in Ontario and Canada. The Porter Royal Commission on Electric Power Planning funded a number of groups out of its allotment from the provincial government. The Hartt Royal Commission on the Northern Environment did likewise. The former spent about \$250,000; the latter was voted \$362,000 in the 1977-78 estimates.

The federal Berger commission on the Mackenzie Valley pipeline asked the federal government to fund groups wishing to make submissions. The Department of Indian Affairs and Northern Development responded by making substantial grants to native groups. Some other federal agencies also made grants to other groups. A few groups in Canada have received LIP and Canada Works grants to help them prepare briefs for public hearings on specific issues such as the construction of a dam or the selection of a landfill site. In all cases, the amounts granted are very small and there is no legislation guaranteeing the availability of such funding.

Recently, the Canadian Radio-television and Telecommunications Commission issued a booklet which endorsed the principle of public funding for public-interest groups participating in rate hearings. It proposed that companies involved in rate hearings should be required to assist in the funding of nonprofit interveners. However, the rules suggested in the proposal are rather restrictive. I hope they will be altered.

For example, subsidies would be awarded only to those groups which are deemed by

the CRTC—not by the independent body, but by the CRTC—to have intervened responsibly and to have contributed to the commission's better understanding of the issues. Moreover, only groups which would not be able to intervene effectively without subsidy would qualify. Presumably the CRTC would determine that.

Groups receiving any financing from a government would be ineligible, even if they needed supplementary funds. The worst feature of the proposal is that the selection of the groups to be subsidized and the amount of the subsidy would be determined after the hearing. So the groups would have to gamble on support.

Looking at the US situation, Mr. Speaker, we find that funding for public interest groups is growing through a number of avenues in the United States. Several federal agencies are now funding such groups which appear before regulatory, environmental, health, and public safety hearings.

The federal agencies include the Federal Trade Commission, the Federal Food and Drug Administration, the National Highway Traffic Safety Administration, the Federal Energy Program, the Consumer Product Safety Commission and the National Oceanic and Atmospheric Administration. These agencies have financed public participation in hearings on fuel economy standards, on environmental impacts and on setting of standards for control of hazardous substances.

The 1976 Toxic Substances Control Act in the United States specifically provides for the payment of legal fees and expert witness fees and other costs of participation in proceedings setting standards for the control of toxic substances. In addition, of course, private foundations and corporations such as the Ford Foundation and the Carnegie Corporation do make grants to United States public interest groups. Some of them offer to match funds raised for a group.

I hear that some bar associations have instituted a \$10 voluntary checkoff with dues payments for public-interest advocacy. In a number of universities and colleges there is a student checkoff which has been instituted to fund student briefs and student research for appearances at public hearings.

So there are undoubtedly more funds available to public participants in the United States than here, but the amount is still puny in comparison to the amount spent by the companies involved. The public interest groups' activities have generated a backlash. Business leaders are starting their own so-called public interest law centres to coun-

terbalance the genuine public interest groups—for example, a legal foundation which started in California in 1973 with \$40,000 now has a budget of \$1.2 million from corporate donations. It specializes in environmental and land use questions, advocating broader use of pesticides, more development and more intensive timber harvesting and grazing on public lands.

This sort of activity underlines the need for a legislated public participation program to ensure equality in public hearings.

A bill currently before the United States Senate sponsored by Senator Edward Kennedy and Charles Mathias, requires all federal agencies to underwrite the cost of participation in their regulatory licensing and adjudicatory proceedings. Under this bill, participants would qualify only if they represent an interest that would substantially contribute to a fair determination of the proceeding and they must show that their economic interest in the proceeding is small in relation to the cost of effective participation, or that they do not have sufficient resources to participate effectively. Funds for this program would come either from the government agency or in some cases applicants would be required to pay some or all of the award.

[5:00]

Getting back to the situation in Ontario, the key question is, where will the money come from to finance the public participation fund I am proposing? Public participation in the Hartt and Porter commissions was funded by the provincial government and that is certainly a legitimate source if we believe the province has a moral obligation to ensure there is fair play in hearings. It also has an obligation to see that the views of all interest groups are properly put before regulatory and assessment bodies.

Other sources of funds which might be considered are a levy on the companies involved. This could be either a percentage of what they spend on their applications or a participation fee based on their size or earnings.

The income tax checkoff is another source which should not be ignored. It has been proposed for financing political parties in the form of a voluntary checkoff of \$1 or \$2 which the taxpayer could opt for on his income tax form. It was recommended in the report of one of our select committees in this House. It could be applied to a checkoff for an environmental fund.

Group checkoffs by lawyers or other professionals on their dues statements could also

be encouraged to provide money for the fund. One can argue that lawyers who benefit from the advocacy process have an obligation to assist in making it less stacked against public interest groups. Individuals and foundations might also be encouraged to contribute to such a fund. Bequests could be accepted as well.

In a democracy we have an obligation to assure that there are always equal forces contending before decision-making forums. We are not fulfilling that obligation if we do not institute a public participation fund of the kind I am proposing. I urge the government to give immediate consideration to the proposal and to bring in a bill on the subject as soon as possible.

If there is any time left, Mr. Speaker, I would like to reply to rebutt any comments.

Mr. Deputy Speaker: The honourable member has two minutes.

Mr. Sterling: I wish to reply to the resolution tabled by the member for Beaches-Woodbine.

The general idea set out in the resolution is a commendable one in so far as I interpret it, that assistance be provided so individuals, nonprofit groups and associations are able to participate at hearings at various environmental agencies. Public participation is one of the keystones of our democratic system. No one here would try to refute this point. But the resolution itself is cast in rather vague terms and the assertion of this philosophical concept is, perhaps, its strongest point.

On the other hand, I find many problems with the practicability of the resolution put forward. It would appear to me from the context of this resolution that any fund established would have to be open-ended in order to be effective. If this is the intention then, it is a dangerous and economically unrealistic proposition.

The vagueness extends further into terms of eligibility for those who might partake of those moneys. I recall the words "individual nonprofit groups and associations." This appears to cover nearly everyone who could ever wish to apply, almost a universal eligibility policy. It worries me that among the people who have a genuine environmental interest, and a genuine need of financial assistance to express their views, may also be some people who have a greater interest in the remuneration they might receive. This is where the ambiguity of the definition of recipients could create problems.

Furthermore, on the question of eligibility, the applicant need only have interests which

are "directly or indirectly affected by the hearing." This "or indirectly" intrigues and worries me. It appears to allow for anyone, who has merely the vaguest of interest, to apply and receive funds to participate in hearings even where his participation may be unnecessary or irrelevant. It could spawn what I would call frivolous objectors.

Many of us who have had experience with the Ontario Municipal Board have had considerable experience with frivolous objectors who have held up needed development and raised the cost of development on many occasions. Someone with a banner to wave, looking for an occasion on which to wave it, and to be paid for it, might be attracted to this type of fun.

The ambiguity in the question of relevant interest could allow great abuses to the proposed system. Furthermore, the appearance of any frivolous objectors at hearings would likely retard the progress of these boards which, being objective, we all know move at less than a rapid pace. We must remember that every time a project is held up unduly, it costs everybody and, in the end, the consumer, a great deal of heartache in terms of money, in terms of jobs and in terms of development progress.

To return to the philosophical aspect of the resolution, the member appears to be concerned with the public good. I believe this is admirable, but too often the public good is hard to reconcile with something that is essentially removed from the realm of philosophy. There are too many grey areas and apparent loopholes in this resolution to be seriously considered at this time, Mr. Speaker. Therefore, I find I must oppose it.

In addition, it is my view that this resolution deals with expenditures of substantial amounts of government funds and I believe, in my estimation, this is not a matter to be considered in a private member's resolution or bill.

Mr. Gaunt: Mr. Speaker, I wanted to make a few comments with respect to this particular resolution and support it. I think the principle espoused in this particular resolution is worthy of support. It is the principle of providing funds to groups who wish to appear before the Environmental Assessment Act or under the terms of that act at an environmental assessment hearing.

The Environmental Protection Act, the Water Resources Act and the Pesticides Act involve themselves with public hearings. The Environmental Assessment Act and the Environmental Protection Act in particular can be complex in the sense that the issues with

which they deal are involved, are detailed and on some occasions are very lengthy.

It seems to me that small groups, and private individuals who wish to appear and who wish to put a particular point of view in relation to a problem under the terms of any one of these particular acts, does have some difficulty, particularly if the hearing is long and involved. The costs are, in some cases, prohibitive. For that reason I think it is a move in the right direction to move in financially supporting these groups where it is indicated they wish to make a submission.

I want to deal with a couple of the points my friend from Carleton-Grenville raised. They are the frivolous objector and the matter of uncontrolled expenditure. I will do so just a little later.

This particular resolution moves in the direction of the bill proposed by my colleague last November, as I recall it, Bill 100. The member for Kent-Elgin (Mr. McGuigan) proposed a bill whose intent was basically the same as proposed in this particular resolution.

The Ministry of the Environment was created back in 1971 in response to a growing problem of environmental damage and pollution. Then, in 1975 the Ministry of the Environment passed the Environmental Assessment Act. That bill, as I recall, was, at that time, considered to be a hallmark piece of legislation. It has had some difficult times and I think it's only now moving from the teething stage into the further development and refining stage. Because of that, public participation should be encouraged to a greater extent than it has been up until now.

I think the Environmental Assessment Act and the other Acts mentioned here are important. I think it's important they don't become instruments of the strong against the weak. As the member for Beaches-Woodbine mentioned, small groups cannot begin to raise the money which is necessary to secure the services of lawyers and engineers so that their case would be properly put when hearings are called.

Mr. B. Newman: It becomes David against Goliath.

Mr. Gaunt: I think the Ministry of the Environment is a very sensitive ministry. It's sensitive because it touches the lives of everyone in one way or another every day, and does involve itself with the protection of the environment, and at the same time the protection and well being of people generally. That's a heavy responsibility. When one involves people to that extent, it's vital that one

encourage and generate public participation on these issues.

That can only be done where public funds are used to assist individuals and groups who cannot properly on their own take part in the hearings under the act to which reference is made in the resolution. There has to be a reasonable balance in all of this. The government never has unlimited funds, as was pointed out by my friend from Carleton-Grenville, particularly in these days, so it's important that criteria are established so that available resources can be provided in the fairest possible way to ensure effective public participation.

I see nothing wrong with putting some criteria, some limits, and some guidelines under which groups and individuals can apply. I think the Porter commission has done that and done it with some success and I see no reason why it couldn't be done under a government bill as proposed in the resolution.

We have precedents in this respect, as the member for Beaches-Woodbine mentioned—the Porter commission, the Hartt commission. I believe we have a precedent federally as well, the Berger commission. The Hartt inquiry was allocated, as I understand it, \$362,000 up to March of 1978. The Royal Commission on Electric Power Planning, the Porter commission, has provided funds for groups and individual participation in the commission.

[5:15]

So far my figure doesn't quite match the figure indicated by the member for Beaches-Woodbine but the latest figure I had was that the Porter commission had spent about \$2 million up to the present time for public participation of various groups and individuals. They've a very open policy. They have a lending library and I went there one day. I was interested in seeing what was available and they had some very good publications which one can either take out and return at a certain time or which one can purchase.

They have certainly encouraged people participation; and I think the thrust and intent of the resolution would generate more public participation which I think, in the final analysis, is all to the good.

The member for Carleton-Grenville referred to people who might appear before these various hearing bodies to object on a frivolous basis. I'm sure that will always be the case, no matter what mechanism one sets up, where one has an appeal structure of any kind. There are ways and devices whereby frivolous objectors can be discouraged and would be discouraged. That's the reason I say that

criteria should be set up under which this program would operate.

The member for Beaches-Woodbine isn't saying that there should be a program of full subsidization. The intent of the resolution is to assist groups, not to completely subsidize them in the actions they want to undertake. That in itself surely is some sort of control mechanism in the system. If someone has to put his or her own money up front in order to object, I think that indicates—

Mr. Deputy Speaker: The honourable member's time has expired.

Mr. Gaunt:—an interest and intent on the part of the person, and I think that's a control mechanism of its own.

I'll close by saying that legislated public participation is important in view of the vested interests of those who wish to promote actions and products which are potentially harmful to the environment or to health.

Mr. Makarchuk: I rise to support this resolution both in principle and also because of a personal experience some time ago in trying to sue the government to prevent the construction of the bridge across the Elora Gorge.

Mr. Sterling: Where is that?

Mr. Makarchuk: I'm sure my friend from Wellington-Dufferin-Peel (Mr. Johnson) will understand the situation.

For the benefit of the members of the House, it was an action that was initiated by the current mayor of Kitchener, Morley Rosenberg, and myself when we were members of the Grand River conservation authority, against the Grand River conservation authority in order to prevent them from deeding lands over to the county of Wellington to facilitate the construction of a bridge across. shall we say, the last remaining natural gorge in Ontario.

In the process we took it to about three different courts. We lost, and it cost us \$17,000 for the costs of our opponents.

Mr. Gaunt: You weren't a frivolous objector, were you?

Mr. Makarchuk: We lost the case not only despite the fact that we probably had the best legal services available in Ontario.

An hon. member: Your own?

Mr. Makarchuk: We had one Eddie Goodman, Edward Goodman, who I'm sure is well known to members from the other side of the House. He donated his services which we appreciated. We also had the assistance of the Environmental Law Association and the Federation of Ontario Naturalists. If we had had to pay for the services of the lawyers, the

cost would probably have been a lot closer to \$30,000 instead of \$17,000.

That is an indication of some of the problems that citizens face when they try to deal with matters which relate to government, the environment and everything else. We also discovered that there is a standing doctrine that says: "No person may use the courts to challenge a statute, or an action of government, or a public body, or to seek damages or other relief against a public nuisance unless he or she has some special interest, usually pecuniary or proprietary, or has sustained damage beyond that suffered by the general public."

In this case, we never did have our case heard. We just brought it to the court and were told that we really haven't got the power to take it to the courts. We discovered—and I think this is a point that should be raised here—that the only possible plaintiff in cases where no private interest is at stake is the Attorney General.

We're concerned that there's no reason in principle why members of the public should not be allowed to protect the public interest in the courts. In fact, this is why the public should have the right.

The reasons for challenging the rule of standing have not to do only with environmental protection but with the broader question of the rule of law. This is something that the member for Carleton-Grenville should realize—that a democratic government must be a legal government, it must obey its own laws.

That, in effect, is what this resolution will do—it will give people an opportunity to ensure that the government they elect lives up to the laws that the government itself passes.

It means that when there is a question as to whether a governmental action is within the law or a statute within the constitution, there must be a way for that question to be decided by the courts. To leave it to the discretion of the Attorney General, no matter how much confidence one may have in the Attorney General, who is himself an arm of the government, raises the question of whether there really is sufficient desire for the government to move against the government.

We also have to recognize when we're dealing with this resolution that even with the best will in the world to deal with or show concern about the environment—and we question some of the government's concerns about the environment—that no government really has all the resources to deal with environmental matters. Therefore, the citizen should have the opportunity—and it certainly is his responsibility, I feel—to turn,

if necessary, to the courts to protect the environment in which he lives. We have all sorts of evidence these days in our rivers that are open sewers, in our lakes that are polluted and everything else that we are not doing the job. The environment is unprotected.

The matter that was raised by the member for Carleton-Grenville—that it's going to open the courts to a floodgate of litigation, et cetera—is like the matter raised with Bill 132 or Bill 70: If one gives the workers a right to walk off their jobs under unsafe conditions, they're going to walk off. I remember when we were going through the hearings of the bill we asked the corporate representatives over and over again, "How many times have you had workers quit work since Bill 132 was introduced?" There was not a single case where the workers took any kind of frivolous action to stop working.

I think it's the same kind of mythology or demonology or whatever it is that the member is introducing here. He in effect does not trust the good sense of the people of this province. He assumes that if we give them certain rights, they will automatically abuse those rights.

We should look at the United States. An environmental protection law was passed in the state of Michigan in 1971 establishing the right to a clean environment, as well as granting standing to any members of the public to enforce that right. The results show that the courts have not been overburdened. Similar legislation has been introduced in five other states and there is not an inordinate amount of litigation, according to their own attorneys general.

The other point I want to bring to the attention of the House is the statute that's called the Vexatious Proceedings Act that can be used by the government as well as by the individual or the agency that is promoting some project to stop what could be considered frivolous proceedings. Although at times we depend on the government and expect the government to protect the public interest, there are occasions where the government refuses to move. For example, the experience we had in the Elora Gorge, where there was some effort to try and get the government to move in and it refused. The Attorney General has to take this action. He is not dealing at arm's-length and you question whether he would be the appropriate plaintiff in any actions.

Look at the Dow Chemical case. It has been going on for seven years and appears to be at a standstill. There is nothing to indicate that the government or the Attorney

General is going to proceed with vigor on some of the outstanding environmental problems with which we are faced, some of the projects with which we have to deal.

Another point we seem to have raised when we discuss this thing—it was said it was going to create havoc in construction or something—is the erroneous belief that private interests are more important than public ones and that the courts exist simply to protect private interests. This assumption is belied by the simple fact that people do find public interest actions important enough to put time, money and energy into them, even though they have nothing to gain as private persons, only as members of the public. The fact that we have managed to preserve the Elora Gorge in its natural state is something of benefit to the people of Ontario.

It should be noted that permitting the public to have access to the courts will in no way impede or restrict government initiative actions against polluters or other law breakers. More liberal standing will simply add a new and effective dimension to judicial redress for existing and threatened injuries to the environment and to civil liberties. In a sense, it will restore one of the paragraphs in the Magna Carta that says, "To no one will we deny, to none will we delay, rights or justice." It seems to be a reflection on our society that 763 years after that document was tabled we are here discussing the possibility of extending rights to people who have earned the right, as I have and as every other citizen in Ontario has, to fresh water, to fresh air, and to a healthy environment. What this resolution does, in effect, is it provides that kind of leverage or that additional help to give this.

Mr. Speaker: The honourable member's time has expired.

Mr. Makarchuk: I would suggest to the members that this resolution merits the support of all members of the House. In the interests of justice, I am sure they will support it.

Mr. Johnson: I am very pleased to rise and speak, especially after the member for Brantford, because he has caused me considerable problems in my riding in the Elora Gorge district. He is also talking to the member for Wellington South (Mr. Worton), who shares my sentiments. Maybe he can convey the message.

I am concerned about this type of legislation which could cause delays such as we are experiencing in Elora. I can speak from personal experience regarding these delays. They date back to 1964 when the county decided the Elora Gorge bridge should be

built. It carries through year after year, until we come to July 10, 1974. At that time a writ of summons was issued by Messrs. Rosenberg and Makarchuk against the conservation authority. This was their first court appearance. This was dismissed.

On July 15 and on July 23 they appealed again—I am sorry, they appealed for the first time. On April 29, 1976, the decision of the Court of Appeal given unanimously affirmed the earlier decision, awarding costs to the county of Wellington and the Grand River Conservation Authority. On September 27 the same two appealed to the Supreme Court of Canada. On October 19, 1976, Chief Justice Laskin and Justices Judson and Spence of the Supreme Court of Canada dismissed the plaintiff's application for leave to appeal with costs. I believe these are the costs the member is concerned about.

[5:30]

Mr. Makarchuk: We never did touch on the subject matter.

Mr. Gregory: Shame. Shame.

Mr. Johnson: It has proceeded to the OMB. There have been several hearings on it. The cost to the county, at the present time, amounts to between \$60,000 and \$70,000. Legal costs are another \$30,000.

It's unwarranted, in my opinion, that any group can take 10, 12 or 13 years to overrule a county. Many members of this House pretend to support the principle of local autonomy. I ask you, Mr. Speaker, what credibility is given to locally-elected officials to exercise their judgement when they have it overruled or unduly delayed by individuals and organizations not directly affected by these decisions but yet are able to prevent the project from being carried out? Twenty-one municipalities in the county of Wellington unanimously supported, in a recorded vote, the building of the Elora Gorge bridge. They are denied this right to do so. This is supposed to be a democratic process, but at the same time it's costing the people of Wellington an escalation in the cost of building the bridge from a little over half a million dollars to well over a million dollars.

As I mentioned, there was also the cost of another \$70,000 to \$100,000 for legal proceedings. It just seems to me there is something wrong when a group of supposedly concerned people can prevent a county from proceeding with building a road or a bridge or something of this nature when the county officials are elected to do this by the people of their area.

Mr. Makarchuk: We're not stopping them if they put it someplace else. There are all sorts of other places for that bridge.

Mr. Johnson: You can prevent anything from happening by claiming you're going to kill a couple of alligators or lizards or whatever you have.

An hon. member: Butterflies.

Mr. Johnson: And butterflies.

Mr. Makarchuk: I didn't know they had alligators in the Grand.

Mr. Gregory: Or turkeys.

Mr. Johnson: Turkeys.

Mr. Gregory: Turkeys. There are lots of them over there.

An hon. member: See you later, alligator.

Mr. Kerrio: You don't have to worry if you're on a big yacht.

Mr. Worton: If I had known there were alligators there, Jack, I wouldn't have supported it either.

Mr. Makarchuk: I guess there will be no swimming in the Grand this summer.

Mr. Johnson: I think we are so concerned with protecting the rights of a few individuals that we forget about the rights of the majority of the people.

This is the danger of endorsing this type of resolution. Maybe the principle merits support, but certainly the method doesn't.

There are many questions that come to mind. Who is to administer the program? Does this mean setting up another level of bureaucracy? Who is to judge the applications made by individuals, non-profit groups or associations? This is a judgement call; who has the right to make that decision? If it is thrown back to the minister, then we don't need it in the first place.

Would funds go to groups such as Pollution Probe which is non-profit, but already has an existing level of funding? What happens in a case where an application is rejected? Do we set up another level of bureaucracy to hear the appeal? When groups are preparing briefs to appear before these bodies, would these funds be used to pay for lawyers, consultants and other professionals? If so, I could provide the names of a couple of lawyers who are quite hungry for this type of legal work.

How do we define an interested party affected directly or indirectly by the hearings? Is that anybody? Does that mean the funds go to union groups? If so, would it not be discriminatory not to include a corporation or the like?

It also seems to me that this sort of program would lead to unnecessary appeals,

delays of projects, and place an even greater burden on such agencies as already exist.

Mr. Mackenzie: Did your buddy George put you up to that speech?

Mr. Johnson: I would also ask myself if this would not lead to government funding lobbies and paying lawyers and consultants for special-interest groups.

Mr. Kerrio: All the Tories are doing that already.

Mr. M. N. Davison: You are just interested in investment.

Mr. Kerrio: All the Tories are doing that already.

Mr. Johnson: In my view, this would mean that appeal would follow appeal and there would be delay on top of delay, just as we have in the example the member for Brantford has mentioned. I suppose he would like to make this retroactive if possible.

Hon. Mr. Maeck: I am sure he would.

Mr. Kerrio: No, that is the Minister of Agriculture and Food who does those things.

Mr. Johnson: With the opposition's support.

I am of the conviction that we should not as a matter of general policy enter the realm of funding various interest groups. If they have a need for funds, I'm certain that they can find the means of raising them. I certainly cannot accept the principle that we should be funding individuals. Therefore, I would urge all members of this House to consider carefully the results of supporting this resolution. I must vote against it.

Mr. Warner: That is sad.

Mr. G. I. Miller: It gives me a great deal of pleasure to have the opportunity of participating in this debate this afternoon. I support in principle the resolution that has been presented by our colleague from Beaches-Woodbine that the government consider bringing in legislation to establish a public participation fund to which individuals, nonprofit groups and associations may apply for assistance to ensure effective participation by the public in hearings instituted under the Environmental Assessment Act, the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act, and that these parties assisted should be representative of the various interests which are directly or indirectly affected by the hearings.

It has come very close to home, particularly in my riding over the last three years; we've had to utilize the Environmental Assessment Act. I'd like to say that the Minister of the Environment (Mr. McCague) has

a difficult job to do, which was only established, as my colleague pointed out, back in 1971 or that area. It has had a considerable impact on the improvement and quality of the environment in our natural resources. These assessment boards that have been established have given the public the right to have a fair hearing and present their case.

I'd like to point out that there was a proposition proposing a Cambrian well for industrial waste which was to be located near the little village of Canborough in my riding of Haldimand-Norfolk. The people there rose up against it and were able to convince the ministry that the dangers and the hazards were too great. Another group known as the D and D Group, a waste disposal management company, was to have established a waste disposal or lagoon disposal in Nanticoke. It was in the middle of a farming community and could affect the water resources, the environment, the value of the land and the natural resources.

The people again had to band together, and the Ontario Federation of Agriculture took a strong stand as well. They spent \$5,000 of hard-earned money to oppose the location of the site. The Nanticoke Ratepayers' Association was another group that banded together and spent approximately \$5,000 in opposing the location of that lagoon in the immediate area. The Nanticoke pollution control committee has spent \$9,000 in order to oppose the location of this waste site, the first and only one in Ontario.

The people proposing the site there were supported by the government. I have been critical and will be critical of them for supporting it. There should be a different way of approaching this problem rather than forcing the people, the average little person, to rise up against it and to put up their money. The two organizations, the OFA and the Nanticoke Ratepayers' Association, have a debt of something like \$11,000. Some say that these lawyers could be making work for themselves, but I assure you, Mr. Speaker, that the lawyers involved knew that the funding was not available and they were concerned for our environment. They were concerned for the welfare of the small person. I think they deserve a lot of credit for taking on that responsibility knowing that there could well be no funds available to them.

We can't be frivolous and we do have to deal with our waste, but there has to be a better way. Another example I would like to point out is the Glanbrook dump site which is

now set for a hearing in September. The people are trying to come up with some funding through the area municipality of Glanbrook and the local association and they are really fighting the region of Hamilton-Wentworth who are supporting the project. The area municipality is opposing it and while they are contributing about 2.4 per cent of the funding to the municipality, they are really giving money for something they are trying to oppose.

I think there has to be a better way to deal with this and consequently I would like to support the resolution which has been put before us. I know it is a money-spending bill and it will be up to the government to bring in legislation to make this effective. I would hope that they would be able to come up with some proposal that would use the public more fairly and provide a fair way of dealing with them.

Mr. Swart: Mr. Speaker, could you tell me how much time we have, reserving two minutes for the member for Beaches-Woodbine?

An hon. member: Two seconds.

Mr. Kerrio: There should be two seconds, Mel.

Mr. Lane: It's all through, it's over.

Mr. Speaker: You have about five minutes.

Mr. Swart: Mr. Speaker, I rise to support this resolution. It has some very serious applications in our area in Niagara in two respects.

The last speaker mentioned that the ratepayers in the Niagara Peninsula, actually in the area east of Welland, fought the location of a sludge disposal site which was to be placed very close to a number of the residences around there.

There was a fairly lengthy hearing with the environmental board and then subsequent to that there was an Ontario Municipal Board hearing. Although the environmental hearing approved of the site it was turned down by the Ontario Municipal Board.

And, Mr. Speaker, the ratepayers involved in that had a great deal of cost and although they were finally able to win it, it was in spite of the inequality of the fight and the fact that they had by far the best side of the case.

Mr. Speaker: Order. Order, please. Will all members please keep their private conversations down? It is extremely difficult to hear.

Mr. Swart: If there had only been equality on both sides, I suggest they would have lost the case simply because they did not have the funds to have the experts and to have the lawyers there to fight the case at the same

level as the region of Niagara and others that were involved in it.

Mr. Stong: No disparaging remarks about lawyers now.

Mr. Swart: Within the latter part of this year, Mr. Speaker, there will be, we expect, at least an eight-week hearing taking place on the urban boundaries of the Niagara region. This of course concerns the preservation of the fruit land and the grape land in Niagara.

It is estimated that the total costs of an eight-week hearing, when the regional municipality of Niagara and at least five municipalities will be involved, will be in excess of \$500,000. Those on the side of preservation of the land, wanting to reduce these excessive boundaries, are hoping to raise something like \$25,000 to fight for their side of the hearing. I suggest to you, Mr. Speaker, that if a vote was taken in that area, you would find at least 90 per cent of the people were in favour of preserving that prime agricultural land.

[5:45]

Yet when that hearing comes around in October, if it does take place, it will be a David and Goliath battle. If it is won by the preservationists, by those who are concerned about preserving our prime agricultural land, particularly the grape and fruit land which is so unique in that area, they will win it only because they have an overwhelming case on their side, not because of the experts they will be able to gather or be able to pay. It will be a case of them spending \$25,000 and \$500,000 being spent on the other side.

If we are going to have any kind of fairness in these hearings—and I am concerned about the cost of hearings too; I was in municipal government for 21 years—but if we are going to have these hearings, then I suggest there should be equality in them. The only way we will get equality in these hearings is if those who are concerned with the public interest have some resources similar to those developers and others who are fighting to get their way.

Ms. Bryden: Mr. Speaker, I am very glad to have received the support of the member for Huron-Bruce and the member for Haldimand-Norfolk. I think they too recognize the principle of the need for balance of interest appearing before public hearings. I hope the government members will not deny this principle by blocking the vote on this resolution because in it we are simply asking that this House extend what the government is already doing, but put it into legislative form. We are simply asking them to apply the principle that they have adopted in the

Porter and the Hartt commissions to all hearings. In the application of those public participation programs before the Porter and Hartt commissions, we have shown that most of the objections put forward by the members opposite can be met or are really imagined difficulties.

I did not say that grants would be given to anybody who applied. I said that we must develop criteria and eligibility requirements. The member for Huron-Bruce also emphasized this. The Porter commission and the Hartt commission published guidelines showing their criteria. The US agencies have done the same and in effect they rule out what might be called frivolous applications by the guideline method. In fact there can be frivolous applications right now by well-heeled companies which can take most of their costs off their income tax, but this is the only kind of frivolous applications that we now have. I am not suggesting we want frivolous applications; I am suggesting we can rule them out by suitable guidelines.

The member for Carleton-Grenville suggested the fund was open-ended, but I have suggested that the fund would simply award the amounts that were put into it from the various sources that I mentioned. This would include either government grants into the fund, an income tax checkoff from lawyers' associations or professional associations, bequests and things of that sort. Only what is in the fund would be distributed, but it would be distributed in the fairest possible way, not to put everybody on an absolute equal footing—I am afraid that is an idealistic dream—but at least to redress the balance of representation in public hearings and to ensure that all interest views are heard as much as possible.

Therefore I would appeal to all honourable members to support the principle of this bill because it is something we are already doing. It's simply a matter of legislating it and making a more uniform system for all hearings.

ONTARIO FRENCH LANGUAGE SERVICES ACT

Mr. Speaker: Mr. Roy had moved second reading of Bill 89.

Motion agreed to.

Ordered for standing administration of justice committee.

PUBLIC PARTICIPATION FUND FOR ENVIRONMENTAL LEGISLATION

Sufficient members having objected by rising, a vote was not taken on resolution 17.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, may I take this opportunity to indicate the order of business?

I draw the members' attention to the sheets on their desk in so far as the order of business starting at 8 o'clock this evening is concerned. Keeping in mind that it's difficult to predict how much time this may take, there is a fairly full evening ahead of us.

Tomorrow the House will be in committee of supply, continuing the estimates of the of the Ministry of Northern Affairs.

For the week of June 5, may I indicate our work order as follows:

On Monday, if the estimates of the Ministry of Northern Affairs are not completed tomorrow, that is on June 2, it's my understanding they will be concluded on Monday afternoon next.

Following that, and not being able to predict if we will get to the adjourned debate on the motion for adoption of the May 4 report of the standing members' services committee, if we haven't arrived at that particular point tonight we will take that into consideration on Monday afternoon. We then have the consideration of the fourth report of the select committee on the Ombudsman, once the adjourned debate on the motion for the members' services committee report has been completed.

On Tuesday we have legislation in this order: Bills 86 and 95 to be considered in committee. Then we will proceed with any legislation not completed this evening. Time permitting, we will continue with the debates on the two committee reports, depending on where we are with respect to those reports—both the members' services committee and/or the report of the select committee on the Ombudsman.

On Wednesday, the general government committee, the resources development committee and the justice committee may sit in the morning.

On Thursday afternoon we have private members' public business, being ballot item 25 standing in the name of the member for London South (Mr. Walker), and second, ballot item 26 standing in the name of the member for Niagara Falls (Mr. Kerrio). In the evening, the House will take into consideration second reading of Bill 96.

On Friday morning next the House will continue the debate with respect to the two committee reports, depending on where we are, in so far as those debates are concerned, as far as time allocations are involved.

Mr. Speaker: It being close to 6 o'clock, I do now leave the chair. We will resume after supper, at 8.

The House recessed at 5:55 p.m.

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Thursday, June 1, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 1, 1978

The House resumed at 8 p.m.

ONTARIO FRENCH LANGUAGE SERVICES ACT

Mr. Cassidy: I rise on a point of privilege. I think the privileges of this House have been abrogated by the actions of the Premier (Mr. Davis), who was not present at the debate this afternoon, when we had a historic occasion with the adoption of Bill 89, introduced by the member for Ottawa East (Mr. Roy), which affected French-language rights in Ontario.

While the words of the debate were being uttered and while members from all sides were indicating support—and as you recall, there was a unanimous decision, Mr. Speaker—the Premier was, in fact, preparing a press release, which he even translated into French, which took away from the Legislature what the Legislature had done just a few minutes before.

I think he has left the ministers who spoke in favour of the bill in a completely impossible situation. I think he has left the House leader in a completely impossible situation because, while the House leader was stating that the bill should go to the standing administration of justice committee, the Premier was issuing a press release saying that the government had no intention of proceeding with the bill.

The Premier has chosen to stand in the way of the unanimous view of the Legislature by deciding unilaterally that he will listen not to the Legislature but to the people of Ontario by some other way. I am extraordinarily disappointed at the fact that the good feeling and the sense of the Legislature this afternoon should have been ignored in this particular way. I am afraid that the Premier has acted with arrogant disrespect.

In protest at the deliberating flouting of the unanimous will of the Legislature, I wish to move the adjournment of this House.

Mr. Ashe: It was not unanimous.

Mr. Speaker: I am not convinced that the honourable member has a prima facie case of privilege. However, I think it is only appropriate that we continue with the bus-

iness of this House until the Premier has an opportunity, if he so desires, to respond to the alleged point of privilege raised by the member for Ottawa Centre.

Mr. Cassidy: On a point of order, Mr. Speaker: I concluded my remarks on the point of privilege by moving the adjournment of this House in protest at the action of the Premier. I do now so move again the adjournment of this House.

Mr. Speaker: A motion to adjourn is in order at any time without debate. I have no alternative but to put the motion.

[9:30]

The House divided on Mr. Cassidy's motion that it adjourn, which was negated on the following vote:

Ayes 26; nays 54.

Mr. Martel: That is how sincere they were about their bill.

Mr. Warner: Mr. Speaker, on a point of privilege: I believe a member of this assembly has made a statement which has affected the privilege of this member of the assembly and, I would take it, of any other member of the assembly, by pre-empting a judgement of this assembly.

Mr. Rotenberg: Resign.

Mr. Warner: I refer specifically to the words, "The government will proceed no further with this private bill."

Mr. Rotenberg: Oh, sit down.

Mr. Warner: This afternoon this Legislature did, in fact, decide to proceed. The member for Ottawa East asked if this bill would go to a committee and the House leader of the government said it would go to the justice committee.

Some hon. members: No, he didn't.

An hon. member: Read Hansard.

Mr. Warner: I take that to be a direction of the assembly that the bill would in fact proceed to a committee of this assembly.

A member of the assembly, the Premier, has said the government will not proceed. I would ask the Speaker if he would look into this matter as to whether or not the Premier has pre-empted a direction of this assembly and report back to us at his earliest convenience.

I am disturbed by what I take to be an insult to this assembly and to myself as a member of the assembly.

Mr. Breithaupt: I have had the opportunity of reading the press statement which has been issued by the Premier.

If I recall the events of this afternoon, the member for Ottawa East suggested the bill in question be sent to the justice committee and the government House leader acquiesced, so that in fact that bill, as I presume the Votes and Proceedings will show, has been sent to the justice committee.

It will now depend upon the activities of the justice committee as to how this bill proceeds through the committee stage. My presumption at this point is that if that bill is reported back to the House with amendments, complete as it was, or might be or otherwise, then, of course, the bill will return to the order paper.

It is then the obligation of the government to decide whether or not that item will be called further because obviously, under the rules, as all members are aware, it is the prerogative of the minister of the Crown to call the order of business.

Whether or not the bill proceeds to third reading is entirely another matter. However, I suggest to you at this time, Mr. Speaker, if the committee in its wisdom chooses to deal further with that bill, it may indeed do so.

The government has made its position clear and we, the official opposition, in calling for this bill and the principles on which it is based, have made our position clear. As a result, the Speaker may rule as to whether the privilege of the member has been compromised. I suggest to you, sir, that if the committee chooses to deal or not to deal with that bill, it is entirely a function for the committee.

It is up to the Premier, no doubt, to announce government policy, and if the bill were or were not to be called for third reading, that would be something which this House would deal with in due course.

Mr. Cassidy: Mr. Speaker, perhaps the House leader can elucidate as to whether his statement of this afternoon that the bill is going to committee is the correct one or whether the comments of the Premier are the ones which we now have to heed. Which statement is correct and what is the government's intention as far as this bill goes? Perhaps the House within the chamber could be informed?

Mr. Pope: What is this, question period?

Mr. Breaugh: Point of order, Mr. Speaker: With all due respect to all members who have

spoken to the point of privilege, I think even in the wildest consideration of a matter of privilege, there is no question that anything is out of order.

Mr. Breithaupt: How can there be a point of order?

Mr. Breaugh: This afternoon a bill was debated in this House. The bill was moved to the justice committee and that motion was carried by this House. Notwithstanding any sentiments on the part of the Premier or the government House leader or anyone else, this House has clearly spoken and that bill is now before the justice committee without question.

Hon. B. Stephenson: That is what Jim Breithaupt just said.

Mr. Rotenberg: That's what he said. So what are you getting up and yakking about?

Mr. Speaker: I will consider the comments of the member for Scarborough-Ellesmere and the member for Kitchener and I will report back to the House in due course.

Mr. Van Horne: It's a waste of time. The Premier has treated us all with contempt.

Mr. Martel: It's like Bill 70. The House voted on that too.

Mr. Speaker: The only question before the House right now is second reading of Bill 83. I recognize the member for Waterloo North (Mr. Epp).

Mr. Breaugh: Mr. Speaker, on a point of privilege—

Mr. Breithaupt: The matter is dealt with.

Mr. Speaker: I have already said that I will take it under consideration. I gave everybody who wished to at that time an opportunity to be heard. I will take it under advisement. The only question before the House now is the second reading of Bill 83 and I recognize the member for Waterloo North.

Mr. Martel: On a point of clarification, might I ask the Speaker, in fact, what his intentions are in terms of what specifically he's looking at because the rules indicate that this bill automatically goes to the justice committee. If the Speaker is going to look at my colleague from—

Mr. Breithaupt: Obviously, there's nothing to look at.

An hon. member: You wasted an hour and a half.

Mr. Martel: That's right. If it's a breach of privilege that my colleague from Scarborough-Ellesmere (Mr. Warner) raised, then that's fine. But I don't think the House should be asking Mr. Speaker to rule whether or not the

bill goes to the justice committee because that was ordered this afternoon.

Hon. Mr. Welch: That's where it is.

Mr. Breithaupt: It's gone.

An hon. member: It's there.

Mr. Martel: I would just ask the Speaker for his clarification on what part he's looking at.

Mr. Speaker: I am looking at whether the events today, and what is alleged to have been said, breaches any privilege of any member of this House and I am not prepared to make a decision at this point in time.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Mr. Ashe, on behalf of **Hon. Mr. McKeough,** moved second reading of Bill 83, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Epp: Mr. Speaker, there was some noise earlier when the member for Durham West (Mr. Ashe) was speaking. I understand that he doesn't have a ministerial statement this evening on the matter on Bill 83. Could we hear it if he has one, Mr. Speaker?

Mr. Speaker: By all means.

Mr. Ashe: Thank you very much, Mr. Speaker. Just very briefly, I do have a statement relating to Bill 83.

Number one, of course, the bill as proposed is carrying on very similarly to the Regional Municipalities Amendment Act. Again, I have to reiterate as I did the other night that in fact this bill is not a response in any way to the Robarts report or the white paper on the Robarts report; that will come in due course. I feel that any altering of this legislation relating to any issues dealt with directly or indirectly by the Robarts report, should, in my opinion, be ruled out of order by the Speaker. The House should look at the legislation on the basis and in the spirit that it is in front of the House tonight.

I would very respectfully ask the members opposite to hopefully get through second reading on both Bill 83 and 84 as quickly as possible, and any future determination of this bill and the regional municipalities bill can be dealt with in the committee stage.

Mr. Epp: As you can appreciate I am not trying to hold up any business unduly. I would like to speak to an amendment that the member for Welland-Thorold (Mr. Swart) is going to introduce a little later. I am just wondering whether you can advise me whether I am going to have a good opportunity to do that or whether I should speak to it now because I have it before me.

Mr. Speaker: The purpose of second reading of any piece of legislation is to debate the principle of the bill before you. If you wish to discuss amendments, the only opportunity you will have is during the committee of the whole House.

Mr. Epp: Mr. Speaker, thank you very much. As far as we on this side of the House are concerned, we will be supporting Bill 83 in principle. As you know, it deals with an Act to amend the Municipality of Metropolitan Toronto Act and this bill is essentially the same as Bill 81 which dealt with the municipalities. It has a number of minor changes in it. It has helped to clarify some of the issues in it and we feel that these are necessary in order to bring the legislation up to date with respect to the Municipal Elections Act which was passed last fall. So I will try to conserve the time of the House right now by terminating my remarks and making my remarks, with respect to some of the other changes, when it's at committee of the whole, Mr. Speaker.

Mr. Speaker: The member for Welland-Thorold.

Mr. Swart: Mr. Speaker, as the parliamentary assistant has indicated, this bill is very similar to Bill 81 which amends amendments to the other regional governments in the province of Ontario. However, there are two exceptions in the bill and one other item that I want to deal with.

[9:45]

This bill does provide, unlike the other bills, for the boroughs or other local authorities to maintain the surface of the roads over the overpasses, over the Metro roads. Of course, I have no objection to that. I'm sure that's a matter of clarification from a bit of controversy that had taken place over this matter.

Section 10, however, deals with the principle of payments to the police commission. It does so in a way that is at considerable variance from the way it was dealt with in the other regional government bills, and in a manner which I cannot support.

Very briefly, this bill provides that all members of the police commission, with the exception of the appointee of the federal judge, shall be paid for serving on the police commission. The change in Bill 81, which deals with 10 regional municipalities, provides that the members appointed by the regional council "may be paid" by the regional council. This bill says they "shall be paid."

I think when we debated the other bill on second reading on Tuesday evening, I pointed

out that the option should be left to regional council to determine whether the members of regional council who sit on the police commissions should receive extra remuneration for sitting there.

With many of the regional municipalities in this province, when a member is appointed to the police commission he's appointed there in lieu of some position on some other committee, usually an onerous position on some other committee. The fact that people serve on the police commission does not mean in any way that they have any more responsibilities or have to put in any more hours or do any more work than the other members of the regional council. Yet this bill which we have before us will provide that even if Metro is arranged in that same manner, those who sit on the police commission must receive the extra remuneration.

I could make these quotes from the various acts. Bill 80, commendably, made a number of changes with regard to remuneration for all members of council who may serve on boards. The method which is now used under that is that local council, regional council, has full authority to provide remuneration for members of council on the committees or on outside boards in any way they see fit. That, I support.

Although this bill, Bill 83, provides also for that section of the Municipal Act to apply to the Municipality of Metropolitan Toronto Act, nevertheless it still leaves in the other section which makes it mandatory that those regional councillors serving on the police commission receive additional remuneration. Obviously, they would get the same amount as those other people who serve on it, and serve on it as a special job or a job in addition to their normal job.

When we come to that point I will be asking that this be referred to the committee of the whole House and will move an amendment at the appropriate time.

The final item I want to mention is one the principle of which received considerable discussion in this House on Tuesday night. That was Bill 81. Section 1 of this bill deals with subsection 5 of section 5 of the Municipality of Metropolitan Toronto Act, which states how the council shall be organized and how the chairman of the metropolitan council shall be selected.

I have to say immediately that since Tuesday night this has come into the picture front and centre in all respects, in my view, because of the tremendous enthusiasm shown by my colleagues, particularly the members for Oshawa (Mr. Breaugh) and Bellwoods (Mr. McClellan), and the members of the Liberal

Party, particularly the members for Ottawa East (Mr. Roy) and Wentworth North (Mr. Cunningham), for the election of the chairman from among those members of council who are elected by the people of the area.

This issue is now very central to this bill. I would point out that there is considerable and apparently unanimous support among the Liberal Party for this principle. I would quote from Hansard on Tuesday night from the member for Ottawa East when he said, "I must say that I will be in full support of these views"—he was referring to the election of the chairman of the council from among the elected members of that council—"that the regional chairman, in fact, be elected at one level or the other and that the most important politician in all of these regional areas should be responsible to a group of people who elect him and not only to the members of the regional council."

Further, the member for Wentworth North, though not in respect to the incumbent chairman, speaking about the Hamilton-Wentworth regional council, made the comment: "That individual has yet to be reaffirmed or ratified by the public, and I suppose there is sometimes at least potentially a lack of accountability that may flow from that circumstance. Personally, I find this somewhat distressing." On and on, there was support from the Liberal Party for the idea that the chairman of a regional council must be elected from a constituency before he can run for that very important office.

This House knows that we share that view with the Liberals. I don't think there is too much difference in our views on that. I would point out that as long ago as 1966, when I presented a brief to the study commission in the Niagara region, I took the same view that that person should be elected. I took the view that the Liberal Party has held for many years that he should be elected from the whole constituency, the whole region. I quote from my brief which was presented to the study committee on the Niagara region. I said: "It naturally follows that I should also recommend that the head of the regional council be elected at large. On this there must be no compromise."

In 1976, I presented a brief once again to the regional council when there was a study being done in the Niagara region by Mr. Archer. I pointed out there that it is exceedingly important in the interests of democracy and for many reasons that the regional chairman be elected. I stated in my brief:

"There are supportable philosophical reasons to show why large governments whose members have direct accountability to only a

small section of a region create decision-making processes which tend to promote excessive spending and local parochialism. When regional funds are used for local projects by councillors accountable only to the local voters, the log-rolling and back-scratching overtly or covertly distorts decision and financial control. When, as is the case with our regional governments, the chairman is appointed and not accountable to the public in any way the process is further distorted."

I just want to put clearly on record, that we within this party share the views and have always shared the views that this very important person should be elected.

After Tuesday night's debate I examined the bill further. I had consultations with a wide variety of people and found that this bill puts the issue of whether the chairman shall be selected from within the elected member council or without properly before us in every sense. In other words, that section of the act clearly puts the issue before this House of how we select the chairman of the metropolitan council of Toronto.

The parliamentary assistant has stated that we should wait to deal with this issue until we get a Metropolitan Toronto act. We don't know whether we're going to get a Metropolitan Toronto act at all. Those of us who are concerned about whether the chairmen of regional councils are elected or are appointed, people who are not elected by any of the public, have the opportunity now to make a decision. We now have an obligation, those of us who are concerned about that, to make a decision because this is properly before us in this House. I suggest that we can't pass it over as the parliamentary assistant, the member for Durham West, would like us to do. It's before us and we express an opinion on it here, one way or another.

It's fair to say that it may be inadvertently before us. The government may not have meant to put that before us. There are other ways, from my investigation, that they could have brought in amendments which wouldn't have put it before us at this time. But the fact still remains that it is before us here to be dealt with by this Legislature. Because it is, I have to live up to my convictions and the convictions of my party and move an amendment which will provide, when the opportunity arises in the clause-by-clause debate, that the regional chairman of Metropolitan Toronto this year and hereafter will be selected from among the elected members of the Metro council.

I recognize that there are within the bill certain incongruities—I think perhaps that's the right word—that will exist if we pass this

amendment to provide for the election. But this is the section that provides the substance of whether the metropolitan chairman is going to be from the elected people. The other sections can be changed by the government if they so wish. If they don't wish and the incongruity remains, it's still workable. It's not the way I'd like to see it, but it is still workable.

The amendments are not very serious ones that would have to be made. In fact, I have them already made out here. I'd be glad to hand them to the parliamentary assistant so that he can—in fact, he already has them—so that he can move them afterwards if he sees fit. In any event, we intend in this party to see that there will be no chairman of Metropolitan Toronto in the future that does not have support at least of a segment of this tremendous city.

An hon. member: That is democracy at work.

An hon. member: Elect Paul Godfrey.

[10:00]

Mr. Swart: I'm not going to go into the principles of it now, or I should say the details of the reasons why I think that he should be elected rather than appointed. I just want to say that those reasons are sound. They are recognized, I hope, by the party on the right. Certainly, all of their utterances and their speeches have been in that direction. I will bring those points out when we come to the amendment.

With that, Mr. Speaker, I say we will support second reading of this bill with two amendments to be put by us.

Mr. McClellan: Mr. Speaker, I am very happy to join the debate on Bill 83 and to express, as a member representing a Metropolitan Toronto riding, my thanks on behalf of my other colleagues from Metropolitan Toronto to the member for Welland-Thornold for having the foresight to realize there was an opportunity in this bill to accomplish what the vast majority of members from Metropolitan Toronto want to see happen.

There is no doubt whatsoever that the majority of people, an absolute majority of people in Metropolitan Toronto, are dissatisfied with the present method of appointment of the metropolitan chairman and that an absolute majority of citizens of all boroughs in Metropolitan Toronto desire very much that the regional chairman be elected; that the regional chairman be a member of the metropolitan council and continue to run for election for as long as that person holds the position of metropolitan chairman.

The reason for this is very simple. The chairman of Metropolitan Toronto is the de facto head of one of the largest governments in Canada. The government of Metropolitan Toronto is larger, in terms of budget, staff, service and real power over people's lives than the governments of the majority of Canadian provinces. No single person should have the power of heading up that kind of a government without seeking re-election, without being accountable to the people.

I know the member for Sault Ste. Marie (Mr. Rhodes) agrees with me on this. I can feel it right here.

Mr. Martel: A former mayor.

Mr. Warner: A former Liberal.

Mr. McClellan: As a former mayor, the member for Sault Ste. Marie would understand the principle of accountability at the head of government for the people. All of us believe in that. All of us believe in that.

Mr. Warner: A former minister.

Mr. McClellan: Why have we denied that right to the people of Metropolitan Toronto? It is beyond comprehension. The fact that the chairman of Metropolitan Toronto has not been accountable to the electorate has had real and palpable consequences for the kind of government that has developed at the metropolitan level.

Mr. Stong: You are not suggesting that Paul Godfrey hasn't done a good job, are you? You wouldn't suggest that.

Mr. McClellan: Paul Godfrey. I would suggest that on virtually every opportunity, my friend.

Mr. Warner: He's a turkey with two right wings.

Mr. McClellan: The fact is that the government of Metropolitan Toronto, the bureaucracy of Metropolitan Toronto is a remarkably insensitive and impervious bureaucracy. It is not the kind of bureaucracy that responds to the demands of the citizens because it doesn't have to, because it isn't accountable.

There is a remarkable difference between the responsiveness of municipal government within Metropolitan Toronto at the area level and at the borough level and at the metropolitan level. The borough governments have learned over the last 10 years to listen to citizens who come to them for redress of grievances or to argue on a particular issue or to represent their interests. Borough government within Metropolitan Toronto has grown to be remarkably responsive to the legitimate requests of citizens to make their views and their interests known and to get action from their municipal governments.

At the metropolitan level the situation is exactly the opposite. It is virtually impossible to get through the bureaucracy at the Metro level. I have participated for example, in my own riding on a project, the Frankel-Lambert housing project. I participated together with a group of citizens from the area, with representatives from the city planning boards, with representatives from the city of Toronto housing department, Central Mortgage and Housing Corporation, the Ontario Ministry of Housing, and the Metropolitan Toronto department of social services.

The only group which seemed not to understand at all the dynamics of a participatory planning process that incorporated citizens, politicians and all levels of government, and didn't seem to have the slightest interest in participating in that kind of a planning process was the representatives of the metropolitan corporation.

That is typical. They don't have to be accountable. They're not accountable. They are accountable solely, as public servants, to the administrative head of the metropolitan government, who is an appointed official who never has had to face the people, ever. The situation is growing worse and worse and worse as the metropolitan government gets bigger and bigger and bigger.

Sooner or later we have to draw a halt. The government of Metropolitan Toronto, is, as I said, one of the largest governments in this country. It controls services that affect the men and women of this city more directly than any other level of government. They are running, after all, the social services department and the roads department so they have to be rendered accountable. The only way that can happen is by the marvelous invention of democracy—we must introduce democracy into the government of Metropolitan Toronto. It's not such a terrifying prospect.

Mr. Grande: It's a fundamental principle of society.

Mr. McClellan: The roof isn't going to fall down if the head of the metropolitan government is democratically elected.

Mr. Rotenberg: It is.

Mr. Martel: No. What's your idea of democracy?

Mr. Grande: Here comes the expert. I want to hear you.

Mr. Warner: The member from the insurance bureau.

Mr. McClellan: The member from the insurance industry says that the roof will fall down. Hopefully it will fall on him if it does fall, but of course it won't because there's

nothing wrong with democracy. There's nothing wrong with electing the head of a government. There's nothing wrong with requiring that the head of a government face the people and be accountable for his actions at a regular interval. Why he should have to be standing here arguing that case is beyond me.

Mr. Grande: Responsible government. That's what it's all about.

Mr. McClellan: It's incomprehensible, it's unfathomable that he should be standing here in 1978 asking that the head of his government not be elected.

Hon. Mr. Maeck: You don't have to. You don't even have to speak. Sit down.

Mr. Martel: Sure we have to.

Mr. McClellan: We have to.

Mr. McClellan: I may say to the member for Parry Sound that the parliamentary assistant has threatened to withdraw the bill if the member for Welland-Thorold's amendment is passed.

Mr. Martel: Parry Sound—Merle Dickerson.

Mr. Warner: Who said that?

Mr. McClellan: The parliamentary assistant did.

Hon. Mr. Maeck: Don't misinterpret what I said. I said you don't have to speak at all if you don't want to.

Mr. Martel: I thought you were looking for Merle Dickerson as the regional chairman for Parry Sound.

Mr. McClellan: I don't have any doubt at all that my constituents are behind me when I'm speaking here; and that the constituents of all my colleagues from Metropolitan Toronto are behind them in supporting the amendment of the member for Welland-Thorold. I say to you, without any doubt at all, that there isn't a constituency in this city that would not, in the majority, approve of the principle of an elected chairman for the metropolitan government. There is no doubt about that at all.

Mr. Rotenberg: That is just your opinion.

Mr. McClellan: And I hope at least my colleagues in the Liberal Party will support the amendment.

Mr. Speaker: Please don't refer to the amendment. There is no amendment yet before the House.

Mr. McClellan: I hope my colleagues in the Liberal Party will agree with our view that the bill is deficient as it has been introduced and needs to be improved, and that the amendment which we will be of-

fering serves to improve it simply by requiring that the chairman will continue to be a member of the council for as long as he serves, and that he will continue to face the electorate regularly with all other elected officials throughout the term of his office.

We'll look forward to a stimulating debate on the clause-by-clause when the bill gets to committee. But I say to the government, I hope they will not be so foolish, so arrogant, so silly as to try to defy the will of this House and of the members from Metropolitan Toronto—and of the people of Metropolitan Toronto—by refusing to accede to the will of the House when this bill passes in its final form.

Mr. Warner: Mr. Speaker—

Mr. Rotenberg: Resign.

Mr. Warner:—I hope you will appreciate that while I am most concerned about this particular bill and wish to speak on it, I find it quite difficult this evening because of the events which took place prior to this particular order of business. I found it quite disturbing. While I've been here as a member only for a short time, I would have to label it nothing short of contempt by the Premier of this province.

Mr. Speaker: Perhaps if you confined your remarks to Bill 83 you will find it much easier.

Mr. Warner: I will. It's quite ironic that we're dealing with Bill 83 tonight because it deals in part, as my colleague from Bellwoods has discussed, with the responsibilities of the head of a government, in this case the head of the Metropolitan Toronto government. It says that the person who is in charge of the Metropolitan Toronto government should be elected and not an appointed person, elected to carry out his or her responsibilities in a fashion which is ultimately responsible back to the people. That's extremely important. Obviously tonight some of that responsibility was forgotten.

I think it's extremely important to keep in mind that municipal governments are creatures of the province, they're not creatures of the federal government. It's part of our obligation here to ensure that those municipal governments as they're created will function in a democratic fashion. That's extremely important. Therefore, I don't understand how it is that the government can say that we don't want a democratic fashion, that we don't want the head of the Metropolitan Toronto government to be responsible to the people in an elected way.

[10:15]

I don't understand, for example, Mr. Speaker, why the government would threaten to withdraw the bill if we managed to make sure that the chairman of Metro Toronto would be elected. Again, I would take that to be quite parallel to earlier events today—contempt for the people of Ontario and, in this instance, the people of Toronto. The people of Toronto want to have an election of their chairman.

Mr. Rotenberg: How do you know?

Mr. Warner: That is what they want.

Mr. Rotenberg: How do you know?

Mr. Ashe: He is an expert on everything.

Mr. Warner: I have never said I am an expert. I appreciate the fact that the government says I am.

An hon. member: They wouldn't elect you.

Mr. Grande: Oh, you don't think so?

Mr. McClellan: That is why they threw you out.

Mr. Warner: Mr. Speaker, you have heard the comments of the member for Welland-Thorold and the comments from the member for Bellwoods both of whom spoke quite eloquently and strongly in favour of a basic democratic principle.

I would hope that the members of the Liberal Party heeded the words because, unlike what normally takes place in this assembly, they should understand we are measured, not by our words, but by our deeds.

Earlier this evening they felt that it was sufficient to be measured by their words only and not by their deeds, and so did not have the courage to stand up for principles. I would hope, at least in this instance, they could find the principle worth supporting—that people who represent the public should be elected, and I ask for their support. I ask that at least once they stand up on a matter of principle and support the position of electing people to government, not appointing them.

Mr. Stong: Mr. Speaker, I rise to speak on this bill and I agree basically with what the members for Welland-Thorold and Bellwoods have said about the bill and the lack thereof of the right in the people to elect the chairman of one of the most powerful political bodies that we know of.

But I would also like to remind the members and the party opposite that our critic, the member for Waterloo North, addressed himself to this problem and to the very issue the other day in this House. I would refer to Hansard, Mr. Speaker, because I know that

our critic would not want to quote himself. He brought this matter to the attention of the House in this bill and in the other package of bills earlier, the very same issue—the election of the chairman of regional government.

He pointed out that it was our party—and we had held this view for many years—which had spoken in the House on this issue on previous occasions.

Mr. Warner: This is the test.

Mr. Swart: Now is the moment of truth.

Mr. Stong: And I would say, Mr. Speaker, that when the party to my right—left, sorry. I don't want to make that mistake.

Mr. Martel: Sorry.

Mr. Stong: They will never be to my right. You want to believe that.

Mr. Martel: You are right. Even Genghis Khan couldn't be.

Mr. Stong: We hold all of the principles that they have enunciated—accountability to the people and true representation by the people—and we have spoken on those.

Mr. Warner: We are measured by these principles.

Mr. Stong: But, Mr. Speaker, there is one fact of political life that is overlooked at all times by the party on my left—the third party—and that is that the Conservative Party is in control of the legislation that comes before this House and when it comes before this House, they are the only ones in control.

Mr. Warner: Here we go. Gutless wonder.

Mr. Stong: And in so far as they are in control, they can exercise upon us a form of blackmail. That blackmail can take the part of all of what is before us tonight.

Mr. Warner: And you give in.

Mr. Stong: There is a package of bills before us—not just Bill 83, but several bills. One of the bills affects my riding very seriously and the government has full control and authority and we recognize this.

Mr. Warner: The strength of a plate of spaghetti.

Mr. Stong: It is only because of that recognition of the fact they can withdraw these bills that we have to face the fact they are in control. It may be a negative control. It may be a control by denial, a denial of our parliamentary privilege, if you will. It may even be government by veto but, nevertheless, the Conservative Party exercises that veto and that control over us.

Mr. Warner: You have no self respect.

Mr. Stong: It's not a question of self respect.

Mr. Warner: It sure is.

Mr. Stong: It's not a question of trying to defeat the government.

Mr. McClellan: We are not trying to defeat the government. We're trying to get it to face up to it. It's a principle you won't stand up for.

Mr. Speaker: Order. Those members who are interjecting have had an opportunity to speak to this bill.

Mr. Stong: Thank you, Mr. Speaker.

Mr. Speaker: Exercise a little courtesy.

Mr. Kerrio: They didn't say anything.

Mr. Stong: I would say that what we are trying to accomplish here is the situation of trying to get some small thing done rather than nothing done. It's a choice between trying to accomplish something or trying to accomplish nothing. If we follow the route suggested by the third party, absolutely nothing will be accomplished in this House. It is more important that this bill get through with what it offers than by accepting an amendment and having the government withdraw the bill and the package of bills, particularly Bill 81 that affects my riding. I don't think there's any question about where we stand on this very important principle.

Mr. Warner: There is. You have turned tail. You have turned right about.

Mr. Stong: There is no question about where we stand on the issue of the election of the chairmen of regions, but we would rather accomplish something than follow the third party and accomplish nothing.

Mr. Warner: Just gutless.

Mr. Martel: I hadn't intended to speak to this bill until I listened to that mish-mash from my friends to my right who are—

Mr. Stong: You tell the people in my riding that it's mish-mash.

Mr. Martel: —in fact to the right of Genghis Khan.

Mr. Stong: What you offer is mish-mash.

Mr. Martel: If the member's party is prepared to accept that the government can intimidate this Legislature, it would have to do it on all bills. It has already waffled on Bill 70. It is now prepared to waffle on this bill.

Mr. Stong: I am not waffling on anything.

Mr. Martel: You sure are. You are waffling on Bill 70 and you are allowing the Minister of Labour to have her day as she plays games.

Mr. Speaker: Order. We are on Bill 83.

Mr. Martel: We are now talking on Bill 83 with respect to the appointment by the councils of someone who is not accountable to anyone. You hide behind some ridiculous—I don't want to use the word. Let me find a new word, Mr. Speaker, for what I feel.

Interjections.

Mr. Martel: I too come from an area that has a regional council. I recall to the Legislature that we had the benefits of a regional chairman appointed by this government who ultimately resigned after he tried to fire the administrator who was someone the government of Ontario appointed and not he himself. You talk about effrontery when the regional chairman will take it upon himself to fire the administrator appointed by the government of Ontario.

Mr. Speaker: There is nothing about Sudbury in Bill 83.

Mr. Martel: Mr. Speaker, with the greatest of respect, I am simply putting forward what can and does occur when regional chairmen are appointed. In the case of Sudbury, I am dealing with the appointment of a regional chairman, which is covered in this whole series of bills.

Mr. Laughren: It is called an analogy.

Mr. Martel: It's an analogy. I just draw the analogy to the Speaker's attention.

Hon. Mr. Drea: That is the longest word you've ever used.

Mr. Martel: I am not sure. I used recidivism once. It's a word you have learned about recently.

Hon. Mr. Drea: You are a man of experience in that field.

Mr. Martel: I learn quickly. I am not a slow learner like some of you.

Interjections.

Mr. Martel: Mr. Speaker, when I show you the analogy I want to tell you what happens when these appointed individuals are not answerable to anyone and the extremes to which they can go to force their wishes on a council. They are not even answerable to the council ultimately. In the regional council they can play sides. If there are 20 councillors, if they are from the party faithful they can usually pick up support from the party faithful if there are enough of the party faithful on council. They don't run on party labels but they are there.

Because the government of Ontario might have appointed this individual—that council will not take it upon itself to unload the scoundrel if he's no good—because they

defend Bill Davis. So they allow him to stay around.

Hon. Mr. Welch: He's not a bad guy.

Mr. Martel: Oh, a lovely fellow. He proved himself tonight.

That's why I say to my friend that one can't allow oneself to be intimidated by threats of withdrawal of bills. Either the principle is sound and we have people in those very key positions, covering hundreds of thousands of people in Toronto—millions—

Mr. Stong: There are lots of things we need right here.

Mr. Martel: Oh, we all need things. But unless you start—

Mr. McClellan: Get up off your hands and knees.

Mr. Martel: If you don't start at the top to establish the principles, the rest doesn't matter. It just doesn't come about.

Mr. Stong: When you're not in control, you have little to lose. You make with the talk.

Mr. Martel: No. Talk has nothing to do with it. I'm just trying to get you fellows up off your knees for a change.

An hon. member: Speak to the bill, Elie.

Mr. Martel: My friend spoke about this party over here wanting to bring the government down. That has nothing to do with it. We want to establish the principle that those—like all of us in this Legislature—

Mr. Stong: Do you want any legislation at all?

Mr. Martel: —who represent people do so by the ballot.

Mr. Rotenberg: Why won't you support direct election to Metro council?

Mr. Martel: And has the appointment of our friend, what's-his-name, as the chairman got anything to do with the democratic process? He reminds me of Dick Dow, who was the mayor of Copper Cliff for 14 years. He never had a vote on his behalf once.

Mr. Kerrio: There's never been an election—

Mr. Martel: Never has been an election in the town of Copper Cliff in all the years that my friend from Sudbury came from there. Confidence? He was ordained. They just laid the hand on and nobody ran against him. That's what happens when you have that type of democratic process.

That's what you've got in Toronto. That guy can play around with ball teams instead of, maybe, housing for people; instead of going to San Francisco. He's not accountable. He can do those things without anyone really—

Mr. Stong: A little compromise.

Mr. Martel: Compromise? Which way?

Mr. Swart: Sellout's the word. Sellout.

Mr. Speaker: Order. Order.

Mr. Martel: In other words, what my friend from the Liberal Party is saying is that despite all their prattle the other night—he mentioned his friend from Kitchener—despite his prattle—

Mr. Epp: On a point of order.

Mr. Laughren: Nothing is out of order.

Mr. Epp: On a point of privilege. I think the member for—where's he from anyway?

Mr. McClellan: Where are you from?

Mr. Martel: Sudbury East.

Mr. Epp: On point of privilege. Since the member from Sudbury wants to waste a lot of time tonight, maybe we should try to correct the record, anyway. The fact is that I'm not from Kitchener. I'm from Waterloo.

Mr. Martel: Oh, Mr. Speaker, may I offer my friend from Kitchener my humble apology?

Interjections.

Mr. Martel: But I want to go back to the principle—you've got my apology.

Mr. Kerrio: You haven't been there, Elie. What do you mean, get back to it?

An hon. member: Words without action are prattle.

Mr. Martel: I just heard the last Liberal speaker say that his colleague was the first one to speak about this principle—

Mr. Eakins: When do you start, Elie?

Mr. Martel: —and then he went on for 10 more minutes and gave all kinds of reasons why they weren't prepared to support it. That's having it both ways. But that's typical Liberalism.

Hon. Mr. Welch: Flexibility.

Mr. Martel: Flexibility. That's my friend, the government House leader, putting it in proper perspective—flexibility.

On motion by Mr. Martel, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Just before moving the adjournment of the House, I wonder if I might make some comments with respect to the business next week? In doing the order of business for next week, particularly with reference to what we might be considering in committee of the whole on Tuesday—

Mr. Martel: We got lots now, Bob.

Hon. Mr. Welch: —I neglected to mention Bills 66 and 91. The House leaders, perhaps, may be allowed the opportunity to arrange the order in which legislation may be called, but I wonder if I may serve notice that in-

cluded along with those already mentioned earlier today we would include Bills 66 and 91 as well.

On motion by Hon. Mr. Welch, the House adjourned at 10:30 p.m.

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Friday, June 2, 1978

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

FRIDAY, JUNE 2, 1978

The House met at 10 a.m.

Prayers.

STATEMENT BY THE MINISTRY

MUSKOKA AND PARRY SOUND TELEPHONE COMPANY

Hon. Mr. Snow: This morning at the appropriate time I will be introducing an act to provide the Ontario Telephone Development Corporation with the statutory means to acquire the assets of the Muskoka and Parry Sound Telephone Company Limited. This action is necessary because the company can neither provide reliable service to its 1,400 subscribers nor supply telephones to new subscribers.

Technical deterioration of the entire system and the company's lack of financial resources to make major and necessary repairs have led to prolonged disruption of services and to an ever-growing number of complaints from subscribers. As recently as last February, my ministry had to provide the company with \$50,000 to carry out emergency repairs so that service could be maintained to a limited number of subscribers. Despite our help, these subscribers are paying monthly rates comparable to rates in similar areas for a totally inadequate service.

We feel the two years allowed to this company either to put its affairs in order or negotiate a sale has been ample time to effect improvements. Unfortunately, there have been none. In fact, since July 1977 this company has rejected an offer of purchase from Bell Canada, rejected a proposal for financing and management restructuring by individuals representing other Ontario independent telephone companies and rejected an offer by my ministry to purchase its assets.

Therefore, I feel we have no recourse but to take this step to ensure that the residents of this 800 square mile area in Parry Sound district are provided with the kind of responsible telephone service to which they are entitled. The corporation will operate and maintain the telephone system only until such time as the assets can be sold by public tender to a company or companies which have proven competence in the operation and management of a telephone system.

At this point, I would like to stress that this is an exceptional case. On the whole, the independent telephone companies in this province provide excellent telephone service to the public they serve. In fact, some of them are pioneering improvements to the rural telephone system.

In view of the fact that there is some urgency in this matter, I would appreciate the assistance of the whole House in passing this bill as quickly as it can be scheduled.

ORAL QUESTIONS

HEAVY WATER PRODUCTION

Mr. S. Smith: A question for the Minister of Energy: Can the minister give the answer to questions which I asked of the Treasurer (Mr. McKeough) in the minister's absence yesterday and tell us specifically the degree of the anticipated surplus of heavy water which Ontario is now facing if they do continue with Bruce D, or if they don't continue with Bruce D? What is the amount of the surplus; can the minister tell us what options he is looking at at this moment; and can he, particularly, tell us what the original anticipated demand was based on, what assumptions that demand was based on, and how those assumptions have gone wrong?

Hon. Mr. Baetz: When I returned from western Canada last night, where I had been meeting with the Minister of Energy and other officials of the government of Alberta, as well as with leaders of the oil and gas industry, I read the transcript of Hansard and the questions raised yesterday.

Had I been here last week, I would have indicated to this House my intention to table a statement, a very important statement—

Mr. Wildman: You've already done that.

Hon. Mr. Baetz: —on the whole question of heavy water production in Canada. We have been working on that question for some weeks now; we are now prepared to table a statement. It is our intention to table it next week. I do not think it should be tabled on Monday, because on Monday we are still hoping to table the joint statement of the federal and provincial governments on irradiated fuels. But I do want to assure the

Leader of the Opposition that this whole question of heavy water is a very serious one.

Mr. Wildman: Give us a two-hour statement on Thursday.

Hon. Mr. Baetz: It is a major one. It is one I have been looking at very closely for the last two weeks. We fully intended to tell the members opposite, as well as every member of this House—

Mr. Wildman: Do you mean to say you're going to table a statement on—

Hon. Mr. Baetz:—everything we know about the subject and also to ask for their support in some proposals we will be making. But I do not wish, sir, at this point to say anything further until that report is tabled next week.

Mr. Warner: We will have a two-hour statement on Thursday.

Hon. Mr. Baetz: It will be either on Tuesday or on Thursday.

Mr. Kerrio: You haven't said anything yet.

Mr. S. Smith: By way of supplementary, given the fact that we are dealing with enterprises costing billions of dollars with many, many jobs involved and we are talking about the cancellation of one of these plants at this point, would the minister not agree that it has been and is his responsibility not merely to promise some statement some time next week, but to answer some very specific questions such as I have put to him regarding the amount of the surplus, what the original assumptions were based on, and when it first came to the minister's attention that there might in fact be a surplus, that the original assumptions might in fact not be correct?

The minister speaks of having done something in the last couple of weeks. When did it first come to his attention that these original assumptions might be incorrect?

Hon. Mr. Baetz: I think all of these questions, at least most of them, will be answered when we present the statement.

Mr. Deans: Answer them now.

Hon. Mr. Baetz: I just want to underline one thing. It didn't require a question from across the floor for us to realize this was a very serious and important issue—

Mr. S. Smith: I hope not.

Mr. Warner: Where's your irradiated fuel?

Hon. Mr. Baetz: We are on top of it, and we will fully share all the information we have. I hope that we will get the support from members opposite for the proposals we are about to make next week.

Mr. Peterson: Mostly you only respond when we ask questions.

Mr. Cassidy: Supplementary: Can the minister explain how it is that Ontario Hydro's program for heavy water does not include any agreement with the federal government that we should be able to seek export markets for heavy water produced in this province; and why, as well, Quebec has been able to conclude an agreement with the federal government that involves the federal government buying any surplus heavy water whereas no such agreement exists with Ontario?

Mr. Kerrio: Asleep at the switch.

Hon. Mr. Baetz: Once again that question will be answered when we present our report next week.

Mr. Nixon: What does that mean?

Mr. Warner: This is going to be quite a report.

Hon. Mr. Baetz: I would again like to say that it doesn't require a member from across the House to ask the question. We've been asking that question ourselves and we will be talking about this in the report next week.

Mr. Warner: Ask yourself questions?

Mr. Kerrio: Stick to answers.

Mr. Nixon: What is the minister talking about?

Mr. Speaker: It's quite obvious the Minister of Energy has said all he's going to say at this time. I don't think any further prodding would add to it. I'm going to recognize the Leader of the Opposition with his second question.

Mr. S. Smith: I have a question which is supplementary and which I think the minister could answer without the statement. It's a very direct question; if he could answer yes or no to it.

Mr. Speaker: I've listened very carefully to the response to the initial question and to the two supplementaries. I don't think you're going to get any more information at this time.

Mr. J. Reed: Point of order.

Mr. Speaker: There's nothing out of order in question period with regard to whether or not a minister chooses or doesn't choose to answer a question. That is not a point of order. That's strictly up to the discretion of the minister.

Mr. J. Reed: With respect, I was only going to ask the minister if, in his statement, he would make a specific inclusion.

Mr. Speaker: All right. Try it.

Mr. J. Reed: I wonder if the minister, when he is making his statement concerning the whole heavy-water situation, will specifically include in that statement the rated capacities of the heavy-water projects and the actual performance to date?

Hon. Mr. Baetz: Obviously, the statement will include some statistical data.

Mr. Bolan: What are you trying to hide?

Hon. Mr. Baetz: But I'm not prepared to state in any detail at this point what will be included. Wait until next week and the member will find out.

Mr. S. Smith: I actually have a supplementary which I believe the minister could answer, but I won't get into an argument with you, Mr. Speaker.

URBAN TRANSPORTATION DEVELOPMENT CORPORATION

Mr. S. Smith: To the Minister of Transportation and Communications: The minister, in replying to a question—a reply he tabled yesterday—claims he is unable to provide to this House information regarding the monitoring which his ministry has been doing of the UTDC program, a monitoring program which, among other things, has cost \$164,000 partly for the monitoring and partly for other things. He claims that all that information must be kept strictly confidential, even though my question originally asked for the non-proprietary information.

Would the minister please explain to this House why he feels he is not able to provide the results of this monitoring as it deals with whether or not the project is meeting cost targets, whether the major specifications and time frames have been met? In other words, can he not tell us the non-proprietary aspects of what this monitoring program has shown with regard to UTDC, without giving away any trade secrets?

Hon. Mr. Snow: I would have to discuss with my technical staff whether there is any way to divide the monitoring aspects that are being carried out.

Under the agreement between the ministry and UTDC, UTDC is carrying out the development of the ICTS program. UTDC have many subcontracts with, for instance, Canadair and others. When they are developing a new technology, all those contracts require that the development of this technology should not be made public or should not be passed to others who should not have this information. After all, we're developing a new concept, new research and development and,

presumably, items that will eventually be covered by patent.

[10:15]

The monitoring of information that is being carried out includes the monitoring of all this technical information. I'm not sure that I can divide the monitoring. Things vary from month to month. One month a certain aspect may be running a week or two weeks behind schedule. The next month it may have caught up. It varies, as I understand it. The monitoring group within the ministry that is working with UTDC reports regularly to my deputy minister.

Mr. S. Smith: By way of supplementary, since no one is asking for information regarding secret designs or drawings which may eventually be patented and so on; since all we are asking for are the regular reports as to whether the whole project is on cost target and on schedule and whether they've had to switch from their originally anticipated basic design thrusts into something totally different and so on; and since this is very basic information that the public ought to have because the public is funding it and also funding the monitoring, will the minister please explain why it is not possible for him to share with us those non-proprietary aspects of the information which has resulted from the monitoring which his ministry has been doing?

Hon. Mr. Snow: I'll take those specific questions of the Leader of the Opposition under consideration.

Mr. S. Smith: Further supplementary: Lest in his eventual answer to me the minister makes use of section 12.03 in the development and review agreement between his ministry and the UTDC which suggests that "the minister shall not disclose any information related to data and industrial property, the designs, drawings and related documents or any other information," lest he decides to take shelter behind that, I would like him to explain why he would sign a document which prevents any kind of information, even non-proprietary information, from being given out?

Second, will he tell us whether the contingency fund and the inflation allowance, which are supposed to last the UTDC for another couple of years at least, have all been used up and if not, what remains in that fund?

Hon. Mr. Snow: I obviously signed the agreements on the advice of the government and the legal counsel of the ministry who worked at some length with UTDC in the development of this somewhat complicated agreement.

I will inquire as to the status of the program, and whether there are any aspects that are behind schedule. I will inquire as to the status of the contingency fund. As I understand now from the most recent report I had, everything was working out quite well as far as budget and schedule are concerned, although there was some delay in the overall schedule because of the delay in establishing the location of the test facility at Kingston. This may have the overall program somewhat behind what was originally announced some time ago.

I was in Montreal last week. I visited Canadair's facilities and viewed some of the development work being carried out in the Canadair shops. I must say I was quite impressed with the progress being made.

Mr. Speaker: The member for Ottawa Centre with his first question.

Mr. Cassidy: I was going to ask a supplementary on the last one, Mr. Speaker. Would the minister undertake to table the non-proprietary information in his estimates since the estimates are coming forward within a couple of weeks, probably before the end of the session? Then the Legislature itself can be informed and can make decisions about how useful that material is.

Hon. Mr. Snow: I was going to suggest that a moment ago. I haven't discussed with the House leader recently exactly where the estimate schedule is. The last I heard was that we will probably be before the committee in a week or two. The committee will no doubt be examining this in detail. Officials from UTDC will be available to the committee to answer any questions that they can, but I have to impress upon the members of the House that this is a very highly technical development in competition with other industries and with other countries; the asset of the province of Ontario in developing this must be protected.

FRENCH-LANGUAGE SERVICES

Mr. Cassidy: I have a question to the Premier, arising out of what happened here in this chamber yesterday afternoon and in this building early in the evening. You may recall, Mr. Speaker, the sense we all had of participating in a historic occasion in the debate on Bill 89, and the very constructive kind of results that we thought ensued. I do want to express regret—

Mr. Speaker: You'll have to do it by way of a question.

Mr. Cassidy: Okay. I do want to express regret about the decision of the Premier that was announced in the press release shortly

thereafter. In view of the fact that the Premier's press release on Bill 89 was obviously prepared well before the bill was voted upon at 5:50 yesterday, can the Premier tell the House who took the decision not to allow the bill to go beyond second reading, when that decision was taken and how, subsequently, the government could allow two of its senior ministers to speak and endorse the bill when they would have known that the government did not intend to proceed with the bill any further?

Hon. Mr. Davis: Mr. Speaker, I will take a little longer to answer this question because—

Mr. Swart: Because there's a lot to answer for.

Hon. Mr. Davis: —I understand that the member for Scarborough whatever—

Mr. Warner: Scarborough-Ellesmere.

Hon. Mr. Davis: —Scarborough-Ellesmere was concerned about matters of privilege. The former House leader for the Liberal Party, I think really quite accurately defined the question of the procedures of this House.

I would like to say to the leader of the New Democratic Party that as a matter of policy I have not involved myself in private members' bills debates.

Mr. Kerrio: You're too busy writing out statements.

Hon. Mr. Davis: At the same time, I think it is incumbent upon me, after listening to those debates, to state what is the policy of the government so that there is no misunderstanding. It was with that intent that the statement was issued after listening to the debate, which I did yesterday afternoon.

There is nothing in my statement that interferes with the procedures of this House. The member for Ottawa East (Mr. Roy) has asked that this bill be referred to the justice committee, and there is nothing in my statement that precludes that happening. What I am anxious for the members of this House to understand and, perhaps just as important, the public of Ontario, is what the policy of the government is. That is my responsibility. I think it is fair to state that if I had made no statement, I would have been asked—in fact, the phones were ringing in the office about 5:30 asking, "What is the position?"

This is not an unusual procedure. When the member for Essex South (Mr. Mancini) introduced his bill on the age of consumption of alcohol, I did not participate in that debate. But at the conclusion of that debate I did seize the opportunity to enunciate what the policy of the government was. Surely that is my responsibility.

It is fine for the leader of the New Democratic Party to say that I have usurped the privileges of the House. That is categorically untrue. I could have delayed this statement perhaps until the justice committee had dealt with it. I can hear the member for Scarborough-Ellesmere rising up on his Magna Carta and suggesting then that I had usurped the privileges of the members of the House.

I think that I have an obligation and a responsibility to enunciate what is the policy of the government. I think it is important that the members of this House know what that policy is. I don't want to see expectations or other than expectations developed in this process if ultimately what I said yesterday is going to be the position of the government, which it is.

Any reasonable person, in assessing this, can disagree with the policy. I don't quarrel with that. I would say to the leader of the New Democratic Party, we know what his party's policy is. They would declare this province to be legally and officially bilingual. I understand that.

Mr. Cassidy: I would make French an official language.

Hon. Mr. Davis: I understand that the bill introduced by the member for Ottawa East contained in it something that, as I listened to at the debate, all members of this House supported. That was the concept of providing services in the French language for the Franco-Ontarian citizens of this province. I don't quarrel with that.

Mr. Roy: In a statutory framework.

Hon. Mr. Davis: Certainly the difference is the question of the statutory framework. I don't argue this. I am anxious that the members, and just as importantly the public, understand this.

If the Liberal Party of Ontario wants to disagree, if they want to pursue the question of the statutory framework, that is right and proper, and there is nothing to preclude the justice committee. But I think I have to make one or two other observations: I am totally in support of the concept of the private members' hour.

Mrs. Campbell: Ha.

Hon. Mr. Davis: The member for St. George can give her cynical laugh, and smile in her rather cynical way, but I have supported the concept. We have not raised what I think are on occasion some fairly fundamental issues that arise out of the private members' bills that do involve some pretty extensive expenditure of funds. I think it is fair to state that some private bills

have probably gone beyond that which was intended in terms of the functioning of private members' bills.

I would also doubt if the leader of the New Democratic Party thought this through carefully. He anticipated that on a matter of this sensitivity and importance, if a decision were made that this was the right route to go. It is obvious this matter would be introduced by way of a government bill.

This takes nothing away from the interest—I believe a sincere interest—on the part of the member for Ottawa East. It takes nothing away from this being a proper mechanism to discuss this issue in the House, to bring this to the attention of the public of this province. But we do not operate under a congressional system of government. Government under our system must assume the ultimate responsibility.

On a matter that is this sensitive, a matter that is of interest to the vast majority of people in this province, I think it would have been hypocritical of me to turn it around on some who were saying the other. If I had stayed quiet for another two or three weeks, or a month and let the committee go through its process, it would have been wrong to then say, "The policy of the government is such and such."

I extend my appreciation to the Leader of the Opposition because he went far further than I thought he would in supporting the present policy of the government of this province. I must confess I was both pleased and somewhat surprised to hear it.

Mr. Worton: That's what fooled you.

Mr. Roy: That's why we were so disappointed.

Hon. Mr. Davis: The member for Ottawa East I know has a personal interest in this. I believe it is a sincere interest.

Mr. Peterson: We have all got a personal interest—every one of us.

Hon. Mr. Davis: That's fine. All right, we all have a personal interest.

Mr. Speaker: Order. Just ignore the interjections.

Hon. Mr. Davis: The difference of opinion is the vehicle we use, or the approach we take to attain those objectives that members of this House supported yesterday. Surely that is where the difference of point of view exists. There is nothing to preclude, in the rules of this House, the justice committee taking that bill.

But I think it is only fair for the members to know and the public to know that we believe the policy we have under way, to

which we are totally committed, is working and working relatively well. It has worked without any significant divisiveness. It has been, I think, in general terms, acceptable, and this is the route that the government feels we should proceed with.

So with great respect to his motion for adjournment last night, the questions raised as to the privileges of members of this House, I have never intentionally abused, nor shall I abuse, the privileges of the members of this House. I say, with respect, in this instance, in procedural terms or in any other terms, these privileges have not been abused.

The debate yesterday was on a private member's bill. I heard newscasts yesterday morning saying "government bill for the entrenchment or enshrinement of French-language rights to be debated." There is not the same perception or understanding by even some people in the media, and certainly not in terms of the general public, as to the differential between a private member's bill, and a government bill. I think it is fair to state most members in this House understand if it is a matter of real substance it should be discussed. But as to the initiative, or lack of initiative, whichever way you wish to phrase it, that ultimate responsibility must fall upon the government.

That is how our system works. There is nothing in what I said yesterday, there is nothing in what I am saying this morning, that in any way, in my view, prejudices the privileges of the members of the House.

[10:30]

The leader of the New Democratic Party can say I am wrong in my statement. He can say his position is right. He can say to the public of this province that this province should become officially or legally bilingual. That's his right. I don't happen to agree with it. That is my right. As leader of the government I think I have an obligation to state it so that there isn't any misunderstanding.

Perhaps the position of the Liberal Party of Ontario is to enshrine or entrench these rights in a statutory form. I don't quarrel with that, but that is not the present policy of this government. I think that is what the discussion is about. That is what I hope my statement makes very clear. It does not in any way—and I hope my statement made this clear—detract from the motivation of the sincerity of what we are doing for the Franco-Ontarian population. I'll take a back seat to no one in this House in terms of my commitment to the provision of these French-language services to Franco-Ontarians.

Mr. di Santo: That's not what the Franco-Ontarians want.

Hon. Mr. Davis: I would say that I take some pride in what has been accomplished. Some can debate whether it has gone fast enough or far enough. That's a matter of judgement. It's not an easy issue for me to deal with because not only are the rights of the Franco-Ontarians of great concern to me, but there is also the concern of the general public of this province, and their acceptance to a certain extent. I think that is the responsibility of government too. I can't ignore that sensitivity either.

I would say to the leader of the New Democratic Party that if the committee in its wisdom wishes to pursue discussion of the bill of the member for Ottawa East—

Mr. di Santo: It's a waste of time.

Hon. Mr. Davis: —there is nothing in the rules of this House to preclude it. I have not in any way prejudiced the rights of the members. I cannot have that process go ahead with people assuming that that bill is automatically going to be passed with or without amendment, when I know that is not the policy of the government. I say with respect to have done anything else would have been hypocritical. I think it is important for the members of this House and the members of the public to understand the position of the government. That's why the statement was issued late yesterday afternoon.

I would only say in conclusion that in answer to the question I hope I have touched upon those matters of privilege that were raised by two or three members. I just overheard the member for Kitchener (Mr. Breithaupt) who has had a fair amount of experience. I think he summed it up very well. The rights of the members have not been prejudiced. Under the rules, it can go to committee. What I did in my statement was make it clear what the policy or position of the government of the province of Ontario was on this issue. To have done anything else would have been hypocritical and would have perhaps abused the privileges of the members of this House. That is why I determined to make that statement.

(Applause)

Mr. Speaker: Order. Because of the importance the House is placing on this issue, and because I have given the Premier more latitude than ordinarily, I'm going to add six minutes to the question period.

Mr. S. Smith: He should have issued a statement.

Mr. Cassidy: Supplementary: I want to say that I think if the Minister of Education and the minister responsible for Franco-Ontarian affairs looked ashen, it is because what the Premier has said was in complete contradiction of a number of points they made in the Legislature yesterday.

Hon. Mr. Wells: Nonsense.

Mr. Speaker: Question.

Mr. Cassidy: I also want to express concern that by saying the government will not proceed with this bill, that is in fact a direct interference with the procedures of the House.

Instead of using the parliamentary devices which are available under the new private members' rules in order to vote against a bill, or state the government's intentions in not proceeding with the bill, or have 20 members of the government party stand in order to prevent the bill being voted upon—all of which are devices which are open to the government—is it the government's policy in future to toy with the Legislature and impose the kind of hip-pocket veto which the Premier imposed last night by coming out with his statement after the Legislature had debated the bill rather than before or during the debate?

Hon. Mr. Davis: I can almost conjure up without much difficulty the rhetoric that would have been used by the leader of the New Democratic Party if I had made such a statement prior to the discussions yesterday afternoon.

Mr. di Santo: The Premier was bluffing.

Hon. Mr. Davis: I would only repeat what I said. On these issues which I think are sensitive—and I was anxious to have the discussions on this bill yesterday—it would have been, in my view, improper for me to say at the outset of the debate that this is the policy, that there is no point in having any discussion, having these views aired in this Legislature. The leader of the New Democratic Party would then be using language that might then be unparliamentary in terms of his reaction.

I would only say to the leader of the New Democratic Party, he can call it what he wants. What I issued last night was a statement made in conscience, one with a full knowledge of the concern and sensitivity of the issue, the concern that this government has, the policy it has with respect to our Franco-Ontarians; and it was issued with that completely in front of us.

Mr. Swart: After Handleman got to you.

Hon. Mr. Davis: We can debate this here, **Mr. Speaker,** the leader of the New Demo-

cratic Party and myself. He can be as sarcastic as he wishes. He can suspect my motivation but, **Mr. Speaker,** I will look at what has been done for the past number of years. I will assess very carefully what we have done in terms of programs for the Franco-Ontarians, and I will not take a back seat to the leader of the New Democratic Party on that issue one bit.

Mr. Roy: A supplementary to the Premier: This is not a question, **Mr. Speaker;** I say this very bluntly. There is such a gap between what the Premier sometimes says standing, *viva voce*, as we say, and his brutal statements.

In view of his position which, apparently, has changed—because in February he did not exclude the statutory framework—why would the Premier allow two of his members of cabinet to at least leave us with the impression that they were in support of this bill?

Secondly, in view of the good faith that he is trying to put forward here this morning, why would he put out a statement which reflected some things that were never intended in this bill? For instance, on page two: "Neither shall we be taking any steps to declare French an official language in Ontario." That is something that the bill did not talk about, did not intend. Why would he put out a statement which said that this government is going to avoid the kind of bitterness and intemperate debate that has all too often accompanied the bilingual programs of our federal counterparts? That is something which we again wanted to avoid and something that the debate yesterday clearly avoided.

Hon. Mr. Davis: **Mr. Speaker,** I thought the member for Ottawa East would really be more perceptive than has been indicated here this morning.

As I understand—because there is another party in this House in opposition besides his own—the official position of the New Democratic Party in the province of Ontario is, in fact, to have two official languages in the province of Ontario.

Mr. di Santo: That had nothing to do with the bill.

Mr. Roy: It was not their bill. It was our bill.

Hon. Mr. Davis: **Mr. Speaker,** I am restating and did restate in this statement that if the New Democrats want to be at all consistent, if that bill goes to committee and they don't move an amendment to make French an official language in the province of Ontario, then they have to be described as being totally hypocritical. I didn't want any one in this province to feel that we were in

the process or would support any such amendment if this bill goes to committee.

An hon. member: Bill, that's their problem.

Mr. Martel: You were playing a waiting game.

Hon. Mr. Davis: In my statement I was not dealing with the precise terms of the bill. I was dealing with the policy of this government, I was dealing with what is the proposed policy of the New Democrats, and to have ignored that in any statement, I think would have been improper. In fact I am surprised the member for Ottawa East isn't delighted that I included that statement in, so it makes it very clear why it is there.

What was the second point the member raised? I think the answer to the first is very obvious.

Mr. Lewis: There were two cabinet ministers involved.

Hon. Mr. Davis: Once again, this relates to the debate that has taken place on "official bilingualism." Once again the New Democrats, in order to be consistent, would have to, in any discussion of this bill in committee, move amendments that would move in the direction of their stated policy. Under their democratic party system although the previous leader took—

Mr. Mackenzie: We sure don't need your advice to run this party.

Hon. Mr. Davis: I have to tell those members this: Their previous leader had the intestinal fortitude to depart from party policy on occasion. That's why he had the measure of success—thank heavens, not too successful—that he had. Their present leader is hide-bound and totally—

Mr. Swart: You only got minority government the second time.

Hon. Mr. Davis: All right, but look where you people moved. You moved further to the left than you were before.

Mr. Speaker: Order. Order. I don't know whether the Premier has an answer to the specific question that the member for Ottawa East posed. That was with regard to the participation of two ministers in the debate yesterday. If the Premier has a brief answer to that, I will hear it. If not, I am going to allow two more supplementaries, one from each of the two opposition parties and then we will move on to another subject.

Hon. Mr. Davis: Mr. Speaker, I listened very carefully to what my two colleagues said. I think if honourable members will reread what they said, they will find nothing

inconsistent with the observations that I made in my statement or here in the House this morning.

Mr. Lewis: What about your cabinet colleagues?

Hon. Mr. Davis: That's what I mean.

Mr. Cassidy: Is the Premier aware that the most constructive thing that could have come from the debate yesterday would have been a commitment by the government that, given the unanimous view of the Legislature about legislative enshrinement of French-language rights, the government would bring forward a bill and have it enacted by the end of the year? Is he aware that the most destructive consequence arising out of the debate on Bill 89 was the way in which the Premier handled this issue and that it will ring for a long time in a very damaging way in terms of the future of the country and be seen as being very destructive in Quebec?

Mr. Speaker: Is that a question?

Mr. Cassidy: In the second place—

Mr. Speaker: Is that a question?

Mr. Cassidy: It's half a question. The second half of the question, Mr. Speaker, is: Is the Premier aware that by his actions yesterday, he has totally emasculated the private members' hour process here and therefore abrogated the rights of the members of this Legislature?

Hon. Mr. Davis: I will answer both questions and I will answer the second part of the question first. I answer it without any reservation whatsoever. I will repeat what I said: As head of government on an issue of this sensitivity, if I had not made my statement I think it would have been unwise and I think it would have been unfair to the members of this House. My stating the position of the government related to a private member's bill does not emasculate, as he used the term, the private members' hour in this Legislature. I think he knew the answer to that question before he asked it.

With respect to the first part of the question, it's very difficult to assess the impact of whatever decision is made in terms of the direction of the rights our Franco-Ontarians may have with respect to the rest of the country. But no one has worked more carefully than I to see that this sensitivity is understood and that this province and this government does not take steps to make the situation more difficult.

[10:45]

I would only say to the leader of the New Democratic Party, whose private mem-

ber once again has introduced a bill which I know some of my colleagues—because they happen to live in the same geographic area—would be moved to support with respect to retaliation—there is no other word for it—for some of the policies of the government of the province of Quebec, he can't have it both ways. He can't urge me to show this contradiction and at the same time urge his own members to introduce legislation that is totally retaliatory in nature and, which I say with respect, might achieve the same degree of misunderstanding in our sister province of Quebec as the member suggests my statement of last evening might do. I say there is a slight contradiction in his own approach to this rather important issue.

Mr. Bounsall: It is a totally different issue.

WOMEN APPRENTICES

Mr. Cassidy: I have a question for the Minister of Colleges and Universities. Is the minister aware that at the Status of Women Joint Councils conference which is being held this week, the Ontario Status of Women Council has expressed concern about the new employer-centred training program and has recommended specifically that a training program be set up with specific emphasis on recruiting women to prepare them for entry into the non-traditional trade areas from which they are almost totally excluded in apprenticeship programs today; and that it has recommended that governments work with employers and unions to set targets for the entry of women into apprenticeship schemes?

Hon. Mr. Parrott: I am not aware of that specific issue. I do say, however, that in the last year and a half to two years there have been some very significant breakthroughs in the role of women in our society in programs that have not heretofore seen the entry of women as apprentices. We could give you all kinds of illustrations of that fact. The new brochure we had printed not too long ago puts a high profile on that very fact.

Mr. Cassidy: Supplementary: Given the fact that last year there were about 10 women in apprenticeship programs in carpentry, electricians' work, ironwork, motor vehicle maintenance, auto body and electrical and fuel, as compared to about 15,000 men in those particular programs, would the minister not agree that the progress, if any, has been infinitesimal? Can he indicate the means by which he will ensure that the new employer-centred program will not perpetuate the existing pattern of discrimination against women in apprenticeship programs?

Hon. Mr. Parrott: We've discussed this item in this House before. On that occasion and again today, I take considerable exception to the thought that there is discrimination, especially as it relates to our ministry. To the very contrary, we have made a conscious effort to give equal opportunity. The member asks what I will do to ensure that. That's precisely what we're going to do—to ensure that there is that equal opportunity that now exists. If the women of our society choose to do otherwise, it is their right to do so.

I am not about to say that there will be 50-50 representation in each apprenticeship program; that would not ensure very much equality to anyone. We will give them the opportunity; if they choose to exercise it, that will be just fine by us.

Mr. Cassidy: Supplementary: Can the minister say just what specific steps will be taken, given the fact that whether or not the opportunity has existed in the past, it has clearly been virtually meaningless since almost no women have gained entry to those particular apprenticeship programs?

Hon. Mr. Parrott: I will have to repeat myself. We are advertising. We are making that program known in a very extensive way for the women of Ontario to have those opportunities. They will have to take the next step. They must come forward and offer themselves as candidates in the apprenticeship programs. We can't take that step for them, and I am certainly not going to propose that we legislate that kind of activity.

PUBLIC UTILITIES COMMISSIONS

Mr. Epp: I have a question of the Minister of Energy with respect to public utilities commissions. Now that the minister has informed us that there are 19 mayors serving in seven regions on public utilities commissions who have not been elected for many years, some dating back to the early 1970s, would he share his views with us whether this is democratically right and what his intentions are with respect to correcting this situation?

Hon. Mr. Baetz: Mr. Speaker, I think the basic principle governing the question of whether the local public utilities commission members should be elected or appointed is a basic question that we feel should be left to local governments. We know there is a strong tradition for elected commission members. We also know in some communities there is an equally strong tradition for locally appointed members. In some places one works best, in other places the other system works best. Frankly, our policy continues to be to

have local option, if one may use that term, exercised on this matter.

As the honourable member opposite has indicated, there are some rather curious statistics and what appears to us at least to be a rather curious arrangement. But we assume, especially in regions such as the sophisticated one of Kitchener-Waterloo, where sound judgement always prevails among the fine people of that region—

Mr. Breithaupt: They always vote Liberal.

Hon. Mr. Baetz: —all relatives of mine—

Mr. Conway: You almost ended up there, Reuben. Remember that?

Hon. Mr. Baetz: —that the system, as it prevails, is working and it's working well.

Mr. Gaunt: You would have been a Liberal in Kitchener, you know.

Mr. Epp: I want to thank the minister for his compliments with respect to the Waterloo area. Since I served on a restructuring committee of the public utilities commission and on a public utilities commission where we had ex-mayors who were defeated at the polls and no longer had the support of the public, and with the embarrassed public standing back a little and viewing this situation and wondering what the position of the government was going to be on this, does the minister really believe that these people should continue to serve on public utilities commissions despite the fact that they were defeated some six, seven or eight years ago and no longer have the confidence of the public? Does he stand here in support of those?

Hon. Mr. Rhodes: Have you checked the Senate lately?

Mr. Epp: Or is he going to give this House the benefit of introducing legislation to correct these anomalies, in view of the fact that we had two bills dealing with public utilities restructuring passed last July and only one is before us this year?

Mr. J. Reed: Old Tories never die. They sit on PUCs.

Hon. B. Stephenson: At least they don't lose their faculties as old Liberals do.

Mr. Conway: You've been on both sides, Bette.

Hon. Mr. Baetz: I'm rather surprised that the honourable member would address these questions—and they may be very good and real questions—to the Minister of Energy for this province. I think he ought to be addressing these questions to the local government, because they have the option. If the system looks like a bit of pork-barrelling, then, for

heaven's sake, change the system. But it's up to the good burghers of Waterloo to do so.

Mr. J. Reed: That is what you are supposed to do.

Mr. Epp: Mr. Speaker, may I try to correct the record here? I think the minister—

Mr. Speaker: If you have a question, yes.

Mr. Epp: In view of the fact that we have a restructured public utility in the region of Waterloo, will the minister please correct the record with respect to that and give us the benefit of his views with respect to the questions I asked earlier?

Mr. Mancini: Answer the question.

Hon. Mr. Baetz: I can't answer the question in a clearer way.

Mr. Breithaupt: That's the problem.

Hon. Mr. Baetz: You have the law, and you make up your mind in that region whether you want to elect or appoint these people.

WORKMEN'S COMPENSATION

Mr. Bounsall: Mr. Speaker, a question of the Minister of Labour: Has the minister yet received the final copies of the last five chapters of the report on the financial restructuring of the Workmen's Compensation Board which she indicated on Monday she expected to receive today?

Hon. B. Stephenson: Yes, Mr. Speaker. They arrived at 4 o'clock yesterday afternoon.

Mr. Bounsall: Supplementary: Now that she has it; will she table that report so we may all see it and have the same opportunity as the minister has had to peruse the recommendations? Secondly, in the consideration she will be making for the presentation of the bill we expect to receive in June, will she ensure that the pensions of the totally permanently disabled, the minimums thereof, be adjusted by at least the cost of living, if not the same percentage increase in salaries and wages, and that the widows' and widowers' pensions, for some years exactly equal to those minimum fully disabled pensions, be restored to that level?

Hon. B. Stephenson: Mr. Speaker, it is my intention, as I mentioned in this House, to table this document as soon as we have enough copies available. We are in the process of printing them for the members of the House right at the present time. I would think that probably by the end of next week we shall have sufficient copies to distribute to all members.

I don't think I can outline the exact amounts of increases in benefits specifically today, but certainly my concern is that, in-

deed, those areas in which benefits need to be increased rather dramatically should receive our attention immediately, and that with the co-operation of all parties in this House those amendments could be put through the House in very short order.

Mr. Haggerty: It's been three years.

Mr. Mancini: Supplementary: Could the minister give assurance to this House that she will no longer carry out a policy of making the injured workers wait three years for their increase in pensions? Could she also assure the House that she will have a policy of annual increments for the injured workers as far as their pensions are concerned?

Hon. B. Stephenson: Various methods of ensuring the increment of benefits for pensioners of the Workmen's Compensation Board have been proposed by the joint consultative committee, by The Wyatt Company and by others, and all of these methods are being examined. Whether we will have the final presentation regarding that method ready before the end of June, I can't say at this point. I do think we should move ahead with the improved benefits at this time, at any rate.

Mr. di Santo: Supplementary: Can the minister indicate to this House if, in the bill which she is going to present to the House, there is any particular section which is going to deal with those pension increases?

Hon. B. Stephenson: Yes, Mr. Speaker.

HIGHWAY 6

Mr. G. I. Miller: I have a question for the Minister of Transportation and Communications. Given the fact that the 6,500-acre industrial park and Stelco steelmaking complex at Nanticoke will be in production by the year 1980, and given the fact that the Texaco oil refinery will be in production this year, and in view of the fact that the traffic through Caledonia causes enormous problems at present, could the minister inform me of the current development stage of the Highway 6 corridor?

Hon. Mr. Snow: I'm sure the honourable member is aware that in our green book of our construction program for the last fiscal year we did show the Caledonia bypass as a part of our program for that year. Unfortunately, it was not built or started during last year's program because we did not receive the approval and the board orders for the two railway grade separations involved in the bypass.

We have again shown the bypass in our program for the current year. As of this date,

we have still not got the final approval for those grade separations, although I did have a letter about 10 days ago from the Honourable Otto Lang advising that there would be approval coming through in the reasonably near future for about 18 grade separations throughout the province, among which the two on the Caledonia bypass were included.

He forewarned me at that time not to award any contracts for any of these jobs, because if we did so before getting his final approval that would disqualify them for any grants. I'm still not in a position to proceed with the advertising of the contracts for the Caledonia bypass.

I will tell the honourable member that Wednesday tenders closed for a resurfacing contract on Highway 6 from the north boundary of the town of Caledonia, or the built-up section of Caledonia, to the Hamilton-Wentworth boundary. This is for resurfacing and intersection improvements on that section of the highway. The tenders were received Wednesday and I expect the contract will be awarded probably early next week.

[11:00]

That is all we have planned on the Highway 6 corridor at this time.

CENTRAL PARK HOUSING PROJECT

Mr. Philip: I have a question for the Premier concerning the decision by the Ontario Municipal Board and the cabinet to approve a 450-unit housing development known as Central Park to be built less than a mile south of the airport. Has the Premier read the allegations of Alderman O'Brien of Etobicoke, as reported in the Toronto Star, that the OMB and the cabinet made decisions which were reached on the basis of inaccurate information concerning noise levels? If so, has he done any investigation of these allegations?

Can the Premier give the House any reason why the cabinet has gone against the wishes of the Etobicoke council and the residents in the area and is in fact allowing housing rather than industry in this area, which the mayor has described as being "so close to the flight path that living there will be the equivalent of having a propeller next to one's ear"?

Hon. Mr. Snow: Where's your propeller in your ear?

Hon. B. Stephenson: They'll elect a new member.

Hon. Mr. Davis: I had an observation that the Minister of Transportation and Communications wanted me to pass on but I won't.

I will look into that for the honourable member. I am only going by memory, but my recollection is that the cabinet, on the appeal, supported the decision of the OMB. I will check that out and get any information that I can for the member.

Mr. Philip: If the Premier's information is correct, I would hope that in the light of the council's objection and the objection of the residents he might review that decision.

I wonder if the Premier agrees with Mayor Flynn's statement, also reported in the press, that were the Etobicoke council to ignore or delay implementing the OMB and cabinet decision, as suggested by some council members, the council would be open to a contempt charge. The borough's solicitor, John Reble has also said, and I quote, "The borough would risk incurring the wrath of the OMB that could be reflected in future decisions." Does the minister feel revenge should be a factor influencing OMB decisions, as seems to be suggested by Mr. Reble?

Hon. Mr. Rhodes: Oh, that's a lawyer's opinion.

Hon. Mr. Davis: Not only should it not be, I am satisfied that it is not.

OHIP CLAIMS PROCEDURE

Mr. Conway: My question is to the Minister of Health. In the matter of the case of Dr. Takahashi, I am wondering if the minister could indicate to the House, and through the House to the patients involved, how it is exactly they will be reimbursed through the Ontario Health Insurance Plan and when they will be reimbursed? As he knows, a good number of those patients have been out of pocket, in some cases for a considerable period of time, and in other cases for considerable amounts of money.

Hon. Mr. Timbrell: As the honourable member knows, under the usual methods of processing claims an opted-out physician would send us a claim card, and based on that we would send a cheque to the patient. In this case, and this is really what the whole matter revolves around, the physician, for whatever reasons, has not done that with his patients—I think we had only one claim card from Dr. Takahashi.

With regard to the people affected in this case, we are trying to reconstruct their claims based either on receipts or cancelled cheques that they might have, or where none of this exists, on sworn affidavits of what was paid. We hope to begin sending out cheques within the next two weeks to these patients.

As you know as well, the doctor in question was before the college yesterday and his licence has been suspended.

Mrs. Campbell: In view of the hardships which have been occasioned by this practice, has the minister any statement to make to this House as to what procedures he would institute to ensure that it cannot happen again?

Hon. Mr. Timbrell: In answer to the member for St. George, I believe that when the matter first arose I indicated that I would move to amend the act—this will probably be in the fall—to require the filing with the plan within a given period of time. I believe in this present case that we are looking at cards for six months.

I would emphasize that this is one doctor out of close to 15,000. It is the first time it has happened in the nine years we have in that business, so to speak, and considering we processed 53 million claims last year that should not be taken as a criticism of the whole profession, but we must ensure that there is something in there so that if anybody else has the idea that they would like to try to pull this they won't be able to.

ENERGY CONSERVATION

Hon. Mr. Davis: Mr. Speaker, the member for Halton-Burlington (Mr. J. Reed)—and I didn't have an opportunity to give this information to the Minister of Energy, because I knew he was pursuing the other questions raised with the Treasurer yesterday—asked me a day or two ago, in a rather slow period, since a certain Mr. Wright—who will become manager of the northeastern region—was with energy conservation and he was moving, whether Hydro would not be interested in energy conservation.

The same press report that contained Mr. Wright's move stated in the last paragraph—I'll just read it to the honourable member so that he will have a comfortable weekend: "The high priority that has been given to energy conservation by the corporation will continue. The reassignment of responsibility for this important work will be announced later."

Mr. J. Reed: As a supplementary, during this slow period, is the position of director of energy conservation going to be kept open? It seems to me the press release says the responsibility will be reassigned. My concern is that the importance that has been attached to this office in the past may not be in the future because of a reassignment or a lumping of this responsibility in with somebody else.

Hon. Mr. Davis: Mr. Speaker, I can't answer that. I am sure the Ministry of Energy will get that specific information. I think the relevant part of the press release was: "The high priority that has been given to energy conservation by the corporation will continue." I think that was really the basis of the question of the honourable member, as to whether this would continue as a priority. The statement says clearly it does.

Mr. J. Reed: The question is, one wonders whether it will continue with the same priority as has been given in the past, and there is no indication in that press release that the same level of activity or the same priority will be continued.

Hon. Mr. Davis: Mr. Speaker, I can't argue the content of the press release from Hydro. All I can say is that it says "the high priority"—I think high is probably as good a descriptive word as one can use—"will continue." I am sure the minister will provide more specific information at the beginning of the week, but I think the member can be assured that the corporation is not moving away from its conservation approach.

Mr. S. Smith: I know the minister's views on conservation.

Mr. J. Reed: I will not rest easy this weekend.

Hon. Mr. Baetz: You will have your information next week.

WOMEN'S HEALTH SERVICES

Ms. Bryden: Thank you, Mr. Speaker. I have a question of the Minister of Health. Yesterday the Ontario Status of Women Council issued a very disturbing report on the health care that women in this province are receiving, and the way they are being short-changed in the delivery of health care and are being exposed to very serious health hazards, both in the workplace and in the kind of treatment they are receiving.

I would like to ask the minister what steps he is taking to see that affirmative action programs are developed in the whole health delivery field to ensure that more women are in positions where their views and concerns will be considered in decision making on delivery of programs?

Hon. Mr. Timbrell: Mr. Speaker, I haven't seen the final version of that report—it hasn't got to me today—although I would point out that I did direct that the ministry provide in excess of \$4,000 to assist the council on the status of women and the publication of that report.

There are two primary issues that concern me the most, and which are being acted on. The first is the question of the use of drugs. That is a matter that is under regular review by the Addiction Research Foundation, and it is a matter which I know concerns all professional educators in medicine and in all the colleges, not just the College of Physicians and Surgeons.

The second has to do with the question of unnecessary surgery. The honourable member may know that we have established a task force with the medical profession to look at the question of unnecessary surgery, not just as it relates to surgery on women, but on everyone.

Ms. Bryden: Supplementary: Can the minister tell us what action he is taking in the form of affirmative action to get more women involved in decision making in the health delivery field? That was really my question.

I don't think he has answered it. Also, regarding the question of women in the workplace, what is he doing about the dangerous chemicals to which women are exposed and which may affect their future children?

Hon. Mr. Timbrell: As the honourable member knows, environmental and occupational health matters, while they are of continuing interest to me and to the Ministry of Health, are matters for which the responsibility rests with two of my colleagues.

As far as the question of affirmative action is concerned, within the ministry itself we do have a very strong and active affirmative action program under Ms. Betty Pie. She, working with our management development group under Mr. Rand, based on the latest affirmative action report on our ministry, is really starting to make progress.

I'm sure the member is aware that within the profession itself the numbers of undergraduate female students in medicine is, to the best of my knowledge, as high or higher than it has ever been. About a third or better of the undergraduate enrolment in medicine is female. That's very encouraging, plus the growing emphasis in medical education in this province on family practice, on the concerns of prevention and of family practice.

HYDRO BUILDING

Mr. Kerrio: I have a question of the Minister of Energy. I raised this question some time ago with the then Minister of Energy and it relates to the Hydro building at 620 University Avenue. Does the minister have any plans for that building?

Mr. Roy: Oh, yes, for the last four or five years.

Mr. Kerrio: Or does he expect that we're going to have another three years of that great white elephant lying empty there?

Hon. Mr. Baetz: Mr. Speaker, as far as government plans for that are concerned, that would be a question for my colleague, the Minister of Government Services (Mr. Henderson).

Mr. Kerrio: Is the minister aware of the fact the said minister is out attempting to rent and lease office space?

Hon. Mr. Baetz: I would be exaggerating and not telling the truth if I tried to say here that I knew everything my colleague, the Minister of Government Services, was up to.

LOCAL GOVERNMENT REVIEWS

Mr. Deans: Mr. Speaker, I have a question for the Premier. As a result of a report which came yesterday, it would appear that the cabinet will be determining on Wednesday next the fate of the Stewart commission report as it relates to Hamilton-Wentworth and regional government. Given that the final date for submissions is June 5, which is Monday, and even the Treasurer (Mr. McKeough) with all his ability would, I think, have difficulty in digesting all of the information which may well flow as a result of the submissions, is it proper to proceed with this degree of haste, if the report is correct?

Hon. Mr. Davis: I'm not sure that the report is accurate. There may be some updating of the discussion on the Stewart commission report. I think the honourable member recognizes the Treasurer of this province does have that capacity to digest a lot of this information in a hurry.

Mr. Deans: Not quite that much.

Hon. Mr. Davis: I don't know the volume of the amount of material that has been submitted.

Mr. Deans: I do.

Hon. Mr. Davis: However, I think the Treasurer is also—

Mr. S. Smith: He chews things up well, but whether he digests them is another question.

Hon. Mr. Davis: I would say to the leader of the Liberal Party that he knows more about digestive tracts than I do. I'm not expert in these matters. I can't offer any comment.

Interjections.

Mr. Speaker: Order. Order.

Hon. Mr. Davis: I would say to the honourable member the government wants to be, as it always is, reasonable. If there is a larger volume of information than can be dealt with in those two days, I don't recall that we are committed to next Wednesday. I think it's quite obvious that it could receive some discussion.

[11:15]

Mr. Cunningham: A supplementary, Mr. Speaker: While I appreciate that the Treasurer is a great little digester—

Mr. Makarchuk: More like a shredder, actually.

Mr. Cunningham:—I wonder if there is a possibility that the Premier might give greater consideration to the people and to the citizens in the respective areas so that they may be given the time to respond to this particular commission, so that he might be afforded their sincere desires for whatever structural reform may be required in the Hamilton-Wentworth region?

Hon. Mr. Davis: I would once again ask the honourable member if he has submitted his solution to the problem by way of a brief to the Treasurer? I'm sure that will receive very careful consideration.

The only point I would make to the honourable member is that we are sensitive to the concerns of the people in Hamilton-Wentworth. We're sensitive to what has been suggested over the years—the suggestions by members of his own party, that there be an objective impartial review. That review has taken place. It has come up with a solution that is not totally acceptable—and understandably so—to the people of Wentworth; perhaps it has some measure of acceptability to the people of Hamilton. I question whether there is a solution that will be totally acceptable, to everybody.

That, of course, is one of the difficulties and responsibilities of government, but I can assure the member that we are aware and sensitive to the concerns of people in Wentworth, as we are aware and sensitive to the concerns of the people of the city of Hamilton.

PRESS GALLERY DOCUMENTS

Hon. Mr. Wells: Mr. Speaker, on a point of privilege: Yesterday during the question period, I referred to the fact that a member of the press gallery had a copy of a confidential cabinet document and said that it infringed on the privileges of the members of this House and was an affront to the members of this House. Upon subsequent in-

vestigation of the events, I would like to withdraw any implication that may have been cast by them on the member of the press gallery.

I find that I must, as minister, take responsibility for this document having been in the press gallery and, indeed, there were more than one in the press gallery through a mistake on the part of a messenger—

Mr. Roy: We accept your apology.

Hon. Mr. Wells: —from our ministry who was to deliver the documents to a cabinet committee meeting in room 363.

Mr. McClellan: Freedom of information.

Mr. J. Reed: Is he working today?

Mr. Roy: We understand. There has been bungling before.

Hon. Mr. Wells: I'm sorry, I shouldn't say "he"—"she" was to deliver the documents to Room 363 but they ended up in the press gallery. So, as I said to the members of the press, they had an opportunity, in a very first-hand way, to see the very full research and type of submission that is made on all-important business in this province.

Mr. Epp: Are you going to set up a commission to study that now?

Hon. Mr. Wells: No.

An hon. member: Is there anything else you said yesterday which you want to withdraw?

PETITION

APPEAL OF SENTENCES

Mr. G. Taylor: Mr. Speaker, may I present a petition on behalf of the mayor of the town of Bradford and two individuals, Allan Lee and Paul Harrison?

"In condemnation of the unfair judgement sentenced upon Allan Lee and Paul Harrison, the undersigned petitioners do hereby protest the severity, in the face of such a minute and insignificant Hallowe'en prank. In the opinion of the signators to the petition, the extremity of such a sentence is an unjustifiable mockery of our judicial system. Your prompt attention and followup to remedy which is, obviously, a blatant miscarriage of justice should be and would be most appreciated."

I present that petition to this Legislature on behalf of the two individuals and the mayer of the town of Bradford.

An hon. member: Are you going to introduce a private member's bill on that? You should.

INTRODUCTION OF BILLS

MUSKOKA AND PARRY SOUND TELEPHONE COMPANY LIMITED ACQUISITION ACT

Hon. Mr. Snow moved first reading of Bill 108, An Act to acquire the assets of the Muskoka and Parry Sound Telephone Company Limited.

Motion agreed to.

Mr. McClellan: Nationalization.

Mr. Germa: Socialism. Red-eyed Socialism.

LABOUR RELATIONS AMENDMENT ACT

Mr. Haggerty moved first reading of Bill 109, An Act to amend the Labour Relations Act.

Motion agreed to.

Mr. Haggerty: Mr. Speaker, the purpose of the bill is to provide a mechanism whereby the Lieutenant Governor in Council can order a 60-day suspension of a strike or lockout and order a return to work where the strike or lockout constitutes an immediate and serious danger to life, health or safety or seriously disrupts the economy of the province or an area of the province. The bill provides that the Minister of Labour must appoint a conciliation officer when an order suspending a strike or lockout has been made and may subsequently appoint a conciliation board where the efforts of the conciliation officer to effect a collective agreement is unsuccessful. If the conciliation efforts are unsuccessful, the strike or lockout may be resumed without a further strike vote.

Perhaps the amendment would provide an alternative measure to settle labour negotiations in the provincial educational system allowing students to complete their school year. It also would remove the confrontation of labour disputes in a municipality, such as in the case of the Fleck industry, thus reducing anw further impasse in labour bargaining.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Mr. Speaker, before the orders of the day, I would like to table the answers to questions 48 and 63 to 81 standing on the notice paper. (See appendix, page 3107.)

ORDERS OF THE DAY
ESTIMATES, MINISTRY OF
NORTHERN AFFAIRS
 (continued)

On vote 902, northern communities assistance program; item 2, isolated communities:

Mr. Martel: I want to go back to where the minister and I left off last time when we were discussing the unorganized communities. I want to make sure that I didn't leave with the minister an impression that I was suggesting some type of municipal structure as we see in an organized municipality. I certainly wasn't indicating that we should introduce some type of committee to represent the communities which, in fact, would give that community the status of a municipality.

What I am trying to get the minister to do, if he has the power, is to recognize some group within the community—it could be elected as we elect local roads boards—which represents the community. In fact, as local roads boards do, it could have the right for disbursing funds and come together occasionally to discuss what the priorities are in roads or other priorities or needs within the community itself.

My concern is that I think at the present time there are some communities where two or three groups are vying for money and there are occasions when, inadvertently, because the government can't look at all of the minute details, although I am sure it tries, the priority item might not be the one that was best documented, let's put it that way. Maybe the case wasn't made as well by whoever was representing the community. So we have two or three groups within a community vying for the same number of dollars and that might not be in the best interests of the community.

What I am saying is I would like somehow to see one group where the community knew that this was the group elected in some way—you might call it a community council and not a municipal council, you might call it a local roads board, you might call it anything you want, but in fact, it represents the community and it meets to advance to government what the biggest priorities are in that community. It might well be a fire truck, as the ministry is now doing, although I have written them as of a month and a half ago and I can't get an answer whether they are going to supply us with a fire truck for one of my communities. I will have to talk to the deputy minister—

Mr. Bolan: What about a pail?

Mr. Martel: A pail? Well, we would need lots of them, but we could put some wheels on them.

Hon. Mr. Bernier: Your colleague hasn't done badly.

Mr. Martel: That's right, I haven't got as much drag as my colleagues have, unfortunately.

What I want is some kind of organizational structure which doesn't make it a municipality that meets and decides this is our priority. I talked about the firefighting equipment because I have a community in which one wants a community centre and someone else thinks in terms of a fire truck and I think that should be sorted out. Then, rather than asking for five things when they know they are only going to get one, they can put the emphasis on the priority item.

That way we can get away from too many groups vying for very few dollars and maybe not the best ones being approved. That way they could decide what would be the number one item each year, or two years. They would determine the first two, three or five priorities, it really doesn't matter.

Otherwise that can be so helter-skelter—we all know what interest groups are like; all of us around here are subjected to pressures from interest groups, and they all present a good case—that I think if we go through one body, the unorganized community will in fact be better served.

I have asked the minister and he might want to give that power to the local roads board, the one group, I think, that each of these communities now has that can handle funding. In other words, they get the funding from MTC for their local roads board. MTC matches their funding two for one but they are the ones who handle the money. Maybe you would want to use them as the group who would come to you.

I think it would simplify it too for the ministry in dealing with a representative group of the community. You would know who those groups were, your staff across the north would, and you wouldn't have such a massive number of small groups looking for funding. It would be easier for your ministry to make decisions and I encourage the minister to give that consideration, because I think it would be extremely beneficial both to the communities and to the government.

Hon. Mr. Bernier: Mr. Chairman, may I respond briefly? I certainly appreciate the honourable member's view and I have to say to him that we are not that far apart, really.

I think he has made it quite explicit that we must have some form of structure and I

think it has to be done through a legislative process. I think this Legislature has to do something either through a separate bill or piggybacking on some other bill; in what way, I am not sure. But I do share his views as to the different interest groups. Some may be interested, as he correctly points out, in a recreational facility, others interested in a fire department, others interested in garbage collection; a number of different interests and different interest groups.

Let us be honest, there is a certain amount of politics played in small communities. People in small communities are related to each other, there are likes and dislikes, little factions, little groups, as he well knows. Some of the problems that can surface in a small community I guess are condensed from those of a big community, really. I share his view and I have to repeat what I said the last time we were discussing this issue, that we are approaching this issue in that vein, in that tone.

We have asked you candidly to come forward with some suggestions. I think as the honourable member points out that the unorganized communities fear that municipal structure. This was shown very clearly in Bill 120. They don't want that formalization, we both agree, excepting the local roads boards.

The local roads boards in many instances are the four or five real strong people within a small community. They have a secretary who sends out their annual assessments and does the collecting, so basically the very simple structure is in place. Certainly we will look at that during the course of the next few months. I'm most anxious to come forward with some form of legislation early in the fall to get on with the job of putting those people into place.

[11:30]

I think that while we can assist them with capital dollars for fire trucks, for fire equipment, there has to be some responsibility at the community level to maintain that equipment, to house it, to look after it and have a personal interest or some involvement financially to make you feel it's yours rather than a handout from us.

With all due respect and credit to UCANO, they have taken the same attitude. They say, "Don't give us anything for nothing. We have to pull our communities together and pay our fair share." With that attitude, I think we're all on the same track. If we can just pull it together, we can get on with the legislation in the fall. I appreciate your views.

Mr. Germa: Could I ask the minister to bring us up to date on the figures? I understand there were some cuts in vote 902. I don't think you gave us the details of what the estimate is now as a result of Mr. McKeough's cut of \$9 million in your overall budget, but I understand that the northern communities assistance program will be affected. Is that correct?

Hon. Mr. Bernier: Yes. The cutback was \$9 million in all. We are reducing our expenditures in the community priorities by \$5 million; in the regional priorities by \$3 million; and in the highway capital construction program by \$1 million.

As I said to the press in Thunder Bay recently, we looked at these cuts very carefully. I think I mentioned earlier that our program has been in place for some considerable time now. We felt it was perhaps better to delay the calling of some tenders or to reduce the size of a project rather than taking it out of the program. Everything essentially is in place. It has mostly resulted in a slight slowdown. Nevertheless, our cash flow will basically be \$9 million less this year than what these estimates show.

Mr. Germa: All these are high labour-intensive construction projects at a time of severe unemployment all over northern Ontario. Even in the cities we now have high unemployment. We used to keep our unemployment rates in Thunder Bay, Sudbury and North Bay down to a reasonable figure. Certainly in the rural areas unemployment has always been bad. But now the problem is general. For the minister to agree to a cut of this magnitude, taking into consideration the severe problem of northern Ontario, I just can't accept that the minister went so quietly along with the Treasurer's thrust to carve \$9 million out of our entire budget. Then you in turn take \$5 million out of this particular vote.

Hon. Mr. Bernier: I share the honourable member's views and recognize his leader's immediate recognition of what the cut would do in northern Ontario. It's fair to say that he was one of the first to recognize that this shift in budget would have an effect on employment right across this province. There's no doubt this will have a decided effect. We've estimated the loss of something like 400 or 500 jobs during the course of the balance of this year because of these cutbacks.

I might say some of the community priorities programs were not complete in the planning process. Engineering studies hadn't been completed and design work

wasn't completed. All this was to be done at a later time this year.

In the Treasurer's search for funds this program became very visible, because we had only been into our fiscal year for 29 days. However, the Ministry of Transportation and Communications lost \$5 million from their capital construction program in southern Ontario, whereas we only had \$1 million taken out in northern Ontario. The Ministry of Colleges and Universities lost \$4 million in its capital construction and the Ministry of Government Services lost \$2 million. I have to say to him that we didn't go down quietly, but we are part of the government and we had to respond to the pressure from the other side. I think I mentioned this before. It was one of those things we had to live with.

Mr. Warner: There are other ways to raise revenue.

Hon. Mr. Bernier: I guess I have to say from a personal point of view, as one who is very concerned about development in northern Ontario, that when we start working on our budget for this coming year—and we start in August for the 1979-80 year—maybe we can catch up that \$9 million setback and begin to build from the base that's in these estimates, which is \$140 million.

That remains to be seen, but I just want to let the member know that will be my approach. We can start with the \$140 million base and build on top of that; maybe we won't have the same percentage increase we've had for the last couple of years, but it will be most encouraging. That remains to be seen, but I share the member's concern.

Mr. Germa: Maybe the minister would like to revise the statement he made to the chamber of commerce in Kirkland Lake on January 21, when he said: "At the same time, the existence of a separate Ministry of Northern Affairs is giving northern Ontario a higher profile, a lot more clout." Who got the clout as far as this is concerned? I think the Treasurer just said: "Away you go, Leo. Ride on your little fire truck. We're knocking out \$9 million." The minister goes around telling the people in northern Ontario that he has a lot of clout, but it doesn't seem to come through that way when an area of the province in such a desperate situation as we are in is treated in a cavalier fashion. I didn't hear, I didn't see and I'm not aware of any resistance that the minister put up. There was no clout whatsoever.

To some degree the ministry, particularly through the isolated communities vote, is

having some benefits to someone anyway. This one is just too good to pass up. It has to go on the record. It's from the Thunder Bay Times of May 11, 1978. The headline is "Plenty of Mileage." I quote:

"That Leo Bernier never misses a chance to promote Leo Bernier. The other day, at the trade show in Thunder Bay, buttons were being handed out in support of area tourism. 'See the North' or some such message was inscribed and, below, the minister's name—on a button yet. But the minister outdid himself soon after. Picture the scene. He personally delivers a fire truck to the community of Hawk Junction, a vehicle purchased with the help of the Ontario taxpayers' Isolated Communities Assistance Fund. The minister rides triumphantly into Hawk Junction on the yellow truck, lights blazing, siren wailing. To boot, he accepts a key to the community, a gold fireman's hat and the honour of being honorary fire chief. The minister got a lot of mileage out of that fire truck."

That's not what the Minister of Northern Affairs is all about: to promote the minister. And he wonders why we are sometimes cynical about his whole operation when we see gimmickry like this going on. The minister never fails to exploit any legitimate expenditure and make—

Mr. Nixon: When the time comes, it won't help him.

Hon. Mr. Bernier: Want to bet?

Mr. Warner: He needs to put out your fire.

Mr. Germa: There's no doubt the fire truck was needed, but the minister himself gets more benefit from the fire truck than the citizens will ever get. This kind of tomfoolery, which is going on with every cent that is spent up there, means there's probably more money spent on the tomfoolery than there is on the hardware that is going out.

What about these fire packs? When he gives fire packs to an isolated community, does the minister come roaring into town with a big pack and hoses on his back? Is that how he presents all these fire packs?

Mr. Warner: He rollerskates through the town.

Hon. Mr. Bernier: If I may elaborate on the first point, about the clout of the Ministry of Northern Affairs. Certainly I said that in Kirkland Lake—or New Liskeard, I think it was; and I meant every word of it. When one thinks of the increase in the budget of the Ministry of Northern Affairs in two years—we started with \$99 million originally and in a two year period were up to \$140 million—I'm sure the members will agree with

me that a 40 per cent increase in two years is significant clout.

Mr. Haggerty: They needed the help.

Hon. Mr. Bernier: We've had a minor setback because of the opposition's position, and I made that very clear in my opening comments.

Mr. Warner: What nonsense.

Mr. Bolan: Because of the fiscal irresponsibility of the Treasurer, that is why.

Hon. Mr. Bernier: So, with all due respect, gentlemen, you have to share some of the things with me. I make that very clear, that it certainly wasn't this minister's suggestion that we go that particular route.

Mr. Bolan: Did you make that speech from the fire trucks?

Mr. Warner: You don't think there was any other form of revenue available?

Hon. Mr. Bernier: I have been working on that budget since last August and it is in place. I brought before this Legislature a \$140 million budget—

Mr. Nixon: That is the kind of influence you have got with your colleagues. When there are cuts to be made, you are the first to go.

Hon. Mr. Bernier: —until you fellows got into the act. We know what happened after that.

Mr. Warner: The Treasurer had other sources.

Hon. Mr. Bernier: But, gentlemen, in connection with the publicity, I want to say that the kicking off of a new program has a great deal of significance for northern Ontario.

Mr. Bolan: Political.

Hon. Mr. Bernier: The members are always concerned about the lack of new programs, the lack of assistance, and I think it is only right that on an occasion such as the delivery of the first fire truck the government should, under a new program, be there. I wasn't there alone—and I think the member failed to point that out; the honourable member for Algoma was with me. He enjoyed the exercise as much as I did—

Mr. Haggerty: Did he ring the bell?

Hon. Mr. Bernier: —enjoyed the enthusiasm displayed within the community of Wawa, particularly in the community of Hawk Junction.

Mr. Nixon: Did they make him an honorary fire chief?

Hon. Mr. Bernier: Yes, they did.

Mr. Haggerty: I hope so.

Hon. Mr. Bernier: I think you may be lacking some of the feel and some of the sincerity and the appreciation of those small communities to have the recognition. In fact, one of the members from that community said to me that he had been living there for 43 years and he said that never had they received this kind of attention. That is part of Northern Affairs' new responsibility—to focus attention on some of those inequities in those smaller communities in northern Ontario.

Mr. Nixon: You are responsible for the inequities.

Mr. Warner: You were driving fire trucks around; that's your new job.

Hon. Mr. Bernier: Furthermore, we delivered another fire truck to the great community of Gogama last week; and who was front, line and centre with the lights flashing and the sirens wailing, coming into that community? None other than the member for Nickel Belt (Mr. Laughren). He was pleased to be there.

Mr. Haggerty: You took a back seat, did you, Leo?

Mr. Warner: Did he drive the truck?

Hon. Mr. Bernier: He was there, as was the federal member, because they realized that this is a significant program, one that has public acceptance, one that is worthy of that type of recognition. I don't make any apologies, none at all, for what we are doing with regard to isolated communities funds. In fact, I would like to do more and if we can provide to those small communities in northern Ontario those little amenities that some of those in southern Ontario take for granted, then we are going in the right direction. I am sure you will agree with me on that.

Mr. Germa: Is the minister trying to say that as a result of his ministry, there are more dollars or a bigger percentage of the consolidated revenue fund now being spent in the north than prior to its inception?

Hon. Mr. Bernier: Yes.

Mr. Germa: You say that you started out with a \$99 million budget. You know that most of these budgets that you are spending are just transferred from other ministries. Take your roads construction program: all that is a transfer out of T and C; and we can say the same thing for the rest of the lines in your budget. We had a regional priorities budget under the Treasurer before, so I don't see where there are any extra dollars. You have never attempted to put on the line and tell us, in northern On-

tario, that as a result of putting you at a high salary, we are reaping a net benefit, that because of you, we are getting a greater proportion and a fairer share of the consolidated revenue fund. Now, can you back up that statement, maybe with some figures?

Hon. Mr. Bernier: I think I have said it very clearly. I am no mathematician but simple figures will point out to you that we start with a \$99 million base and in two years time, we are up to a \$140 million. That is a substantial increase. Show me another ministry that has had that kind of recognition from the Treasurer. Show me. There isn't one. Their increases were five, six and seven per cent, and for us in a two-year period to get 40 per cent—you know, that speaks for itself.

Really, what else can I say? The facts are there and they are in these estimates, so it is a very significant increase. I just hope—and certainly my efforts will be in that direction—to continue this kind of recognition. I appreciate the support that the members are giving me, really, because I think that it does focus the needs of northern Ontario in a special place, in a very special way.

Here we are now debating a ministry that has its sole interest and concern in northern Ontario. Never before have we had that.

[11:45]

Mr. Nixon: Oh, now, we had a Minister of Northern Affairs.

Hon. Mr. Bernier: No, you did not.

Mr. Nixon: They have come and gone like the seasons.

Hon. Mr. Bernier: With all due respect, I don't like the interjection, but I have to answer it. The old Ministry of Mines and Northern Affairs wasn't solely concerned with the regional area north of Parry Sound to the Manitoba border.

Mr. Nixon: Allan Lawrence wouldn't like to hear you say that. There was a fanfare at his appointment.

Hon. Mr. Bernier: I happened to be the minister following the Honourable Allan Lawrence. The northern affairs branch at that time was an information service.

Mr. Nixon: Allan Lawrence thought he was Minister of Northern Affairs.

Hon. Mr. Bernier: We have a specific ministry now focusing attention on the problems of northern Ontario, and it is going very well.

Mr. Haggerty: I want to congratulate the minister for moving in the direction of providing fire equipment in organized commu-

nities. If I can recall my days as Natural Resources critic, this was always one area I discussed over a number of years. I say to the minister that once you have a volunteer fire department that is well trained and well organized—and there is no doubt about that, as I see from the reports that it will be handled under the fire marshal of the province of Ontario—you are going to have an organized community in a very short period of time.

That is where the organization starts. It starts from a volunteer fire department. It is the first line of any emergency in a community and people will look to the fire department to respond. It provides first-aid training to a community. I am sure this is an area that has been neglected for a number of years in certain communities in northern Ontario. It is also the first line in rescue work. I suggest the minister shouldn't stop here because he is going to have the involvement of the community. There is no doubt that they are going to be thumping on his door asking for more community services.

I noticed in your report that you are spending \$3,550 on community wells. I don't know if this is going to include a transmission system of water lines through a small community or whether it is just for a well itself and that people will have to carry the water by pail to their homes. Is that the way it is going to be?

Hon. Mr. Bernier: Just community wells. It is not a pressure system.

Mr. Haggerty: Why couldn't you go a little bit further? Once they have a fire department, one of the next things they are going to be looking forward to is where to get the water. I am sure you bought the proper fire equipment trucks that carry a certain amount of water. If I can recall in questioning you over the past three or four years, you thought by bringing in a pumper of this nature that carried its own water that the next thing they would need would be a fire hall, a suitable building where the water would not freeze on the truck. Hopefully, once you bought the fire equipment for the municipalities, you would have suitable accommodation for that vehicle. If not, you are going to be running into difficulties through the winter months.

I see no expenditure here whatsoever for that. I was just hoping you would be looking at this. Was the fire equipment that you purchased bought under the metric system?

Hon. Mr. Bernier: Perhaps I could maybe respond briefly on the community wells. What we have done here is respond to the community's request. In some instances, there have been a number of wells established

within a community. In other areas, there have been one or two specific wells where the community would go. One has to realize in some of these smaller communities that to put in a regular pressure system and a regular water system would be extremely difficult and expensive. Some of the homes are just not of the type of construction where they can have them on a year-round basis. Some are just there for six or seven months. It would be out of the range of this budget to have massive engineered plans, and go through all the hearings and the things we go through. Nevertheless, we respond to the community's request. The initiative comes from them, which makes it much easier for us.

In connection with the fire halls, up to this time we have been providing fire trucks to those communities which have an established volunteer fire department and have the capability or already have in place a fire hall. I can name some off the top of my head. Minaki has a fire hall that was built for it by the old Ministry of Natural Resources, which had an excess building and passed it over to the community.

My own community of Hudson built a fire hall several years ago through some winter works programs, where the community supplied the material and the federal program supplied the labour. In Wabigoon, a small community near Dryden, we supplied funds to assist in building a fire hall. We gave the town of Hurkett some financial assistance and the community responded, as it did in Dorion and Jellicoe. All these places have come together. It provides that community pride when they can do it themselves.

There is definitely a hall to put a fire truck in where it can be properly maintained, kept heated, and, of course, made serviceable on a year-round basis.

Mr. Haggerty: You are organizing fire departments throughout the communities in northern Ontario and adding equipment. Does this include any radio equipment so that they can have communications with the OPP and so that they can have a network of radio communications with other communities and other services that are available in the area in case of emergencies?

Mr. Chairman: That should be under the next vote.

Hon. Mr. Bernier: Mr. Chairman, if I might answer that, fire trucks are equipped with radio equipment so that they can be in contact with other groups. The fire packages are not as sophisticated in that they are much smaller in nature and they don't require that kind of sophisticated equipment. It's quite

elaborate. In fact, the fire marshal's office gave us excellent co-operation in designing these special trucks that have the pumping equipment on the exterior of the vehicle. They're not sophisticated like you'd find in Metropolitan Toronto, where the equipment is highly sophisticated and built into the truck itself.

These trucks, which have an 800-gallon capacity, have a pumping unit mounted on the front so all the controls are accessible, easy to repair and easy to maintain. There's a minimum amount of training necessary to get people involved because they're not working with high-pressure hydrants, they're not dealing with 10-storey buildings, and the fire marshal took that into consideration when he designed both the truck and the fire packages which are being distributed across the north now.

Mr. Haggerty: Has the minister considered providing a training school in northwestern or northeastern Ontario? I believe many of the firemen now travel from southern Ontario to the fire college at Gravenhurst. Has he considered perhaps having training facilities in one of the colleges in northwestern or northeastern Ontario?

Hon. Mr. Bernier: Yes. Last year we began our program by providing some extra funds directly to the fire marshal's office so that they could contract knowledgeable retired firemen who went around the north to make assessments as to what each community required and to establish certain priorities within certain communities. Since then, the fire marshal's office has embarked on a training program.

In fact, we've had two training courses already, one in Timmins and one in Thunder Bay, where we bring the volunteer firemen down to a major centre and the fire marshal's office is there with all the equipment and all the slides and they go through a two-day training program. In addition to that, of course, when the equipment is delivered, the fire marshal goes in, and he has requested something like 60 hours of training be given to those volunteer firemen who will operate the trucks in these various communities. There is an intensive training program.

You will note that we have provided the fire marshal's office with four-wheel-drive vehicles which will be used to take personnel from the fire marshal's office in and around the small communities in northern Ontario. That came out of the isolated communities fund.

Mr. Bolan: Mr. Minister, while we're on the subject of badges, which was raised by

the member for Sudbury, I have a rather interesting little badge here which bears your name. Perhaps you might give some explanation of the significance of it. It's en français, and it says: "On s'amuse dans le nord, Ministère des affaires du nord. Leo Bernier, ministre Tom Campbell, sous-ministre." Translated, incidentally, it means: "We amuse ourselves in the north." What is it that amuses the minister about the north? Is it the high rate of unemployment? Is it the fact that industry is lacking? What are the other things they do, to amuse themselves, the minister and the deputy minister, in their travels through northern Ontario? I would find it very amusing, frankly, to hear the minister's answers.

While he is musing over the answers to give, I would like to ask something in a more serious vein. Is the minister aware of the tornado damage which was done in the Rainy River area, around Emo? This is information that was provided to me by the member for Rainy River (Mr. T. P. Reid). Apparently some tornado damage was done there to the tune of about \$1 million.

Obviously the minister is not aware of this matter. I have been requested by the member for Rainy River to raise this and to ask the minister about it and to ask him if there will be any assistance forthcoming to the people who incurred damage from the tornado. If there is damage, and presumably there is, I suppose I would ask the minister to consider assistance just like the assistance the minister provided to the town of Cobalt last year following the holocaust that took place there. Perhaps the minister or someone from his ministry has some information about that.

Hon. Mr. Bernier: We don't have any information at our fingertips, Mr. Chairman, but we'll look into it. This is an area, of course, of concern to us. We have been very much involved in the disasters across the north, as the member knows—in Kashechewan, in Cobalt and in Thunder Bay—and where there is personal hardship, we will look at it very carefully. I'll be glad to look into it and report back to the member for Rainy River.

If I might go back a couple of steps, Mr. Chairman, I would point out to the honourable members that the community of Whitefish Falls is getting its fire truck today. They have asked us to delay the delivery of that fire truck until this evening, because they're having a community dance, a large community dance.

Mr. Warner: And they want you to drive the fire truck!

Mr. Nixon: Get those Beavers mobilized and we'll all go up.

Hon. Mr. Bernier: To show the enthusiasm that exists in these small communities, they said: "Hold up the truck until this evening. We're having our community dance and we're raising funds to build our new fire hall. We want everything to be co-ordinated so that when the truck arrives, the community will be in an excellent mood and the pride that will be spread across the community will be just tremendous." It's that kind of small-town attitude, I suppose one might say, that exists in the north.

Mr. Warner: Are you going to drive this truck? That's what we want to know.

Hon. Mr. Bernier: The appreciation is there, and the passing of these estimates will make sure that this kind of program is continued and extended. All honourable members are part and parcel of the tremendous things that the Isolated Communities Assistance Fund is doing in northern Ontario.

Mr. Warner: Maybe you can make up some more buttons.

Mr. Germa: Mr. Chairman, it's a measure of the desperation in northern Ontario when the delivery of one fire truck is the event of the year. That's about how it's measured. One can't understand the minister being so happy about this: "We now have a fire truck. We're in first gear again; we're back on the rails." It's not like that, I say to the minister. Sure, everybody might get jumping around their new fire truck tonight, but that's really not how you measure a community. Let's not try to sell that across the community.

To get back to these fire trucks, the minister didn't say what the capacity was of these pumpers. Let's assume that it's a standard 600 gallons per minute.

Hon. Mr. Bernier: It's 800 gallons per minute.

Mr. Germa: Eight hundred gallons per minute? It's going to take some well to supply that vehicle. I'd hate like heck to see us spend a big buck—I don't know how much the ministry is paying for each truck—to go into a community and find out that in three minutes we've pumped the well dry. I've experienced that and I've seen towns burned down.

[12:00]

Sure, we have a nice big yellow truck pumping 800 gallons per minute, but if the well goes dry in three minutes, and that's how most of them function, where are the

guarantees in these six communities where you have put trucks? Has the water supply been guaranteed to deliver 800 gallons per minute? As far as I know none of these communities that you have listed has a municipal water supply system and I don't know where you are going to get 800 gallons per minute out of any well. I have never seen that well.

Hon. Mr. Bernier: Mr. Chairman, I should point out that the truck is designed for that type of firefighting in the small communities. The fire marshal has very carefully assessed these communities. Many of these communities, as the honourable member I am sure is aware, are located on a lake or on a river so that there is an excellent supply. Where there isn't that supply of water on a continuing basis, with the co-operation of the fire marshal, at his suggestion we will be installing underground tanks at strategic spots within the community that will allow the fire equipment to get a resupply of water in case of a disaster.

I can assure you those matters are being looked at and are very much in consideration when a fire truck is put into communities. It's useless, as you correctly point out, to put in a fire truck with only 800 gallons of water; there has to be some continuing supply. It's obvious the funds are just not available for the setting up of a normal water system, complete with tank and reservoir, in these small communities.

Mr. Haggerty: You won't put out a lot of fire with 800 gallons.

Hon. Mr. Bernier: They haven't asked for it. They realize the problem. They are very practical people, and they say, "Give us the basics," and with their co-operation and assistance we are going this particular route and I am confident it's going to work.

Items 2 and 3 agreed to.

Vote 902 agreed to.

On vote 903, regional priorities and development program; item 1, regional priorities:

Mr. Germa: Mr. Chairman, I think the minister has announced a new \$2.5 million program to stimulate mining exploration in the north. I would like to know how the minister is going to get this money on stream. Is he forming a crown corporation to go out and do prospecting? Is he going to be subsidizing private prospectors? Maybe he could run through this program of mineral exploration in the northern part of the province.

Hon. Mr. Bernier: Mr. Chairman, these will be funds that will be transferred to the

Ministry of Natural Resources. We, as our mandate indicates, will search out the priorities where we think emphasis should be placed and one of them was geological surveys right across northern Ontario. The Ministry of Natural Resources will carry out those surveys. They will consist of aeromagnetic surveys in the Red Lake and the Marshall Lake areas, geoscience surveys in northeastern Ontario, engineering terrain analysis and mapping in the New Liskeard area and peat deposit surveys in the Thunder Bay area. In addition, we will do additional surveys for additional lignite deposits in the James Bay lowlands.

The purpose, of course, is to stimulate exploration by the private sector and encourage expansion of the mining industry with additional information. We are not going into a crown corporation. The Ministry of Natural Resources has indicated to us if additional information could be gathered, additional data could be pulled together and given to those who may be interested in working in that particular area, then that would be very beneficial to the mining industry.

In addition, we will be doing a mineral aggregate inventory, mapping on the basis of aerophoto interpretation and ground sampling of materials that are identified, with detailed mapping of aggregation in target areas—the Lake Timiskaming, Cobalt and Englehart areas. The effort behind the mineral aggregate inventory is to identify the size and location of aggregate resources in northern Ontario and to determine characteristics of terrain as the basis for planning land development such as new town sites and transportation corridors. This is a new initiative, one that's being funded by the Ministry of Northern Affairs and being undertaken by the Ministry of Natural Resources.

Mr. Germa: The way I understand it, then, this money will be funnelled from your ministry into Natural Resources and into the private sector, if I follow what you said.

Hon. Mr. Bernier: We are gathering the information, as we have been doing over the past number of years—doing the mapping, the surveys—and making that information available to those who would be interested in continuing further explorations. That is the whole idea behind it.

Mr. Germa: As far as aggregate is concerned: do we know anything about aggregate in northern Ontario now? Do we have the figures?

Southern Ontario in a few short years is going to be in trouble and they are going to start hauling northern Ontario down to southern Ontario. I think you see that. Do you not? I can see that in the next 20, 25 years, we are going to be ripped right out as far as aggregate is concerned. I understand that the biggest aggregate deposit left in Ontario is underneath the Sudbury airport, is that correct?

Hon. Mr. Bernier: I am told that is correct. I think the member has touched on a very interesting point. That is something the Ministry of Natural Resources recognized too—that they had to get a better handle on the aggregate inventories of northern Ontario.

When they came to us with that proposal, certainly we felt the same way in our ministry, that we should be doing a much broader inventory and getting information that will allow us to plan properly for the future.

Some of the problems in southern Ontario exist because the long-range inventories have only now been brought together. It is only in the last few years that they have been conducting aggregate inventory studies in southern Ontario. We hope to be ahead of that and this is why we are putting money with the Ministry of Natural Resources in doing those surveys.

From the reports I have had, if my memory serves me correctly, you are quite right in saying one of the largest aggregate deposits in northern Ontario is in the Sudbury area adjacent to the airport or underneath the airport. Had we had that information, I suppose, 10 or 15 years ago the airport may well have been built somewhere else. We could have developed those resources in the best interests of the community and found a new location for an airport.

But those are the kinds of things we hope to correct in the future and that can only be done by including the information we have and getting a better handle on the inventories.

Mr. Germa: I fear for the life of my airport, Mr. Minister, now you confirm that this is the biggest known deposit left. Given the strength and the power of the aggregate people in the southern part of the province, is there anybody right now dickering or negotiating to try to dig Sudbury's airport out and make it a great big hole?

Hon. Mr. Bernier: No, not to my knowledge. I have never heard anything along those lines.

Mr. Germa: I hope you would keep your eyes and ears open as you travel through the various board rooms and golf clubs around

southern Ontario to see that Conn Smythe or somebody doesn't find out about that deposit and come an attack us. I am very fearful about that.

Mr. Warner: That is your job, Leo.

Item 1 agreed to.

On item 2, northern roads:

Mr. Germa: There is a \$1 million cut here. I wonder if the minister has detailed which project he is pulling back on as far as road construction is concerned?

Hon. Mr. Bernier: We haven't got a specific handle on that information as yet. A lot of the preliminary work has to be done with regard to planning, engineering and design-work.

As I indicated earlier, it is now our decision to keep our program intact, but there will be a delay in the calling of certain programs and certain construction programs.

What I can indicate to the honourable member is the Bending Lake road that will go from Atikokan north of Ignace—I think it was originally intended we would call that early in August—is now being called in November. So it is that kind of thing we are doing to comply with the Treasurer's request to have a cash flow of a million dollars less in this fiscal year in this vote.

Item 2 agreed to.

On item 3, resource access roads:

Mr. Wildman: I wonder if the minister could indicate to us what policy, if any, the government and his ministry, in the role of co-ordinating those policies for northern Ontario, have with regard to the closure of resource access roads?

There seems to be some confusion, since once a road is built it's supposed to stay open, I understand, if provincial taxpayers' funds have been spent on it. That doesn't mean necessarily that the government is going to maintain that road—it might not be maintained; the gravel and grading and so on—but that it will not be closed. However, in some instances roads are sometimes closed by digging a big trench across them or arranging a flash flood or whatever. I would like to know what the policy is.

Hon. Mr. Bernier: If I can recall, in my experiences in the Ministry of Natural Resources, there is no real established government policy per se on that particular point. The decision is usually left up to the district manager who has responsibility for his specific area.

In many instances, the access road to which the member has referred was built for a

specific purpose—maybe for a forest regeneration program or to extract a certain species of timber, or to open up a specific area for a specific reason—and that reason or that need has ceased to exist.

Therefore, in the interest of maintaining a certain amount of control and a certain amount of wilderness aspect, so to speak, in some of our northern areas, the Ministry of Natural Resources has taken upon itself that this road should be closed. Once a road is opened there is nothing that says that the road will continue to be open just because we've spent public funds on it. It's usually built for a specific purpose and in their wisdom and in their judgement, if it should be closed it is. In my own area many of the tourist outfitters use some isolated lakes as a resource for fly-in camping. They get very upset when roads are punched into all these lakes and it destroys the wilderness atmosphere or wilderness aspect of it. They take no objection to Canadians flying in like they do, and Ontario residents.

The paper companies have been doing this in a number of instances; where they come close to a lake on a Friday afternoon the fellow will take the bulldozer and run down to the shore of the lake and he's got a beautiful fishing hole for the rest of the summer. It does create problems when you're trying to promote multiple use of our resources.

To my knowledge specifically, there is no policy with regard to closures. It's usually up to the district manager.

Mr. Wildman: Is there any policy of consultation with the local tourist outfitters and local inhabitants on the disposition of a resource access road—not just after it's been finished, let's say after a paper company is finished using it, but even prior to it being built, as to the location, that would protect the interests of the tourist outfitters as well as the interests of the local inhabitants?

Hon. Mr. Bernier: I'll just relate to you what has happened in the northwest, because I'm very much involved, where the consultation is an ongoing one with the pulp and paper industry and with the tourist outfitters and with the hunters' and anglers' association. They are involved in some of those decisions as to whether they want to open or close certain lakes. The discussion is a very healthy one.

Mr. Wildman: If I could ask a question on a specific road, could the minister tell me what contact the ministry has had with Dubreuil Brothers Lumber Company regarding the road from Highway 17 into Dubreuilville and what might be done to improve

that road? I know the gate is lifted now and people can drive in and out without having to phone two days ahead and get permission, but the gate is still there. I don't know whether that means it might be lowered again in the fire season. What is happening with the gate? What is happening with the road and are there any plans to have that road improved?

[12:15]

Hon. Mr. Bernier: I don't have any specific information at my fingertips, but we'd be glad to get it and send it to you in answer to your questions.

Mr. Germa: Those resource access roads which were privately built have been a source of aggravation for many years to many people. They just don't understand why a road is not available to them at some point in time, depending on the whim of the operator who owns the road. I think a proposal was made some time ago that despite the fact that a lumber company or a pulp company incurred the expense of building the road, there should be some way you work out access.

I've been trapped myself at midnight on a lonely road heading from Sudbury to Chapleau when I tried to take a short-cut through Brown Forest Products. The gate is normally open and access was allowed. But I arrived in the middle of winter; it was 40 below zero and 11 p.m., and there I was with the gate down. You're 50 miles from civilization—what does one do?

Have you ever tried to put together a plan whereby these private access roads would be available to travellers in the north?

Hon. Mr. Bernier: Yes. Again I can call on my experience in the Ministry of Natural Resources where we entered into an agreement with the paper companies who had exhausted all their resources. There were no public funds in those particular roads. We entered into an agreement of shared responsibility for maintenance of those particular roads and then they were opened up to the public in general.

The paper companies, of course, are very concerned where there is an ongoing operation, particularly during the high fire season and during the hunting season, because of the danger of fires. They do put gates on those private roads where a major operation is going on.

The last year I was with Natural Resources we made some significant steps forward with regard to Spruce Falls in the Hearst area where we took over a number of roads, or at least assisted in the maintenance of them.

Those roads now have been opened up to the public.

I think the attitude among the paper companies has changed considerably in the last five or 10 years. I know in the northwest there isn't a company now that closes off its roads, except in the areas where they are actually working and have some cutters employed. All the other roads are open to the public. However because they have usually finished their extraction and maybe even their forest regeneration program, there really isn't any need for ongoing maintenance on those access roads.

If there is one complaint you hear in the north or the northwest, it is that there are too many of these access roads and that they are being inundated with those "pork-and-beaners" from across the border who are making use of our valuable crown land resources at basically no cost, leaving their garbage behind and not contributing to the general economy of the area.

We do have an effective program that's working very well, the last one we negotiated in Northern Affairs. The assistant deputy minister in Kenora, Bill Charlton, negotiated one with the Ontario-Minnesota Pulp and Paper Company to assist in the opening of that road between Kenora and the Grassy Narrows reserve. Our ministry is sharing now with the federal Department of Indian Affairs and Northern Development the maintenance of that old abandoned Ontario-Minnesota Pulp and Paper Company road. It's open to the public now.

Mr. Wildman: Are you maintaining the road on the reserve?

Hon. Mr. Bernier: Up to the reserve.

Mr. Wildman: Yes, but not on the reserve.

Hon. Mr. Bernier: Not on the reserve, no.

Mr. Wildman: There is some dispute about that.

Hon. Mr. Bernier: There was, yes.

Mr. Wildman: There still is.

Hon. Mr. Bernier: We have no responsibility on the reserve.

Mr. Germa: The point I'm trying to make is that there are private roads, which would add to your network of public roads, such as the one I mentioned that cuts across from the Timmins highway to Chapleau. If you didn't have that private road you'd have to make an extensive detour which adds another 120 miles. That one particular 40-mile strip of private road could be an integral part of the public system. I am not asking you to take over every private road or interfere with every private road but just those private roads

which automatically fall into that category because of their geography and what they link up. They naturally fall into the road network around them because they connect to public highways on both sides.

That seems natural and normal for a strip such as that one. I am sure there are others across the northern part of the province which fit in beautifully with the rest of the highway program. Those are the ones I am asking about. Has the minister ever thought to look at a map and see those private roads which naturally fit into the rest of the transportation program and put them under public ownership?

Hon. Mr. Bernier: Yes, we share your views with enthusiasm, I might say. Just last week, the Minister of Transportation and Communications (Mr. Snow) entered into an agreement with E. B. Eddy Forest Products on the road to which you refer. That's the Sultan road on Highway 144. Effective May 17, this road became a public road. It will cut off about 100 miles on an east-west trip. The goal and one of our priorities is to upgrade that particular road. Now that it is in public ownership, so to speak, the public is allowed to use it and we share the costs of maintenance and will be spending funds to upgrade it.

You are right on when you say we should be doing more of this. Certainly we will because it makes good sense for those of us who live in the north.

Mr. Germa: I am pleased to hear that. I didn't know you were negotiating transfer of that road. I shouldn't look a gift horse in the mouth, but what kind of financial transactions have to go on in order to bring the private road of a pulp company into the public domain? How do we go about that?

Hon. Mr. Bernier: As I understand it, we get into an agreement that is signed by the minister. It is called designation of an industrial road. It is a proper legal document under the Public Transportation and Highway Improvement Act, Revised Statutes of Ontario, 1970. We are taking over a total of 47 miles. I don't have anything on the actual costs. I will try to get the figures on that. Maybe we can get information on Newwaygo too, for the member for Algoma. I don't recall Newwaygo.

We have just had a report from the member for Nipissing in connection with the Rainy River storm which occurred on May 26, last Friday, in the Emo and Devlin area. It was mostly damage to farm buildings. One house was severely damaged. Most of the damage was covered by insurance I am told.

Our northern affairs officer, Fred Whitehead from Fort Frances, has already been in there. We have had one inquiry for assistance and we will be dealing with that.

Mr. Bolan: If I may follow up on that, I realize that you just have one inquiry. However, with your ministry officer up there, would you be able to put some kind of assessment on the actual damage which was caused? Furthermore, may I suggest to the ministry that it try to find out which people have suffered damages and tell them there is something which the Ministry of Northern Affairs can do with respect to their claims. In other words, go to them; don't wait for them to come to you.

Hon. Mr. Bernier: We have already been there. As I pointed out to you, our northern affairs officer has already been there, but we will certainly follow up on the suggestion you have made.

The member for Algoma (Mr. Wildman) has left. We have information on the Newaygo road that goes from Oba to Mead and then on to Hearst. We are looking at the estimated cost, the industrial needs and other uses, and a report will be submitted to the next meeting of the Northern Ontario Resources Transportation Committee.

Mr. Germa: Could I ask the minister, Mr. Chairman, about snowmobile trails? A few years ago this was a subject matter of high intensity, and my estimation of the situation is that it has gradually settled down. Is that the impression you get? What sort of activity did we have last winter in snowmobile trail construction? How many new miles were put in? What sort of activity did you have going in that field?

Hon. Mr. Bernier: Mr. Chairman, last year we contributed just about \$35,000 to the Ministry of Natural Resources for snowmobile trails, but this amount of money was mainly for those snowmobile trails that existed in the remote Indian communities or northwestern Ontario. We as a ministry were not involved in the providing of funds to the snowmobile clubs across Ontario for the grooming of their trails. That is the total and full responsibility of the Ministry of Natural Resources. I regret I just don't have any information, but you might want to direct that question to my colleague, the Minister of Natural Resources (Mr. F. S. Miller).

The only involvement we had was assisting those Indian communities in the northwest to the tune of \$35,000 for snowmobile trails. But you are quite right; in my assessment the pressure for increased snowmobile trails is diminishing. I think the clubs are

becoming a little smaller. There is no question that the snowmobile fad in northern Ontario is diminishing. There are several good clubs getting assistance from the Ministry of Natural Resources, but anything further than that I don't think I can help you with.

In answer to your question concerning the financial arrangements with regard to the Sultan road—Highway 144—the sharing of the maintenance costs is what allows the public to move in. We pay 75 per cent of the cost of the maintenance of that road which is designated as an industrial road, and the company that still uses the road pays 25 per cent. So it is just an agreement on the on-going maintenance cost from here on in. It will open it up. It is not a road that is designated as a provincial highway as yet, but our intentions are to go that route.

Mr. Germa: Is this a first for Ontario that we have a road which is open to the public but really not a provincial highway? It is somewhere halfway between?

Hon. Mr. Bernier: This is not the first. We have entered into this agreement on several occasions across northern Ontario. I know we did in the Hearst area and certainly in the Kenora area. Where a company has made a major expenditure on a road and their use has ceased, then they will pay 25 per cent. We open it up to the public and we pay 75 per cent of the ongoing maintenance costs. So it is one we enter into on a fairly regular basis where there is a need and where the public has shown an interest and there is a public necessity.

Mr. Germa: What if you come to a determination where a capital construction should go forward? Is the owner of the road still involved in that? Otherwise I see that this road is going to stay in a static position while this particular agreement is in effect. Can we in some manner do some capital construction or improvements on that?

Hon. Mr. Bernier: I just have a correction on that. It wasn't 75 per cent, it was 25 per cent which the province pays; the company pays 75 per cent of the maintenance costs.

In many of these roads the additional capital construction is relatively small, and that is usually taken by the company themselves because they are the principal users. But once they have abandoned the road then we look at it from a provincial system point of view. If it is worthwhile and it is in the public necessity then we will certainly go that particular route. But it is 25 per cent paid for by the province and 75 per cent by the company.

[12:30]

Mr. Germa: Does the company do the maintenance, or is it done by the province of Ontario?

Hon. Mr. Bernier: That can be worked out. In some instances, if they have the equipment they do it and we pay our share. In other instances, we hire the private sector to do it and we share on a 75-25 per cent basis. Sometimes we ask the Ministry of Transportation and Communications to do it. There are a number of ways of doing that maintenance.

Mr. Bolan: I would like to follow up on the question of the resource access roads, particularly the private roads. On many occasions, you have spoken both in this House and outside of the House about the geographical position of northern Ontario in that it comprises approximately 90 per cent of the land mass of Ontario, yet it has only 10 per cent of the population.

That being the case, the question of roads in northern Ontario becomes very important, particularly so because of the very sparse population spread out over a vast mass of land. Yet the very interesting part of it is that throughout northern Ontario you have a myriad of private roads. I don't mean the old tote roads or old bush roads, but the private roads which are presently being maintained by lumber and mining companies. Would this ministry embark on a program of examining the network of private roads which exists in northern Ontario?

Eventually, the time will come when we will have to build more roads in northern Ontario. However, when you already have this network of private roads, it might be feasible for your ministry to negotiate some kind of an agreement with the lumber companies, or the people responsible for the construction of these roads, which would give the ministry access to these private roads when the need arises in five or 10 years time.

Some of these private roads are very well maintained right now. They are used every day. I'm sure you see many of them in northwestern Ontario. We don't have as many in northeastern Ontario because we don't have the lumber or pulp business which your area of the province has. However, there are some roads, particularly in the areas around Cochrane and Kapuskasing, where there is a large pulp industry. I am wondering if some arrangement could be agreed upon with the companies for the joint financial responsibility for the maintenance of these roads, with the eventual goal, I suppose, of taking them over.

The roads are already there. It's a question of establishing more links in northern

Ontario, where people often have to make long roundabout trips to get from one place to another.

I was looking at a map last week of an area around Temagami. It was a topographical map and I was amazed at the number of roads there were, many of which could be used.

You may not wish to have to make financial arrangements with the owners who have spent money on these roads over the past 25 or 30 years. Nevertheless, there are still some major private roads in northern Ontario which I feel would be of benefit to the people of northern Ontario if some usage could be made of them in direct participation with your ministry.

I think it's a policy which is deserving of your ministry to look into and perhaps we could see something of that nature in the future.

Hon. Mr. Bernier: The point is very well taken, Mr. Chairman. It's certainly a concern I share. I just want to repeat that we've had some considerable success in the past, and your suggestion that we carry on and maybe accelerate it is an excellent one and I'll take it under consideration.

Item 3 agreed to.

On item 4, agricultural development:

Mr. Germa: Could I ask the minister if he is monitoring what is happening in the Sudbury district as a result of the lessening of SO₂ fallout in our valley areas? We have an area there which is absolutely unique. It was, at one point in time, a producer of agricultural products, but over the past 30 or 40 years, with the fumigations coming from the operation of Falconbridge and Inco, most of those farms fell into misuse and disuse and hobby farming.

I believe there is potential there, considering that the pollution index for the past couple of years has been reasonably good compared with other communities in the province. I'm just wondering what's going on in the valley area. We have an area there, probably 10 miles wide and 30 miles long, of good soil which was put out of commission because of an artificial pollutant. Can you tell me what you're doing? Are you monitoring the situation? Is there any hope or any potential to rehabilitate that land?

I know there are some small operators still going, but at one point in time we used to win Canadian championships for potato production out of that same valley, so close to the mining community. I think the soils are still there. I know they are polluted to

some degree, but you must have some expertise on that one.

Hon. Mr. Bernier: Mr. Chairman, this is one area that was identified by the regional municipality of Sudbury when it came to us shortly after the Inco announcement and wanted to look at a study of import substitution and also to look at, as the honourable member has correctly pointed out, the decline in agricultural activities in the Sudbury basin.

They felt that there is a tremendous potential here, as the member has pointed out, so we have granted the regional municipality \$300,000 for those studies that are going on now to see if we can reactivate the agricultural community in the Sudbury area. The results of those studies will not likely be known until later this year, but we'll make sure that you're kept fully abreast of them.

This particular vote deals directly with transfer payments to farmers in the north for materials, equipment or fertilizer and for the cost of land breaking and farm education programs in northern Ontario to the tune of about \$500,000, and then loans to farmers for tile drainage in unorganized areas of about \$100,000. That takes up this, but our involvement in the Sudbury area relates directly to the studies that are going on now and being undertaken by the regional municipality.

Mr. Germa: Could I ask the minister who, in particular, is doing these studies? Did he say that he was evaluating the potential of that farm land?

Hon. Mr. Bernier: The regional municipality of Sudbury is responsible for the setting up of those particular studies. We will be working very closely with them, but I don't have any specifics as to who is actually doing the study for them at this point in time. They are off and running. The sums have been confirmed and approved and the work should be right in progress at the present time.

Mr. Bolan: Mr. Minister, under item 4 of vote 903, there is an agricultural development grant of some \$500,000 and I have the breakdown of how these funds are to be allocated. Under its item number 2, assistance on land clearing and breaking, I notice there is a grant of \$30 per acre or 10 acres per year, but there's a sort of a kicker on it that says clearing and breaking is only permitted to enlarge existing farms.

Don't you feel your ministry should consider a policy which would allow for the breaking and clearing of land not only on existing farms but also on other land which may be considered farm land?

Contrary to what many people believe, there is a wealth of farm land in northern Ontario. In northeastern Ontario alone there is as an example, the Verner-Sturgeon Falls area which has some dairy farms which are as good as any you will find in the province of Ontario. Then if you want to get good agricultural land, you can go up to the New Liskeard area. That area has a huge clay belt and there has been a large provincially-sponsored agricultural experimental farm there for some time which is really of benefit to the residents of that area.

Farming is nothing new to northern Ontario. And in view of the fact that we are losing more and more of our particularly rich farm land in the growing belts of southwestern Ontario, perhaps the ministry might want to look at developing a program which would assist the development and clearing of new land other than existing farm land.

I know for a fact, and I am sure the minister is aware of this, that there are many tracts of land yet to be developed which can be used for farming. I'm also sure the minister is aware of the fairly heavy costs of clearing land today, with the type of labour and mechanical equipment required. Would the minister say whether or not he is anticipating, or is prepared to consider, a program of that nature?

Hon. Mr. Bernier: The honourable member is quite right, agriculture is certainly not new to northern Ontario. In fact there are some very rich fertile areas of northern Ontario that haven't even been touched yet and I refer of course, to the New Liskeard, Thunder Bay, and Dryden areas, and certainly Rainy River.

The moneys here for which we seek your approval are for transfer payments of about \$500,000 and then, under the Tile Drainage Act, \$100,000 to assist those farms in unorganized areas obtain loans for tile drainage.

On the question of clearing, we have had discussions with the Ministry of Agriculture and Food, which under the ARDA agreement, is most interesting in getting on with some programs. The latest discussions have been in connection with a major land clearance program in the Rainy River area where the member for Rainy River (Mr. T. P. Reid) has been persistently bringing to our attention the need to get a program going.

We have started moving in that direction with a study of the area, which Northern Affairs is funding, to look at the potential and to work with the farm community itself during the course of this summer, as a first step to get a major land clearing program in

place and moving ahead. The program we have talked about for Rainy River—I use that as an example because I am familiar with it—is in excess of \$17 million, so it's a very substantial one.

But you are quite right in saying that we must spend more time and effort in this particular field and certainly with the co-operation we are getting from Agriculture and Food, we intend to do this.

Mr. Bolan: Thank you for your reply, Mr. Minister. I am pleased to hear that. That's an encouraging sign. You know people identify us in northern Ontario as a bunch of hard rock miners and lumbermen. Well, we have those people, of course, and they have contributed so much to the development of the north—

[12:45]

Mr. Nixon: And a few lawyers.

Mr. Bolan: We have a few lawyers as well—but we also have farmers, and again they have contributed quite a bit to the development of northern Ontario.

The other items you have on this page are assistance programs for the purchase of commercial fertilizer, for example, or for the purchase of weed sprayer, fencing and what have you. I have two questions on this.

What criteria must be met by the individual farmer for him to get the benefits under this program? Does it depend on the size of the farm? Does it have to do with the acreage? Does it have to do with the type of farm? Does it have to do with the type of food that is grown on the farm? What are the criteria which the individual applicant must meet?

Secondly, what kind of a program does the ministry have for the dissemination of information to the areas in northern Ontario that are concerned about agriculture? For example, does it have a pamphlet distribution program? Does it have these at its northern affairs offices in northern Ontario?

I wonder if the minister could comment on both of those points:

Hon. Mr. Bernier: Mr. Chairman, many of the funds under this particular vote are granted on a percentage basis. Some are at 20 per cent, and some are at 50 per cent, where they put up a portion and we put up a portion, and this type of thing: so their own resources have a certain limitation on the various things they can ask for. You know, 15 per cent of the cost of fertilizer purchases is available up to a maximum of \$100 to \$300 per farm; so it is based on the farm capability and it is all channelled through the agricultural representative, who is in the area and

very knowledgeable of that particular operation. The actual criteria in the application are determined on a very local basis, so there is no particular problem. I have to say that there is a limitation on the size of the program as it relates to the availability of funds from the individual farmer.

In connection with the information, yes, we do have a very extensive information package in co-operation with the Ministry of Agriculture and Food where we disseminate information through our northern affairs branches right across northern Ontario. There are something like 29 branches now; so we can give them excellent coverage for those brochures.

Mr. Bolan: Just one other question on this and possibly another question after that: The minister says these types of assistance are done through the agricultural representative in the area; presumably that is under the Ministry of Agriculture and Food. How does this agricultural representative liaise with the Ministry of Northern Affairs on the determination of these various applications? Does the Ministry of Agriculture and Food have programs of its own, and how are they differentiated from this ministry's programs? More importantly, how does this ministry liaise with the agricultural representative to see to it that these various applications and what have you can be dealt with effectively?

Hon. Mr. Bernier: The co-operation is extremely good between the northern affairs officers and the regional office. Many of these funds are transfer payments directly to the Ministry of Agriculture and Food; so we just move X dollars over to them. In some instances, because the Ministry of Agriculture and Food does not have a representative there, we take the lead because we are spread around the north and we have a presence there. The co-operation and liaison is two ways, you might say, but it is very effective; it is starting to gear up now.

We felt we should be involved in the agricultural community because of the future there is in agriculture. We were involved in the development of communities, roads and tourism, and certainly agriculture is an area we should have involvement in. With the co-operation of the Ministry of Agriculture and Food we can do this, and it's working very very well.

Mr. Bolan: This is not right on point; well, I suppose it is. There is a private member's bill before this House on the question of a food terminal for northern Ontario. In fact, this was introduced by the member for Cochrane South (Mr. Pope). I'm wondering if

your ministry has anything to do with looking into the question of a food terminal in northern Ontario. I disagreed entirely with where this terminal should be placed.

I can't see the sense of bringing all kinds of lettuce and foodstuffs up to Timmins, which is probably one of the most remote parts of northeastern Ontario and then distributing it to the larger centres down from Timmins. If there is to be a food terminal, naturally the only logical place in northeastern Ontario would be North Bay, with probably a subsidiary branch in Sudbury.

In any event, this is again an area, I think in which the ministry can get involved. I say this because there's no question about it—you pay more for that kind of produce, for fresh produce in northern Ontario than in any other part of the province. We can understand that because we know the logistics involved. We know the fact that you have to transport it up there and that you're dealing with many producers and many types of produce. However, if there were a central clearing house for that particular type of operation, it certainly is something which would be not only to the benefit of the people of northern Ontario but certainly a credit to this ministry.

There are many people recently—I suppose I have been one of them too—who have criticized your ministry for being a sort of liaison between all of the other ministries that have something to do with northern Ontario. I think the concept of a Ministry of Northern Affairs is very sound. I really think it is. I think it can be more than what it is now. I realize it's only a year old. Nevertheless, I really feel that it can be a ministry which can develop policy for the development of northern Ontario and that it's just not a ministry through which cheques are sent from the other ministries to pay for roads or whatever the case may be.

As you know, much of the work which is done through your ministry in conjunction with other ministries was, in fact, done by many of these other ministries before—and that's without trying to take anything away from your own ministry. I think it's a good opportunity for this particular ministry to start developing additional policies other than merely an extension of the existing policies which some of the ministries have in northern Ontario. I would like to hear your views on that, if I may.

Hon. Mr. Bernier: That's a very sensitive area. There's no question about it.

If I may, with the full support of the member for Nipissing, congratulate our colleague

from Cochrane South for the enthusiasm and initiative he has shown in bringing to the attention of this Legislature the need for a food terminal in northeastern Ontario. I think he deserves the full credit of all members from northern Ontario. Certainly he's getting it from this particular ministry. We do think it has significant merit.

I might point out to the member for Nipissing that we are presently working out terms of reference for a study on agricultural marketing in northern Ontario and the question of a food terminal in northern Ontario is part and parcel of that overall study. We are involved from a northern point of view, I might say. This is the whole thrust of our ministry, as you correctly pointed out, so that we can advance the thoughts and the ideas and the needs of northern Ontario through these studies and lean on and liaise with those other ministries that have the line responsibilities. We're doing that and it's well in the works now.

Mr. Bolan: I have some questions on this. May I ask who's carrying out the study; how long do you expect the study to take place; how many people are involved in it; and just what is being studied? I wonder if you would be able to expand on the study. Does it cover all of northern Ontario or a certain region? Is it being done in conjunction with the Ministry of Agriculture and Food and what have you?

Hon. Mr. Bernier: I don't have those specific details at my fingertips, but I'll get them. We'll correspond with you on all of those little points you have brought out.

Item 4 agreed to.

On item 5, rail and ferry services:

Mr. Germa: We have a \$10 million estimate here for a subsidy to the Ontario Northland Transportation Commission. I believe that's the total responsibility in the item. Could I ask the minister about his relationship with the Ontario Northland Transportation Commission? He says in the briefing to us: "The Ontario Northland Transportation Commission provides rail and ferry passenger services in northern Ontario. The Ministry of Northern Affairs reimburses ONTC for the net operating losses incurred in the provision of these services." Is that your only relationship with ONTC, just to reimburse ONTC for net operating losses that are incurred? Do you have any more connection with the operation than that?

Hon. Mr. Bernier: As you know, they report directly to the Ministry of Northern Affairs. There is a board and chairman. We

meet with them on a regular basis. I was in North Bay just last Wednesday meeting with the ONTC board. The policy directions come from this ministry. The everyday operating services are operated by the commission itself. Policy decisions are generated within the Ministry of Northern Affairs. The relationship is a daily one, to say the least. We have the ferry and bus services, transportation, rail lines and norOntair. We're involved on a daily basis with policy decisions as they relate to that excellent transportation system.

Mr. Germa: I'm looking at the breakdown of some of the figures here. It would appear that on the Chi-Cheemaun we made \$104,000 on the ferry service between Tobermory and Manitoulin Island. I wonder if you could give me a figure on the Polar Bear Express operation? It appears to me that is a somewhat similar operation. It is a tourist exercise. It seems to be very heavily patronized, as is

the ferry. I wonder if we are making a few dollars on that operation?

Hon. Mr. Bernier: I would like to report something a little brighter than I can. Last year we had an operating loss of \$104,000. There was \$296,000 in revenues and about \$400,000 in expenditures. We hope to change that this year, I might say, with an aggressive improvement to the service itself, through improvements to the tourist attractions at Moosonee and Moose Factory and through an advertising program here in southern Ontario. You'll see that take effect. In fact, that was one of my purposes for going to North Bay on Wednesday last.

On motion by Hon. Mr. Bernier, the committee of supply reported progress.

On motion by Hon. Mr. Wells the House adjourned at 1 p.m.

APPENDIX

(See page 3089)

ANSWERS TO QUESTIONS
ON NOTICE PAPER

LAND TRANSFER TAX EXEMPTIONS

48. Mr. E. Ziembra (High Park-Swansea): Further to my inquiry of April 18, 1978, what are the names, addresses and realty transactions receiving the exemptions by way of application directly to the Ministry of Revenue itself with respect to the Ontario non-resident land transfer and/or speculation tax in Metropolitan Toronto and Mississauga? [Tabled May 2, 1978.]

Hon. L. Maeck (Minister of Revenue): Since April 9, 1974, when the Land Transfer

Tax Act, 1974 and the Land Speculation Tax Act, 1974, came into force, 64 non-resident persons have, as the result of direct application to the ministry received exemption from, or deferral of, tax under those statutes. The attached schedule A lists seven exemptions unconditionally granted by regulation. Schedule B lists 31 conditional exemptions granted under the general authority of Ontario Regulation 250/76. Schedule C lists 26 conditional deferrals granted by order in council. The municipal addresses of the taxpayers named in the attached schedules were not relevant to the ministry in dealing with the requested exemptions, and consequently cannot be provided.

SCHEDULE A

Exemptions by regulation—section 18(2)(f)
The Land Transfer Tax Act, 1974

<u>Taxpayer</u>	<u>Land location</u>	<u>Land use</u>	<u>Reg. number</u>	<u>Gazette date</u>
BDH Chemicals (Can.) Ltd.	Metro. Toronto	Industrial	853/74	November 23, 1974
CEB Ltd.	Metro. Toronto	Industrial	702/74	October 5, 1974
Control Data (Can.) Ltd.	Mississauga	Residence	502/75	June 28, 1975
Melford Developments Ltd.	Metro. Toronto	Roadway	366/76	May 15, 1976
Monarch Fine Foods Ltd.	Mississauga	Residence	610/75	August 2, 1975
Trefann Homes Corp.	Metro. Toronto	Residential	142/77	March 26, 1977

Exemption by regulation—section 23(2)
The Land Speculation Tax Act, 1974

Glen Leven Properties Ltd.	Mississauga	Residential	649/76	August 21, 1976
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SCHEDULE B

Conditional exemptions by minister's grant under general authority of Ontario Regulation 250/76, gazetted April 3, 1976, in lieu of Orders-in-Council under section 16(1) of the Land Transfer Tax Act, 1974, and on the basis of the provisions of that section.

<u>Taxpayer</u>	<u>Land location</u>	<u>Land use</u>	<u>Gazette date</u>
Salameh Asusa	Metro. Toronto	Residence	July 17, 1976
Joan Illig	Metro. Toronto	Residence	August 17, 1976
Ally Wong	Metro. Toronto	Residence	August 17, 1976
Chiu Kwok	Metro. Toronto	Residence	August 17, 1976
Wai & Lai Lam	Metro. Toronto	Residence	September 11, 1976
Marie Dakessian	Metro. Toronto	Residence	September 11, 1976
Costain Estates Ltd.	Mississauga	Residential	October 16, 1976
Siu Lam	Metro. Toronto	Residence	October 16, 1976
Charles & Patricia O'Neal	Metro. Toronto	Residence	October 16, 1976
Soraya Amid	Metro. Toronto	Residence	November 20, 1976
Costain Estates Ltd.	Metro. Toronto	Residential	November 20, 1976
Mavis Developments	Mississauga	Residential	December 18, 1976
Waddy & Norma Astaphan	Metro. Toronto	Residence	December 18, 1976
Pronto Investments Ltd.	Mississauga	Residential	January 22, 1977
Victoria Wood Development Corp.	Metro. Toronto	Residential	January 22, 1977
Pronto Investments Ltd.	Mississauga	Residential	February 26, 1977
Costain Estates Ltd.	Metro. Toronto	Residential	February 26, 1977
Norman & Marie Matheson	Metro. Toronto	Residence	February 26, 1977
Peter Linnett	Metro. Toronto	Residence	February 26, 1977
Stephen Wynn	Metro. Toronto	Residence	February 26, 1977
Roger & Therese Sicco	Metro. Toronto	Residence	February 26, 1977
George Wimpey Canada Ltd.	Metro. Toronto	Industrial	April 30, 1977
Wimpey Homes Ltd.	Mississauga	Residential	June 4, 1977
Victoria Wood Development Corp.	Mississauga	Residential	July 9, 1977
Emily French	Metro. Toronto	Residence	July 9, 1977
Kingaleven Ltd.	Mississauga	Residential	July 9, 1977
Pronto Investments Ltd.	Metro. Toronto	Residential	August 6, 1977
R. Durnell & Sons Ltd.	Metro. Toronto	Residential	September 24, 1977
Costain Estates Ltd.	Mississauga	Residential	September 24, 1977
Robert Smith	Mississauga	Residence	September 24, 1977
Wimpey Developments Ltd.	Metro. Toronto	Residential	February 11, 1978

SCHEDULE C

Conditional deferrals granted by Order-in-Council under section 16(1)
of The Land Transfer Tax Act

<u>Taxpayer</u>	<u>Land location</u>	<u>Land use</u>	<u>Order-in-Council number</u>
Battenfeld Grease (Canada) Ltd.	Metro. Toronto	Industrial	3588/75
Canada Private Properties Ltd.	Metro. Toronto	Commercial	2183/76
Canba Investments Co. Ltd.	Mississauga	Residential	2912/75
Joseph & Meredith Carter	Metro. Toronto	Residence	3419/75
Shu Chan	Metro. Toronto	Residence	3435/75
Laraine Chaplin	Metro. Toronto	Residence	1745/75
Costain Estates Ltd.	Mississauga	Residential	2393/75
Costain Estates Ltd.	Mississauga	Residential	289/76
Doverhold Investments Ltd.	Metro. Toronto	Industrial	3194/76
Frank & Jane Flynn	Metro. Toronto	Residence	3394/75
Homeco Investments Ltd.	Metro. Toronto	Residential	3147/75
Vera Lam	Metro. Toronto	Residence	2898/75
Giovanni & Anna LoSchiavo	Metro. Toronto	Residence	3155/75
Manbro Investments (Spadina) Ltd.	Metro. Toronto	Commercial	941/76
McNamara Corp. Ltd.	Metro. Toronto	Residential	2754/74
MEPC Canadian Properties Ltd.	Metro. Toronto	Industrial	1167/76
MEPC Canadian Properties Ltd.	Metro. Toronto	Industrial	1494/76
Vittoria Nava	Metro. Toronto	Residence	1856/75
Pronto Investments Ltd.	Mississauga	Residential	3627/75
Helen Schmidt	Metro. Toronto	Residence	1881/75
Solomon Serbanescu	Metro. Toronto	Residence	2901/75
Shell Canada Ltd.	Mississauga	Commercial	1921/76
337035 Ontario Ltd.	Metro. Toronto	Commercial	2927/76
Lawrence Wallrich	Metro. Toronto	Residence	1650/75
Wimpey Developments Ltd.	Metro. Toronto	Residential	1853/75
George Wimpey Canada Ltd.	Metro. Toronto	Industrial	44/76

DESIGNATIONS IN STATISTICAL FILES

63. Mr. S. Conway (Renfrew North): Will the Minister of Industry and Tourism (Mr. Rhodes) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. restricted; 2. not confidential; 3. strictly confidential; 4. confidential; 5. strictly confidential, name and location published in Ontario Industrial Review if company gives consent? [Tabled May 24, 1978.]

64. Mr. Conway: Will the Minister of Labour (B. Stephenson) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not confidential; 2. confidential within government; 3. public document; 4. public document is available; 5. confidential; 6. not available; 7. strictly confidential? [Tabled May 24, 1978.]

65. Mr. Conway: Will the Minister of Natural Resources (Mr. F. S. Miller) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not confidential; 2. confidential; 3. not confidential within ministry; 4. strictly confidential; 5. not confidential within government; 6. confidential within ministry; aggregate summary available to the public; 7. not confidential—available in Ministry of Natural Resources publication, Statistics; 8. strictly confidential outside branch; 9. confidential except within government; 10. open to public; 11. confidential to anyone outside of government; 12. restricted? [Tabled May 14, 1978.]

66. Mr. Conway: Will the Minister of Solicitor General (Mr. Kerr) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each

expression exactly who has access and under what conditions: 1. Not confidential; 2. confidential except within ministry until inquest is held; 3. strictly confidential—available in aggregate form in a publication entitled, Fire Marshal's Annual Report; 4. confidential; 5. information available subject on the approval of the commissioner, Ontario Provincial Police? [Tabled May 24, 1978.]

67. Mr. Conway: Will the Minister of Community and Social Services (Mr. Norton) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Publication readily accessible and available on request; 2. basic files are strictly confidential, summaries may be obtained by approved agencies upon application; 3. publication available upon request; 4. confidential except within ministry, analysis available only to other ministries; 5. strictly confidential; 6. confidential except within ministry; 7. not confidential? [Tabled May 24, 1978.]

68. Mr. Conway: Will the Minister of Transportation and Communications (Mr. Snow) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not confidential within the ministry; 2. not confidential within branch and ministry, confidential within the government; 3. not confidential; 4. strictly confidential; 5. not confidential within the government; 6. not confidential (available to public on request); 7. not confidential within the government or with involved municipality? [Tabled May 24, 1978.]

69. Mr. Conway: Will the Minister of Treasury, Economics and Intergovernmental Affairs (Mr. McKeough) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Files are initially confidential although special arrangements exist to facilitate release of data within the gov-

ernment for restricted use by specific branches, when all establishment data are validated for a given census year, then the basic establishment description information (except head offices) becomes non-confidential; 2. data for the individual establishments are strictly confidential, aggregated data are subject to rules of confidentiality based on the federal and provincial statistics acts; 3. these data are subject to the rules of confidentiality based on the federal and provincial statistics acts; 4. not confidential; 5. restricted, available only to the government agencies; 6. not confidential (some employment data and forecasts are restricted); 7. confidential (discretion must be used); 8. not confidential (municipalities publish their financial statements); 9. not confidential within government? [Tabled May 24, 1978.]

70. Mr. Conway: Will the Minister of Northern Affairs (Mr. Bernier) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions:—Not confidential? [Tabled May 24, 1978]

71. Mr. Conway: Will the Minister of Health (Mr. Timbrell) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Strictly confidential; 2. not confidential; 3. confidential; 4. confidential except within government (exception, release of analysis of complete annual data); 5. confidential, may be released by authority of the College of Pharmacy; 6. confidential, may be released by authority of the Ontario Board of Directors of Physiotherapy; 7. confidential, may be released by authority of College of Nurses; 8. not confidential but release of names or identifiable records requires College of Nurses of Ontario clearance; 9. strictly confidential, divulged only on the authorization of the person of whom it is written; 10. strictly confidential, access permitted to research workers with written authorization of the executive director, Information Systems; 11. confidential except within government; 12. not confidential within government; 13. confidential to some extent, e.g. details of maternal deaths and specific hospital; 14. infor-

mation regarding input and output is being handled confidentially; 15. some aspects are confidential or restricted; 16. not released outside the government; 17. not released outside government (except federal documents)? [Tabled May 24, 1978.]

72. Mr. Conway: Will the Minister of Culture and Recreation (Mr. Welch) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Normally available upon request; 2. not confidential? [Tabled May 24, 1978.]

73. Mr. Conway: Will the Minister of Housing (Mr. Bennett) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not confidential with qualifications; 2. individual, strictly confidential; aggregate, not confidential with qualifications? [Tabled May 24, 1978.]

74. Mr. Conway: Will the Minister of Agriculture and Food (Mr. W. Newman) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Confidential except within branch; 2. not confidential within branch; 3. not confidential; 4. not confidential within branch, confidential within ministry to extent information is supplied to those involved in publications program; 5. strictly confidential; 6. not confidential within branch or Ontario Milk Marketing Board; 7. strictly confidential at this time (1975); 8. not confidential within ministry, much of the data has been or will be published in scientific journals or annual reports; 9. confidential within the ministry except as published? [Tabled May 24, 1978.]

75. Mr. Conway: Will the Attorney General (Mr. McMurtry) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of sta-

tistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Confidential within the ministry except as published; 2. not confidential; 3. confidential within the ministry; 4. available to public? [Tabled May 24, 1978.]

76. Mr. Conway: Will the Minister of Correctional Services (Mr. Drea) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not confidential within government; 2. strictly confidential; 3. strictly confidential until released by the government; 4. confidential except within ministry; 5. not confidential within ministry; 6. confidential except within government? [Tabled May 24, 1978.]

77. Mr. Conway: Will the Minister of Consumer and Commercial Relations (Mr. Grossman) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not available to the public; 2. confidential; 3. not confidential; 4. strictly confidential; 5. not confidential within the government; 6. available to the public; 7. discretion of branch head; 8. public information; 9. classified; 10. not available; 11. inter-office confidential file? [Tabled May 24, 1978.]

78. Mr. Conway: Will the Minister of Colleges and Universities (Mr. Parrott) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not confidential; 2. discretion of Director of the Manpower Training Branch; 3. discretion of the Director of the Industrial Training Branch; 4. not confidential within government; 5. not available; 6. discretion of Director of Institutional Accounting and Architectural Services Branch; 7. confidentiality determined by individual university; 8. not confidential within the government and available

in the Legislative Library; 9. confidential except within government, publication of financial report of individual library boards is a board responsibility; 10. confidential; 11. not confidential within government (data not available for general public)? [Tabled May 24, 1978.]

79. Mr. Conway: Will the Minister of Education (Mr. Wells) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Confidential within the government, publication left to school board concerned; 2. not restricted; 3. confidential; 4. confidential within government, publication left to board concerned; 5. subject to official release; 6. data is the property of the school and of the students involved; 7. restricted; 8. not confidential; 9. within government; 10. little restriction, school detail for outside personnel is subject to official sanction? [Tabled May 24, 1978.]

80. Mr. Conway: Will the Minister of the Environment (Mr. McCague) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Not confidential within ministry; 2. strictly confidential; 3. results pertaining to unreleased reports are confidential; 4. not confidential within the government; 5. not confidential, statistics are sparingly examined before release to public to avoid misinterpretation of their significance; 6. confidential; 7. not available; 8. not confidential? [Tabled May 24, 1978.]

81. Mr. Conway: Will the Minister of Government Services (Mr. Henderson) clearly define the various degrees of confidentiality and non-confidentiality listed below which are used to indicate the accessibility of the ministry's statistical files as listed in the catalogue of statistical files in the Ontario government, 1977? Will the minister also indicate for each expression exactly who has access and under what conditions: 1. Confidential internal government file; 2. confiden-

tial except within government; 3. not confidential within government; 4. confidential except within Legislative Assembly; 5. confidential; 6. not confidential; 7. strictly confidential? [Tabled May 24, 1978.]

Hon. J. A. C. Auld (Chairman, Management Board of Cabinet): On May 24, 1978, Mr. Conway, member for Renfrew North,

tabled 19 questions, 63 to 81 on Order Paper 59.

These questions are essentially identical to questions 47, Order Paper 45 asked by Mr. S. Smith, the member for Hamilton West, which was answered and tabled on May 15, 1978 (Legislature of Ontario Debates 62, page 2545).

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Second Session, 31st Parliament

Monday, June 5, 1978

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

MONDAY, JUNE 5, 1978

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

DEATH OF CARL E. BRANNAN

Hon. Mr. Welch: I know that members of the Legislature will join with me in expressions of sympathy on the sudden death of Carl E. Brannan.

In 1961, Mr. Brannan joined the staff of the Treasury Board of Ontario as assistant secretary and in 1963 was promoted to full secretary. In May 1971, he was appointed to the position of secretary of the cabinet. In this capacity, he also served as chairman of the committee of advisers to the policy and priorities board of cabinet.

On November 26, 1973, Mr. Brannan was appointed as Deputy Solicitor General and in May 1974 he was named Deputy Provincial Secretary for Justice. He was a continuing member of the committee of advisers to the policy and priorities board and was a member of the advisory committees to the Premier (Mr. Davis) on senior public service appointments and compensation.

I am sure we would all want members of the family to note our most sincere regret at this particular time.

RADIOACTIVE WASTE

Hon. Mr. Baetz: Members will recall that on May 23 I announced my intention to advise the House on progress being made with respect to the ultimate disposal of radioactive waste. At that time, I expressed the hope that this would be done jointly with the federal Ministry for Energy, Mines and Resources since this is a matter which is the primary responsibility of the federal government and involves establishment of a national policy.

I am, therefore, pleased we are able to make this statement jointly with my federal counterpart today. My comments this afternoon are the result of discussions among my ministry, the federal Department of Energy, Mines and Resources, Ontario Hydro and Atomic Energy of Canada Limited over the past several years.

The Ontario and federal governments and their respective agencies feel it is important

to establish this policy at this time because of the growing public recognition that vigorous efforts should be made immediately to develop a permanent, safe disposal system for radioactive waste materials. This is all the more essential in view of the increasing importance and use of nuclear generating stations in Canada and particularly in Ontario. Such a permanent disposal system is important, irrespective of what decisions are taken in the near or distant future about the growth and use of nuclear power in Ontario.

We have in operation or under construction in this province more than 13,000 megawatts of nuclear power. A safe, satisfactory, and rational solution to the long-term disposal of the waste from these stations must be developed within the next several years.

As highlighted by the Report to the Federal Government on the Management of Canada's Nuclear Wastes by Dr. Kenneth Hare last year, this is a process which must begin in the near future. This statement and the discussions which led to it reflect a current need, as perceived by both the government of Canada and the government of Ontario, for an accelerated research and development program into the disposal of radioactive material arising from Canadian nuclear reactors.

The main elements of the joint program on radioactive waste management being announced today by myself and my federal counterpart, the Honourable Alastair Gillespie, are as follows: The federal and Ontario governments will work together on the first phase of a long-term program to assure the safe and permanent disposal of radioactive waste from nuclear power reactors.

Under this program, the government of Canada will undertake research and development in the immobilization and disposal of radioactive wastes, while the government of Ontario will similarly be responsible for studies on interim storage and transportation.

The immobilization research and development will be performed in the laboratories of Atomic Energy of Canada Limited. It will cover theoretical and experimental studies for treating the residues from the reactor fuel cycle so as to produce stable insoluble products for eventual disposal in underground repositories.

The purpose of the disposal research and development is to verify that permanent disposal in a deep underground repository in intrusive igneous rock is a safe, secure and desirable method of disposing of radioactive waste. This will involve geological field parties collecting surface samples and examining other surface features in various parts of the province to determine the full range of chemical and physical properties of rock formations expected to be suitable for a waste disposal facility.

The two governments have agreed that field work should commence in Ontario in 1978. To develop appropriate test equipment, procedures and information on a variety of rock types, experimental drilling will be conducted this year at the laboratories of Atomic Energy of Canada Limited. Further drilling of this type at mutually agreed to sites to depths of about 1,000 metres will be carried out at six to 10 other locations during the years 1979 and 1980.

The research and development studies are directed towards an evaluation of a series of barriers to prevent the release of radioactivity to the environment. An analysis will be made of their effectiveness, based upon information derived from the immobilization research and development and the geological studies described above. This information will be used to classify the 1,500 or more potentially suitable geological formations which are known to exist in Ontario.

This joint undertaking is not to be construed as a Canadian position on the question of the reprocessing of irradiated fuel. Canada's position in respect of its fuel cycle development program will be reviewed following the completion of the international nuclear fuel cycle evaluation now under way.

The success of this program will depend on continuous close co-operation and consultation between the two governments and their agencies. Accordingly, there will be full consultation and prior agreement at each step of the process. This will be the responsibility of a co-ordination committee with an AECL chairman and representatives from Ontario Hydro, the Ontario Ministry of Energy and the federal Department of Energy, Mines and Resources. Close co-operation and consultation will be maintained with the communities involved at all stages of the program. While AECL will take the lead, the government of Ontario, including Ontario Hydro, will provide support as appropriate in the public information activities.

A further agreement on a program leading to the selection and acquisition of a site and the subsequent demonstration of geological

waste disposal will be concluded between the two governments as quickly as possible.

The tentative schedule being used for planning purposes is: 1978-80, geological survey work, experimental drilling and accelerated research and development; 1981-83, site selection for demonstration repository; 1983, site acquisition; 1985-2000, disposal demonstration; 2000 and beyond, full-scale facilities operational.

The program announced by the two ministers is a further step towards a national plan to deal with nuclear wastes as recommended by Dr. Hare.

In this long-term program, public health and environmental protection will be paramount. The Atomic Energy Control Board will be responsible for licensing the proposed facility. In so doing, the board will work closely with the appropriate federal and Ontario departments, ministries and agencies.

That concludes the main elements of the joint statement. In summary, I would like very briefly to emphasize the following points:

1. Ontario is pleased that the federal government is making a rational, well-thought-out start to the permanent safe disposal of radioactive materials.

Mr. Foulds: You can't guarantee that.

Hon. Mr. Baetz: 2. Prime responsibility for the program lies with the federal government. It assumed jurisdiction under the Atomic Energy Control Act in 1946 and continues to have prime responsibility.

3. Ontario has a vital interest in the success of this program, because 27 per cent of Ontario's electricity in 1977 was being produced from nuclear plants. Ontario is supporting this federal initiative.

Mr. Foulds: Did you ever think of a different kind of program?

Hon. Mr. Baetz: 4. The government of Ontario has insisted that it be consulted at each step and that its prior approval be obtained for all activities leading to a site in Ontario. We want to avoid past unfortunate experiences such as occurred in Madoc and Ignace, when AECL did not advise properly or consult with the communities in advance of launching its programs.

5. The government of Ontario has made no commitment to wastes from other provinces being deposited in Ontario or to reprocessing.

6. It is a multi-year program. No irrevocable decisions have or will be made without full public discussion. The need for this program is based on the long-range needs of Ontario's present nuclear program, not on any expansion.

7. There will be no selection of a site for at least two years. Work in the meantime will simply be rock squeezing, involving geological survey work, experimental drilling and accelerated research and development.

COMMITTEE MEETINGS

Hon. Mr. Welch: Mr. Speaker, apparently there has been some confusion in so far as the meetings of the standing general government committee are concerned as a result of Friday's order paper. Perhaps, for purposes of clarification, we should indicate that it's my understanding that the standing general government committee will meet not in camera—and I underline, "not in camera"—on Wednesday, June 7, starting at 10 a.m. and going into the evening, again on June 12 for the evening, and on June 14, starting at 10 a.m. No meetings of this committee are being held in camera, as announced.

ORAL QUESTIONS

RADIOACTIVE WASTE

Mr. Nixon: Mr. Speaker, I'd like to direct a question to the Minister of Energy, further to his statement. Could he tell the House what the capacity for the retention of used fuel is in our present facilities and, in that connection, whether the timetable that is more or less tacitly involved in this statement is rapid enough for the needs of our expanding atomic facility here in Ontario, since the first drilling will not take place for two years?

Hon. Mr. Baetz: Mr. Speaker, the time framework is really from now until the year 2000, which is not all that long—the year 2000 seems like an eternity away; it's 22 years away—

Mr. Peterson: We will be here.

Hon. Mr. Baetz: —but the time framework has been based on the knowledge that we have a good deal more time to store our waste fuel in the bays at the generating plants. We call it interim storage, but scientists tell us it could be stored there for an indefinite period of time. We obviously don't want to accept that fact, but certainly it can be stored where it is now for well beyond the year 2000.

[2:15]

We have, in other words, room to expand in the highly, highly unlikely event that the concept we are trying to verify to this program should prove unworkable. I want to stress that this is really more than a hypothesis that we are working on. Scientists are calling

it "verifying a concept" that has been developed, that has been looked at and studied here in Canada and in other countries with similar situations.

Mr. Nixon: Supplementary: I am concerned that the drilling that is going to take place on an experimental basis at the laboratories of Atomic Energy of Canada Limited is going to be accompanied by indepth work in six to 10 locations. Can the minister indicate where those locations might be, since it appears on page five—and I quote from his statement—"The government of Ontario will provide support as appropriate in the public information activities"? Where is the drilling going to take place?

Hon. Mr. Baetz: It is at this point impossible to say where the six or eight or 10 sites of intensive drilling will take place. As far as we have indicated in the statement here and in covering materials, there are at the present time about 1,600 possible locations that are known to contain the kind of igneous rock that might be suitable for this purpose. Over the next three years they will begin to reduce the potential number of sites to a point of six to 10 and at that time certainly a good deal of work with the communities as well as with the geological rock formation will take place. In other words, the decision as to where to drill in the final six to 10 communities will not only be a scientific and geological decision, it will also be a social and economic decision.

Mr. Cassidy: Supplementary, Mr. Speaker: Do I understand from the minister's statement that as far as the federal and provincial governments are concerned, it is unlikely that we will know that there can be safe and permanent disposal of radioactive waste underground until around about the year 2000, that is about 22 years from now? If that is the case, can I ask the minister on what basis is Ontario Hydro going forward with further commitments to nuclear power stations without knowing whether or not safe, permanent disposal is a possibility?

Hon. Mr. Baetz: As I tried to indicate in response to an earlier question, this is the possibility of deep storage in a geological foundation. It is really more than a hypothesis, more than a hope or a wish or an assumption of the kind that scientists often take in any kind of experiment.

Mr. Warner: Is it guaranteed?

Hon. Mr. Baetz: This is what the scientists call "the concept verification." It is a concept that has been proven to be sound, in their minds at least.

Mr. Warner: It is not guaranteed.

Ms. Gigantes: Proven by whom?

Hon. Mr. Baetz: We are taking deliberate steps, one by one, over this time period to absolutely verify the concept. I suppose that if we were in a panic situation, which certainly we are not, we might say that we wished to reduce the time frame to two or three years—

Mr. Warner: As good as a HUDAC guarantee?

Hon. Mr. Baetz: —but we do have time if we proceed now in a systematic, methodical manner. We have plenty of time to find a permanent solution to the disposal of our irradiated fuel.

Mr. J. Reed: When the minister is talking about this work being very little more than a confirmation of what he understands to have been proven in other jurisdictions, is he aware of geological survey circular 779, US Department of the Interior, entitled Geological Disposal of High Level Radioactive Wastes Earth Science Perspectives, dated 1978, which I think is probably the most current piece of information of its kind? This still expresses very profound concern about the ability of these techniques, as they are known at the present time, to permanently remove these highly toxic wastes from the biosphere. Is he aware of this circular and if he is not, will he take the trouble to study it thoroughly, because it indicates that—

Mr. Speaker: The question has been asked.

Mr. J. Reed: —that a good deal more work is necessary?

Hon. Mr. Baetz: I cannot claim to have read that particular document. What I have done is to listen to many of our outstanding scientists in this country with Atomic Energy of Canada Limited who are people whose judgement and knowledge we respect and must respect. After all, not all the wisdom is across the border. We happen to have some in this country as well.

Mr. Kerrio: We export it.

Hon. Mr. Baetz: It is the responsibility of Atomic Energy of Canada Limited and their scientists to tell us and prove to us in elected positions that their concept is sound.

Ms. Gigantes: It's sloppy.

Hon. Mr. Baetz: That is what this exercise is all about.

Ms. Gigantes: You are sloppy.

Mr. Deans: Supplementary: Since there is some serious question about the appropriateness of what is being proposed, I wonder if the minister would consider referring the

documents that he filed with us today, together with all of the other pertinent information, to the select committee that is constituted now to study the needs of Ontario Hydro and matters related to nuclear power in order that we could devote some time during this calendar year to pursuing this at the level of the members of the Legislature.

Hon. Mr. Baetz: I cannot fully accept the premise upon which that statement was based.

Mr. Deans: Ignore the premise.

Mr. Warner: Try answering the question.

Hon. Mr. Baetz: This is a highly doubtful kind of comment.

Mr. Deans: Ignore the premise.

Mr. Warner: The minister is highly doubtful, but let him answer the question.

Hon. Mr. Baetz: The proposal, which was a proposal rather than a question, or phrased in the form of a question, as to whether this is something that might go to select committee directly along with documents is something I would like to take under advisement.

I am tabling in this session today supporting documents—Canadian documents mainly—that are relevant to this particular subject. On the matter of whether or not this should go directly to the select committee of this House, this is something I would like to take under advisement.

Mr. Kerrio: Supplementary: As the minister is aware of the government's position of making the polluter pay, in view of the fact that we have signed contracts to get the uranium taken out of the ground that are literally going to put millions of dollars into someone's pocket, and in view of the fact that in his statement he has suggested that the province of Ontario, the government of Canada and Ontario Hydro are going to participate in putting nuclear waste in a safe place, is the minister going to find out if the suppliers that are going to make millions of dollars in supplying this uranium to us are going to participate?

Hon. Mr. Baetz: I don't quite buy the assumption or the premises that there are polluters here.

Mr. Kerrio: This is pollution of the worst kind.

Mr. Foulds: Has the minister ever heard of tailings?

Hon. Mr. Baetz: If the premise there is that it is the people in the uranium industry who are the polluters, to the extent that pollution is involved in nuclear energy and in the development of any form of energy I

should remind all of us—and I think we are all aware of this—that the beneficiaries of nuclear energy are all of the people of Ontario. Twenty-seven per cent of the electric power that we saw here in the year 1977, which we all enjoyed, came from nuclear energy.

Mr. Kerrio: Mr. Roman starts to be the principal beneficiary. He is going to languish in the sun.

Hon. Mr. Baetz: I certainly think it has been recognized that part of the cost of the concept verification work that will be carried out through this joint agreement will be carried by all of the people of Ontario—a very small amount. But certainly Hydro also recognizes that the hydro consumer will also have to bear part of the costs.

Mr. Warner: Roman makes billions; the public pays.

Hon. Mr. Baetz: But there again, I can assure members it is a very small amount. If, for example, we were to say that the total cost of a kilowatt hour of hydro is 28 mills, the cost of doing the work and finding the repository for the permanent solution is 0.5 mills, which is about one fifty-sixth of all of the cost of nuclear energy production. So it is a very small amount.

Mr. Nixon: Put that in hundreds of millions of dollars, will you?

Hon. Mr. Baetz: It is a very small amount.

Mr. Kerrio: You're going to buy the hole back, that's what you're going to do.

Mr. Sneaker: Final supplementary; the member for Port Arthur.

Mr. Foulds: I have a two-part question for the minister, arising out of his last answer. Do I understand correctly that the Ontario government, Ontario Hydro, the federal government and AECL are committed solely to disposal through burying of one kind or another, that they are looking at no other alternatives and that is the only thing they are examining? Secondly, is it not true that Ontario Hydro, in estimating that nuclear energy is the cheapest form of energy, have not included the costs of disposal, which we do not know, or the cost of decommissioning nuclear plants?

Hon. Mr. Baetz: I've forgotten the first part of the member's question.

Mr. Foulds: Are they committed only to burial of various kinds? The minister has a short memory.

Hon. Mr. Baetz: Thank you. This particular joint agreement deals with the verification of the concepts which involve disposal in a

deep geological foundation, namely granite or pluton or whatever you want to call it. That is this particular concept. I don't know whether, in the course of the years, other methods of permanent disposal will be seriously studied. There are others available; for example, the West Germans are using salt mines to store it.

Mr. Foulds: That's burial. That's burial in the ground of various types.

Hon. Mr. Baetz: It's burial. Well, it's essentially the same thing.

Ms. Gigantes: It hasn't worked in the States. Sloppy.

Hon. Mr. Baetz: The question also referred to costs. Ontario Hydro recognizes that whatever costs are entailed in the eventual permanent, managed storage and disposal of irradiated fuel which they have produced, it is a fair and honest cost that should be charged to the hydro consumers.

Mr. Foulds: But they are not including it in their figures.

Hon. Mr. Baetz: That cost, as I indicated very early on here today, is one fifty-sixth of the total cost of the Hydro bill.

Mr. Warner: That's disgusting.

Interjections.

MEAT PACKING DISPUTE

Mr. Nixon: I would like to direct a question to the Minister of Labour having to do with the news reports of the negotiations between Allied Packers, Swift's and Canada Packers. Can she tell us what we might expect here, assuming that the news reports are correct and that the workers may very well not vote to accept the 12½ per cent offer and that if Swift's is struck, Canada Packers is going to close down its facility and lock out the workers?

Hon. B. Stephenson: Mr. Speaker, it is my understanding that the news report, to all intents and purposes, is correct. That's precisely what has been agreed.

Mr. Nixon: Supplementary: Is the minister going to be doing anything in preparation for, let's say, the expectation—we hope it won't happen but perhaps it will—that there will be a lengthy strike involving many thousands of workers and involving the meat packing industry? Is she going to wait until a strike occurs before she makes her services available, or is she concerned about that in any way?

Hon. B. Stephenson: To suggest that the ministry has not been involved in these negotiations up to this point is, of course,

ludicrous. The division of industrial relations has been actively involved. In fact, the director of industrial relations for the Ministry of Labour has been involved in these negotiations and is continuing to be involved. We are making every effort in trying to resolve the problem rather than have such a strike and ensuing lockout occur.

Mr. Nixon: What does the minister think about the policy that Canada Packers has enunciated, that without having a strike there they are going to lock out 6,000 workers in sympathy with the company that provides their major competition?

Hon. B. Stephenson: I gather that this is a relatively new and unusual stance on the part of the member companies or the group of companies in the area of meat packing. They have never before, I gather, stood together when they were faced with potential labour-management problems. This was a decision which, I gather, was made by the management of those companies. It is not a decision in which government had any part.

Mr. Nixon: And the minister doesn't intend to have any.

Hon. B. Stephenson: The opinion of the Ministry of Labour has already been expressed to the companies.

Mr. Nixon: What was that? That is really what I was asking. What is the minister's opinion? I asked her to make a comment on that.

Mr. Speaker: Supplementary, the member for Ottawa Centre.

Mr. Cassidy: Supplementary: Does the ministry plan any further intervention, in view of the fact that there does not appear to be a dispute between Canada Packers and its workers—it involves another company, to which they are not related in any way—and, therefore, there is collusion which is probably in violation of federal anti-competition law, let alone good-faith bargaining?

[2:30]

Mr. Kerrio: You call it solidarity.

Hon. B. Stephenson: There are, of course, negotiations going on amongst the management and labour of all the packing companies at this time. The statement that was made by Canada Packers was related to their potential action in terms of a fellow company, should a strike occur there. But there are negotiations going on with all of the meat packers right now.

Mr. Nixon: Supplementary: Would the minister tell the House what the opinion of the ministry was that was expressed to management?

Hon. B. Stephenson: It was simply expressed that this was a most unusual form of action, but we were informed that it had been carried out by others before—

Mr. Nixon: That would make them turn pale.

Hon. B. Stephenson:—though not in the meat packing industry.

Mr. Cassidy: Supplementary: If the ministry is prepared to condone this action by Canada Packers, is the government also prepared to bring in legislation to permit secondary boycotts in the cases where labour unions are in a strike situation and other workers wish to provide them with support by also going on strike?

Hon. B. Stephenson: There was no such statement made that the Ministry of Labour or the government condoned this action.

Mr. McClellan: Double standard.

Ms. Gigantes: Wouldn't that be fair?

RADIOACTIVE WASTE

Mr. Cassidy: Mr. Speaker, I have a question of the Minister of Energy arising out of the statement he has made today. I want to begin by expressing concern at the fact that—

Mr. Speaker: Question?

Mr. Cassidy:—that the government has entered into this agreement prior to the reports of both—

Mr. Speaker: Question?

Mr. Cassidy:—the Porter commission and the select committee on Hydro.

Mr. Speaker: Is the minister aware of the recommendations of Dr. Robert Uffen, who was a vice-chairman of Hydro and the former chief science adviser to the cabinet, where he recommended that recommendation 27 of the Sir Brian Flowers report in Britain, which called for no commitment to a large program of nuclear fission power until it had been demonstrated beyond reasonable doubt that a method exists to ensure the safe containment of long-lived, highly radioactive wastes for the indefinite future? Is he aware that this recommendation of Sir Brian Flowers, in the opinion of the vice-chairman of Hydro, should also be applied in this country? If so, can the minister therefore comment on what is happening with Ontario Hydro's nuclear commitment, since it appears from his statement today that in fact there will be an expansion of that commitment prior to knowing whether the proposed method of waste disposal is safe?

Hon. Mr. Baetz: Mr. Speaker, if I could respond to the latter part of that question

first, I think we should make it clear here, as was also indicated in the statement, that this joint agreement and this attempt to develop this program is not based on possible future expansion and it is not predicated on future expansion of Ontario Hydro in its nuclear generating capacity. We have irradiated fuel there right now that we have to deal with, even if we stopped building any new plants tomorrow.

So it's not predicated on the idea that we are going to go on and on expanding our nuclear power program.

In response to the other part of the question, about Dr. Flowers of Britain, I find it rather interesting that the member should quote him, because, as the member probably knows, Britain after a long exercise, through a special committee of its Parliament, has now decided to embark on a program of reprocessing nuclear energy which goes far beyond anything that we would have dared to do in this country. In fact, we here have been saying that we will do nothing in terms of implementing a program of reprocessing at least until the international moratorium has expired. Britain is far ahead of us—maybe somebody would say far more courageous, far more intelligent or far more something; certainly they are not nearly as cautious as we are in this country—on the whole question of reprocessing nuclear energy. So I find it rather interesting that the member should refer to a report coming from Britain.

Mr. Foulds: You are not answering the question.

Hon. Mr. Baetz: I would also say that our joint agreement and our plan are based on other Canadian scientists and on Canadian scientists whose work we respect very highly.

Mr. Cassidy: Supplementary: In pointing out that Robert Uffen is a distinguished Canadian scientist who spent a full year studying this matter and is obviously well qualified to comment on it, perhaps I could pursue this: Can the minister confirm that Ontario Hydro is now planning an energy centre in eastern Ontario with a 12,000-megawatt nuclear capacity, that the potential site for that facility has been narrowed down to only four locations, that it is planned that the actual construction will begin sometime around the early 1990s—

Mr. Sterling: They never said that it was going to be nuclear.

Mr. Cassidy: —and that this will more than double the existing and projected nuclear capacity of Ontario Hydro? Is it not correct that in projecting this energy centre in eastern Ontario based on nuclear power,

Hydro's planning for that is facilitated by the assumption that we have the long-term storage problems resolved through the announcement the minister made today?

Hon. Mr. Baetz: Mr. Speaker, I can reply categorically to that question that no decision has been made by either Hydro or this government on any future expansion of any generating plant, and in particular, any nuclear plant of the kind the honourable member is referring to. Those are the kinds of comments and observations that are drawn from the realm of mythology and not of fact.

Ms. Gigantes: Mythology? What is the minister talking about?

Mr. Warner: Turn around and tell the members back there. Address your remarks to the back row.

Hon. Mr. Baetz: I would hope that my fellow representatives from Ottawa would help us to keep the general public informed about facts and not generate mythologies and myths.

Mr. Cassidy: Mr. Speaker, on a point of privilege.

Mr. Speaker: What is your point of privilege?

Mr. Cassidy: The minister implied that I was misleading the House, Mr. Speaker.

Mr. Speaker: No, he did not.

Hon. B. Stephenson: You've got a guilty conscience, Michael Morris, that's all.

Mr. Speaker: He did not. He said that the question was predicated on improper facts.

Mr. Cassidy: No, mythology, Mr. Speaker.

Mr. J. Reed: A supplementary: I wonder if the minister could tell the House whether or not the concept of the repository will provide for retrieving of the spent fuel?

Hon. Mr. Baetz: Mr. Speaker, I have been advised by the scientists that a repository is, in fact, a dead end. That's it. You cannot retrieve out of the repository. You could retrieve out of interim storage centres, of course, but once it's in the repository it's the end of the line and it's irretrievable.

Ms. Gigantes: The minister is wrong. He's all wrong.

Mr. Turner: She is the expert.

Hon. Mr. Baetz: Okay, well you tell us.

Mr. Cassidy: Before the minister resorts to charges about mythology again, is he aware that it has been reported that Ontario Hydro has announced the fact that it is drilling and conducting a geophysical survey program in eastern Ontario in connection with the four potential generating station sites in that area and that the particular report about the program for eastern Ontario

has, in fact, been reprinted in Short Circuit, which is compiled by Hydro's own communication services? Mythology indeed!

Hon. Mr. Baetz: I responded to the question, which was, had Hydro decided—or I think the honourable member made it a fact rather than a question.

Mr. Warner: The minister is in trouble now.

Mr. Foulds: They're drilling.

Hon. Mr. Baetz: The fact is, and it's as categorical this time as it was the last time, neither this government nor Ontario Hydro has made a decision to build these big generating plants or narrow it down to two sites or whatever. They have not done it.

Mr. MacDonald: Oh, of course not.

Hon. Mr. Baetz: There has been no decision made and we are a long way from reaching a decision.

Mr. Brethaupt: But they are looking.

Mr. MacDonald: They are drilling to prepare for it.

Mr. Cassidy: The government is spending millions of dollars to find a site.

Mr. Foulds: They are looking.

Mr. Stong: Supplementary: Now that the minister has conducted a study into the safe disposal of spent fuel has he also included in his study a program of safe transportation of this radioactive material through our communities from point of creation to point of disposal?

Mr. Foulds: No, they haven't. They haven't even done that.

Ms. Gigantes: They'll transport it from eastern Ontario, right from eastern Ontario.

Hon. Mr. Baetz: Mr. Speaker, as we indicated in the statement, the vast responsibility for research and development and the management of nuclear energy remains with the federal government. However, in this joint agreement, it is noted that the question of transportation is the responsibility of the Ontario government, or more precisely its agency, Ontario Hydro, which certainly will continue its research on transportation methods.

Mr. Foulds: Table the agreement.

APPRENTICESHIP PROGRAM

Mr. Cassidy: I have a question of the Minister of Colleges and Universities. In 1973, a recommendation was made by the task force on industrial training that the Ministry of Colleges and Universities undertake an independent study of the costs of on-

the-job apprentice training that are borne by employers and the benefits that accrue to employers from having apprentices. Can the minister tell the House whether any such study has been undertaken and, if so, what were the findings?

Hon. Mr. Parrott: Yes, such a study has been undertaken. The findings are rather extensive. I will be glad to supply the member with a copy of that report. I think the critics have a copy, but if there's any doubt, we will make sure the member gets a copy of that report. It was completed only a matter of a month or six weeks ago.

Mr. Cassidy: Supplementary: If the minister is referring to the study of the machinists' trade by Currie, Coopers and Lybrand which came down about four months ago, has the minister information which relates to other trades and the costs and benefits of apprenticeship training in those industries? If so, will he table that information tomorrow when he makes his announcement about apprenticeship training?

Hon. Mr. Parrott: We are certainly prepared to table as much information as we have on the cost of apprenticeship training. It's fairly extensive.

Mr. Cassidy: Supplementary: The minister now has left me in doubt. If he doesn't have very much information, can the minister explain how the government can launch a major initiative in the absence of comprehensive information over just what are the costs of apprenticeship training to employers and the benefits to employers as well as to the province at large?

Hon. Mr. Parrott: I suggested that the information is rather extensive and not the contrary. We will supply that for him tomorrow.

RADIOACTIVE WASTE

Mr. J. Reed: I have a question for the Minister of Energy. Further to the area which he has skated around today and avoided, he promised an answer the day he first made a statement saying he would make a major statement today regarding radioactive waste. I had asked him to what extent Ontario Hydro was involved with AECL in reprocessing. I asked him how many bundles of spent fuel had been shipped to AECL for experimental work during the time the moratorium was on.

Mr. Speaker: What are you going to ask today?

Mr. J. Reed: I would like to ask him today if these rock-bound repositories are to be of the non-retrievable type, why is AECL con-

templating reprocessing by the year 2000 and why did it tell me so?

Hon. Mr. Baetz: I have the answers to the questions which the honourable member opposite raised. I will be quite pleased to read them to the House, at this point, if that is your wish, Mr. Speaker.

An hon. member: No, don't waste time.

Hon. Mr. Baetz: Do you wish, Mr. Speaker, that I read the question? It was a multi-dimensional question.

Mr. Speaker: How long will it take?

Hon. Mr. Baetz: It's a long question. It will take five minutes, I guess. Is the member prepared to listen to this?

Mr. J. Reed: Yes.

Mr. Martel: Don't torture us.

Hon. Mr. Baetz: I can send it to the member by mail also.

Mr. Conway: You will get a holiday in Madoc for this.

Hon. Mr. Baetz: The first question was: Is Ontario Hydro participating with Atomic Energy of Canada Limited in the experimental reprocessing of spent nuclear fuel at least to the extent of supplying spent fuel bundles to AECL?

The answer given to me by Ontario Hydro is that small quantities of irradiated fuel owned by Ontario Hydro are sent to the research and development laboratories of Atomic Energy of Canada on an ongoing basis for examination as part of a joint fuel development program. This is aimed at refining fuel performance and assessing fuel storage, transportation and disposal methods.

In addition, arrangements were made in 1975 to sell 72 irradiated Pickering fuel bundles to Atomic Energy of Canada Limited. AECL subsequently shipped this material from Chalk River to Italy for experimental reprocessing by CNEN, Comitato Nazionale per L'Energia Nucleare.

Mr. Cassidy: You'd bomb in west Toronto with that accent.

Hon. Mr. Baetz: This is the only transfer by Hydro, the only irradiated fuel to AECL, that is ultimately involved in reprocessing studies.

In reply to the second question on how much material has been shipped and how much is planned to be shipped in the near future, the total shipment of irradiated fuel from Ontario Hydro-owned generating stations to Atomic Energy of Canada Limited is summarized as follows: Pickering generating station, 78 bundles plus 60 elements; Bruce

generating station, six bundles plus nine elements.

[2:45]

With the exception of the 72 Pickering bundles sold to AECL, included in the above total, the fuel was sent for examination purposes only. Current plans consist of the shipment of 14 irradiated fuel bundles in 1978 and 11 in 1979. These will be employed in research investigation on fuel storage, transportation and fuel encasement prior to disposal.

On the third part of the member's question, as to just what degree of magnitude is reprocessing being carried out in the province now; to our knowledge no fuel reprocessing of any kind is being carried on in Ontario at this time, nor has there been in the recent past. The question should be addressed to the government of Canada and its nuclear research and development agency, Atomic Energy of Canada Limited.

Finally: What safeguards are undertaken with this unprecedented kind of transportation to ensure that there is going to be no spillage? Regular shipments of irradiated fuel have been made from the nuclear-powered demonstration reactor at Rolphton, Ontario, to Atomic Energy of Canada Limited at Chalk River, Ontario, for storage purposes for more than 15 years. Additional shipments have been less regularly made from the Douglas Point, Pickering and Bruce generating stations as part of the ongoing fuel development program.

All shipments are approved by the Atomic Energy Control Board and made in massive shipping containers. There has never been an adverse consequence to the public of Ontario from these shipments by Ontario Hydro. The containers are designed to withstand accident conditions with no significant release to their contents.

Mr. Cassidy: Has there ever been an accident?

Hon. Mr. Baetz: The reference test conditions of the International Atomic Energy Agency include a nine-metre drop onto an unyielding surface, a one-metre drop penetration test on a 15-centimetre diameter steel post, and a 30-minute exposure in an enveloping petroleum fire at 800 degrees centigrade, all carried out in sequence. An additional immersion test in 15 metres of water is also required.

Recent mechanical tests in the United States have included drops from helicopters, rocket-driven through impact into concrete abutments, and collision with high-speed

locomotives. In spite of all this, no containers have failed.

Mr. Peterson: Supplementary: Since we are on the subject of nuclear waste, I would like to know what the minister is doing about the other half of the problem, which many scientists consider far more significant even than the one to which he has addressed his mind today. That is the problem of tailings in the mines.

What is the government policy on that? What is the ministry doing? What studies is it undertaking at this time?

Hon. Mr. Baetz: This joint agreement deals only with the matter of spent fuels—

Mr. Peterson: That was my premise, with which the minister will agree.

Hon. Mr. Baetz: The question of the mine tailings and so forth is a subject which is not the responsibility of this government or my ministry, but rather of the Minister of the Environment (Mr. McCague), working with Atomic Energy and Environment Canada. I cannot answer that particular question.

Mr. Peterson: Mr. Speaker, is it possible to redirect the question?

Mr. Speaker: I don't think it was supplementary to begin with.

Ms. Gigantes: Mr. Speaker, I would like to ask the minister, since he won't give us the information, if he has it, about where drillings are going to take place for fuel waste disposal, can he give us the information about where AECL has been doing its drilling over the last two years? Also, can he tell us how, in this plan that lies before us, he is going to see any pattern emerging with the development of fuel reprocessing and waste disposal? I am asking him to relate to the kind of experiments that have been going on at Chalk River—to tell us that Ontario Hydro doesn't know about this, he doesn't know about it, and we are not well down the path to reprocessing here in Ontario right now. Isn't this all going to happen in eastern Ontario?

Hon. Mr. Baetz: I will try to recall the many dimensions of that question.

First of all, on the reprocessing of fuel, which is in itself an extremely important question and one which I am sure will be discussed here for many years to come, this joint program does not deal with the question of reprocessing. It is not a sneaky way to introduce reprocessing, and I would like to assure the House of that.

The member has implied that I knew where the drilling was taking place—

Ms. Gigantes: Shouldn't you know?

Hon. Mr. Baetz: —or is about to take place. I do not know where the drilling is taking place. That's the whole purpose of this exercise.

Ms. Gigantes: Shouldn't you know?

Mr. Kerrio: We've never accused him of knowing anything.

Ms. Gigantes: It's been going on for two years.

Hon. Mr. Baetz: Before Atomic Energy of Canada or even Ontario Hydro, before any of our agencies go out and do the kind of thing that was done at Madoc, before that happens again, this government here and the government of Canada are going to have to approve this thing step by step. This is one reason why we felt the responsible, elected government at Ottawa, here, and even locally, are much more involved in the question of experimental drilling or anything else of the sort.

WOMEN'S HEALTH SERVICES

Mr. Breaugh: I'd like to pursue with the Minister of Health the matter that was raised by my colleague from Beaches-Woodbine (Ms. Bryden) concerning statistics used in the Ontario Status of Women Council publication, *About Face*.

Is the minister in agreement with the statistics quoted in here that one in five hysterectomies are unnecessary and that women are prescribed tranquilizing drugs at double the rate of men? Are those statistics reasonably accurate for Ontario this year?

Hon. Mr. Timbrell: I have yet to see the report. It hasn't reached me yet. It's been released, but it hasn't got through the system to me.

As the member knows and this has been discussed in our estimates several times, and as I mentioned to his colleague on Friday—we are looking at the question of trends in surgery as they pertain to all in the population, not just the female sex. I would have difficulty attacking or substantiating those figures at this point.

Mr. Breaugh: Supplementary: I wonder if the minister could take the time to table in this House what he considers to be the relevant statistics on those two matters in this province.

Hon. Mr. Timbrell: I think that until the study we have under way is completed, I'd have some difficulty in being able to say in a definitive manner what is an appropriate number of hysterectomies, appendectomies or tonsillectomies. It's very much a matter

for individual judgement and argument, as the member knows.

We're hoping this particular study will help us get a better fix on what is appropriate so that we can then take the appropriate action.

PRAXIS INVESTIGATION

Mrs. Campbell: My question is to the Attorney General. I would ask him if at this time he is prepared to report to the House as to the tabling of the Praxis report.

He may recall that this was discussed before. My understanding was that he had undertaken to table what he termed the "relevant portions" of that report. Could we now know when or what we are going to have tabled?

Hon. Mr. McMurtry: To the best of my knowledge, I've related the relevant portions in the various statements I've made with respect to this matter.

I'm not suggesting for a moment that the member for St. George has suggested that I would table the police report as such because, obviously, these police reports contain a lot of information that has to be treated as confidential, largely because they often contain hearsay statements, for example, allegations that have been made that have not been proven, or proven to be well-founded, at least, and it would be very unfair to individual citizens to have these reports tabled in their entirety.

It would be helpful to me if the honourable member would direct my attention to any specific aspect of the matter with which she is not satisfied, insofar as my responses in the Legislature are concerned, and I would attempt to assist her and other members of the House who are interested. I've attempted to the best of my ability, to relate what I consider to be the relevant matters to this House, as this whole matter has unfolded.

Mrs. Campbell: Supplementary: Are we to take it then that at this point in time the minister feels that he has relayed to the House all of the relevant matters? For instance, I raised the question of the lack of participation in the questioning of John Hladun. The Attorney General didn't seem to know anything about this and yet this is the person who was interviewed by the CBC and was able, according to that story, to shed a great deal of light on this. None of this, apparently, was used by the commission or anybody else in trying to investigate this total matter.

Hon. Mr. McMurtry: Yes, I recall the honourable member mentioned that name. I've asked my office to obtain particulars as to

the identity of this gentleman. I don't know what has been done at this point in time. It may be that the honourable member can provide us with the correct spelling of the name, if my office does not already have it.

Mrs. Campbell: Ask Hansard.

Hon. Mr. McMurtry: I don't know whether Hansard has the correct spelling or if there's been any problem in locating him. In view of the honourable member's statement the other day I think this gentleman should be interviewed. I will undertake to see that that happens.

When I say I've related all relevant information, I want to make it clear, to the best of my ability I've given the House any relevant information in the context of the public interest. There is other information that obviously would be considered relevant in its broadest sense, but it would not be in the public interest to reveal some of the confidential information. Insofar as that particular individual is concerned, I will ensure that he is interviewed, because I don't treat the matter as a closed book. We will certainly pursue that aspect of it.

Mr. Lawlor: Supplementary question: Would the Attorney General reveal to this House who the original informant or purloiner of the documents in question was? If he's not prepared to do that, how on earth did the editor of the Toronto Sun come into possession of a number of documents in question?

Hon. Mr. McMurtry: I'm not prepared to reveal the extent to which I am aware, or believe I'm aware, of the identity of that individual. Secondly, I'm not aware at this point in time what information the editor of the Toronto Sun has. I'm sorry, that's something that has escaped my attention.

FOOD LAND PRESERVATION

Mr. Swart: A question to the Minister of Housing: I want to pursue with him the matter of the proposed October Ontario Municipal Board hearing on the Niagara region urban development boundaries and about which I gave him a little additional information three or four weeks ago. Will he tell us now that there is no truth to the stated conjecture by officials of his ministry and TEIGA that the government may not permit those hearings to be held; or if he does he may restrict it to dealing with minor variations of the boundaries which have been set and not let it deal with the whole principle of preservation of the fruit and grape lands?

Hon. Mr. Bennett: Mr. Speaker, first of all, I'm not sure what the honourable member

means about no truth in the fact. There's been no statement by my ministry or by anybody from the Ontario Municipal Board or others to the best of my knowledge.

As for the hearing, I'm not sure whether the hearing will proceed in October or not. It depends on some of the surrounding circumstances relating to another hearing in the Barrie region as to whether this hearing will proceed or not. I cannot add anything further to that answer.

Mr. Swart: Supplementary: Subsequent to that, will he assure this House that the hearing will proceed at some time, whether it is in October or not, and that there will not be any direction from the government that it shall not be held or that there will be a restriction? Will there be a letter go from the Treasurer (Mr. McKeough), as there was in the Barrie case, in which he affected the hearings which took place?

Hon. Mr. Bennett: I give the member and the House the assurance that the hearing will eventually be held. As to the second part of the question, I am not going to give the House the assurance that there will not be some direction from my ministry or from the government to the Ontario Municipal Board, since we have already established the boundaries as far as urban development is concerned in that particular regional plan.

[3:00]

An hon. member: You are not going to let the full hearing proceed.

TOURISM

Mr. Eakins: To the Minister of Industry and Tourism: Is the minister aware of the forecast for the national travel deficit for 1978 in that one source predicts that it will be reduced by \$100 million, but most other sources are forecasting that it will further deteriorate to about \$2 billion? Given that Ontario tourism figures generally range from one third to one half of the nation's total, is the minister aware of this and is he prepared to accept such a deficit this year?

Hon. Mr. Rhodes: I am aware of varying forecasts that have been made relating to the potential deficit in Canada. Certainly I don't accept and I don't think anyone wants to accept such a deficit as some are forecasting. From what we can gather within Ontario and from contacts with other provinces, we really aren't looking at it that pessimistically. We do think there is going to be an improvement in the tourism business this year. We do feel we will make a substantial reduction in the deficit.

Mr. Peterson: Is the Treasurer making the forecast?

Hon. Mr. Rhodes: We are not going to get back to an even-Stephen basis because we are running close to \$2 billion in deficit, but we feel that we will make some impact on reducing that.

Mr. Eakins: I would rather accept the optimistic forecast, but would the minister not feel that there is still time to initiate further stimulative measures such as a tax credit for holidaying at home in Canada?

Hon. Mr. Rhodes: I have read that very interesting observation in the report that was prepared by the honourable member and his colleagues. Quite frankly, when one starts getting into the tax credit situation, it isn't something I would want to comment on until I would find out whether or not it is going to be done on a national basis with all of the provinces being involved. I am sure, as the honourable member knows, there are some difficulties if we try to do it as the province of Ontario as opposed to other provinces not joining in. That is a matter that can be discussed, I would think, at the tourism ministers' conference that will be held this coming fall.

Mr. Wildman: Supplementary: Could the minister indicate if what he hopes will turn the situation around is mainly his advertising program, or is he and the ministry attempting to get more travel agencies and tourist outfitters involved in package programs to encourage more Canadian and American travel in Ontario?

Hon. Mr. Rhodes: I think it is a combination of all these things. I certainly wouldn't think we are going to turn around the very large deficit we are experiencing in a short period of time simply with advertising.

In the ministry, we do have a number of people who are working in conjunction with travel agencies, with airlines and with individual tourist resort operators. Package deals are being put together, one of which is operating very successfully at the present time in northwestern Ontario involving North Central Airlines. North Central Airlines is also working right at this very time with resort operators in northeastern Ontario to establish a similar type of program. They have been very successful in bringing people in.

Mr. Wildman: What about Europe?

Hon. Mr. Rhodes: The honourable member mentioned Europe. Yes, we are doing some work in Europe as well. There are package tours being put together over there again

involving some of the airlines. I would mention not only Europe, but also North Central Airlines, for example, who are bringing people over from Japan to be in resorts in northwestern Ontario this year.

Mr. Peterson: When is the Minister of Housing coming back?

Mr. Nixon: Supplementary: Is the minister concerned that the deficit might be adversely affected by the fish war with the United States which is now going to involve sports fishing?

Hon. Mr. Rhodes: I am glad the honourable member asked that because we would be concerned if there was going to be the ridiculous situation of having sports fishermen involved in this area.

Mr. Ashe: Another blunder by those Liberals in Ottawa.

Mr. Bradley: It is nice to have you back.

Hon. Mr. Rhodes: Perhaps I might be given the opportunity to explain to the House, because I am sure there would be some interest, that we had expected a statement in the House today by the federal Minister of Fisheries, Mr. LeBlanc.

Mr. Nixon: Our minister wasn't even here.

Hon. Mr. Rhodes: However, he did not make such a statement. The understanding we have is that in answer to a question in the House, Mr. LeBlanc said that Canadian waters are to remain open to sports fishing.

Mr. Jamieson said in the House as well today that he feels the situation will be completely clarified within a few hours.

Mr. Nixon: In American waters only.

Hon. Mr. Rhodes: So my understanding is that apparently regardless of what is happening as far as the American waters are concerned, the Canadian government does not intend to impose its ban on sports fishing.

OIL SPILL

Ms. Bryden: Mr. Speaker, since today is World Environment Day it seems appropriate to ask the Minister of the Environment what he is doing to discharge his responsibility to protect the environment of Ontario? I have questions specifically in two areas.

Mr. Bradley: Yes or no.

Ms. Bryden: First, when is he going to extend the application of the Environmental Assessment Act to the whole of the private sector and not just to designated industries as at present?

Second, what is he doing about a very specific environmental problem which has just been reported to me? I refer to a large

fuel oil spill in Lake Superior, perhaps amounting to several thousands of gallons, which occurred last week at the Kimberly-Clark plant near Terrace Bay. Has the minister received a report from the company on this spill? Has he sent officials to check on the accuracy of the report? What have they found? What steps is he taking to clean up this spill? What effects does he think the spill may have on the aquatic and bird life in the area?

Hon. Mr. Grossman: Yes, no, yes, yes, and maybe.

Mr. Nixon: This will be good.

Hon. Mr. McCague: Mr. Speaker, those short questions are very easy to answer. On the first matter, I think the honourable member knows that the Environmental Assessment Act has not yet been extended to cover municipal projects—that is the second step. The third step will be the private projects.

Mr. Wildman: When?

Hon. Mr. McCague: I will be going to the municipal liaison committee in September with the proposal for municipal projects. I want to discuss it with them. I want to have some time for some input from them, and I am not prepared to make any statement at this time as to when and if the private projects will come under the act.

As far as the spill that the honourable member is referring to, I do not have a report on that yet.

SERVICES FOR THE PHYSICALLY HANDICAPPED

Mr. Blundy: Mr. Speaker, I have a question of the Minister of Health: In view of the minister's commitment in the early spring of 1977 to the Provincial Secretary for Social Development (Mrs. Birch) that he would do a complete review of the present situation regarding comments made by the Ontario Advisory Council on the Physically Handicapped regarding unnecessary delays in the disabled being released from hospitals and other programs of the Ministry of Community and Social Services, which provided assistive devices which, of course, come from the Ministry of Health, would the minister now make known to this House what his findings are and what actions he will take?

Hon. Mr. Timbrell: Mr. Speaker, I missed the very first part of the question—whether it was a statement attributed to me or a letter, or whatever. The provincial secretary and I have recently discussed this matter following a visit to a rehabilitation hospital, and it is a matter which is under consideration. In the

past year I have also had a report prepared by my staff, which is still in the works, on the question of prosthetics and orthotics, and that is still very much under consideration. Of course, in a time of restraint it is questionable whether we would be able to add any new benefits on a very large scale. But certainly we are considering it.

Mr. Blundy: In view of another newspaper story today about physically handicapped people near Pickering who cannot leave a very expensive and emotionally debilitating chronic care unit because of this need, would the minister have some comment on what immediate action he is going to take to get these people back into community life and out of the expensive institutions in which they are living?

Hon. Mr. Timbrell: The social workers in the particular hospitals, and from time to time some of my own staff in the ministry, do get involved in trying to assist in the placement of individuals back into the community wherever possible. It's not an easy problem to resolve. The ultimate resolution will be a very expensive one.

I'm not trying to use finances as a scapegoat by any manner or means. The fact of the matter is that it will be a very expensive one, but we are not going to shy away from it. We will try to arrive at a meaningful resolution and then, within the availability of funds and our ability to fund any new program, try to get at it.

Mr. McClellan: Supplementary: Does the minister not agree that it is completely inappropriate that the disabled have to obtain essential prosthetics either from charity or from general welfare assistance, and that the time has come to include the provision of prosthetics under prescription in the Ontario Health Insurance Plan?

Hon. Mr. Timbrell: If the honourable member is saying that there should never ever again be a role for the private sector volunteer agency to assist, then I wouldn't agree with that at all.

Mr. McClellan: I never said that.

Mr. Warner: What nonsense.

Mr. McClellan: That's too stupid to comment on.

Hon. Mr. Timbrell: It is a matter which we are looking at, but again I remind the honourable member that we are in difficult financial times and anything we might do would have to be tempered by those fiscal realities.

Mr. Havrot: The fairy godmother brings the money down for them.

Mr. Nixon: Just a paltry \$14 million.

INCO SAFETY COMPLAINT

Mr. Martel: A question to the Minister of Labour: Is the minister aware that on February 28, Cathy Duhaime of the United Steelworkers was sent home by a supervisor, Mr. Brickett, of Inco for refusing to work on what she considered an unsafe operation? Is the minister further aware that the supervisor failed to provide an opportunity to the employee to have her complaint investigated by first-line supervision in attendance with a union representative, as defined by the Employees' Health and Safety Act?

Is the minister further aware that her ministry made the following recommendation through Mr. Susil, who did the investigation: "Your complaint in respect of being denied to have your initial complaint investigated by the shift boss in the presence of an OSHE committee member is legitimate. Charges against D. Brickett are considered."? Why then did the ministry not lay charges as prescribed under the act when this official violated the act?

Hon. B. Stephenson: I do not have the specific details of this case with me at the moment. I shall be glad to develop them in detail for the honourable member and present them to the House.

Mr. Martel: Supplementary, Mr. Speaker—

Mr. Speaker: The time for oral questions has expired.

Mr. Martel: I will continue tomorrow.

Mr. Nixon: I really wanted to know what his supplementary was.

FRENCH-LANGUAGE SERVICES

Mr. Speaker: On Thursday last, the member for Ottawa Centre (Mr. Cassidy), and the member for Scarborough-Ellesmere (Mr. Warner), both raised what they considered to be a matter of privilege with respect to the Premier's press release concerning Bill 89, An Act respecting French Language Services in Ontario. As both members raised the same matter, I will deal with both their allegations together.

Members of the House may well have a grievance in that what they consider to be an announcement of important government policy was made outside of this House. As regrettable as that may be, it does not breach the recognized privileges of this House.

Mr. Nixon: That's that.

Mr. Pope: Now go back and learn the rules.

An hon. member: A little slap.

Mr. MacDonald: Calculated deception.

Hon. B. Stephenson: No, it doesn't mean that.

PETITION

ENERGY REPORT

Mr. Cassidy: In view of the obvious need in the light of the minister's statement today to have a legislative committee consider the matters of nuclear waste disposal, and in view of the minister's refusal to give the House an assurance that that consideration would go forward in the select committee on Hydro affairs, I wish to file with the House a petition, pursuant to provisional order 7 of the Legislative Assembly—

Mr. Breithaupt: You finally found out how to use that.

Mr. Cassidy: —in which more than 20 members of my party have petitioned that the annual report of the Minister of Energy for the fiscal year ending last March be referred to the select committee on Hydro affairs for such consideration and report as the committee may determine.

Mr. Kerrio: Put on a night shift, Mike.

Mr. Foulds: Good petition.

[3:15]

REPORTS

RADIOACTIVE WASTE

Hon. B. Stephenson, on behalf of Hon. Mr. Baetz, presented certain documents.

Hon. B. Stephenson: I present a copy of the Hare report on The Management of Canada's Nuclear Wastes; a copy of a brief submitted by Atomic Energy of Canada Limited to the standing committee on national resources and public works entitled, The AECL Program on the Safe Immobilization and Disposal of Radioactive Material from Canadian Nuclear Reactors; a copy of the conceptual drawing of a radioactive waste disposal mine; and a copy of a map which designates the location of 1,500 potential geological formations in Ontario for the safe disposal of waste.

Mr. MacDonald: Where is the Wyatt report?

Mr. Cassidy: Where is the Uffen report?

Mr. Warner: Table your resignation.

Mr. Cassidy: You are using every means possible to delay, aren't you?

Hon. B. Stephenson: No, I'm not.

Mr. Cassidy: It means you won't act before the summer.

ORDERS OF THE DAY

House in committee of supply.

ESTIMATES, MINISTRY OF
NORTHERN AFFAIRS

(concluded)

On vote 903, regional priorities and development program; item 5, rail and ferry services:

Mr. Deputy Chairman: I would like to point out that there is one hour and 24 minutes left in the committee of supply for this item.

We're dealing with vote 903, item 5. The member for Rainy River.

Mr. T. P. Reid: Oh—does the minister have a statement?

Hon. Mr. Bernier: Yes. I have a bit of information which the members might be interested in.

You will recall, last winter we indicated to the CNR that we had to make certain changes in the Northlander's service to North Bay because of the excessive costs both in regard to the subsidy and the mileage charge placed on it by the CNR. We indicated in that statement to the Legislature that we were prepared to negotiate with the CNR for the use of our excellent European Northlander equipment on their weekend services. They wanted to replace their conventional equipment with our Northlander equipment and we said we would be only too pleased to sit down and negotiate some reasonable terms with them. Those negotiations have been proceeding and I think I can report to the members that at this point in time they are encouraging; however, they're not totally finalized.

Mr. T. P. Reid: Can the minister give me a breakdown on the costs of operating the Northlander, the revenues and expenditures, and the extent of the subsidy in operating it?

Hon. Mr. Bernier: I think I mentioned the Polar Bear Express, as an example, in the discussions we had last Friday. Our revenues were \$296,000. Our expenditures were \$400,000 and we had an operating loss of \$104,000.

The main line service revenues were \$1,174,000 and expenditures were \$3,914,000. To the 100 per cent operating subsidy there was a further revision of 9.5 per cent, \$552,000, so the total subsidy was \$3,292,000.

On the Moosonee branch revenues were \$1,385,000; expenditures were \$3,921,000; and the operating loss, \$2,536,000. With

adjustments of \$889,000 the total Moosonee branch subsidy was \$3,529,000.

For the Northlander, which I believe the honourable member was inquiring about, the revenues—this is one train—were \$1,177,500 and the expenditures were \$4,235,300, for an operating loss of \$3,057,800; the dining car service had a loss of \$245,200, for a total Northlander subsidy of \$3,303,000. The total rail service subsidy amounts to \$10,124,000, less the Tobermory ferry profit of \$104,000.

Mr. T. P. Reid: Can the minister give me an indication of whether these figures are up or down substantially from the past years? Are these subsidies growing ever larger every year?

Hon. Mr. Bernier: The honourable member will recall that supplementary estimates were introduced in the Legislature about a year ago covering the extra cost of the Northlander service. We had hoped that we would have worked out an improved subsidy and rail charge rate from the CNR; this did not materialize. I believe our additional request in the supplementary estimates last year was about \$2.5 million; so the extra service we are putting on is obviously putting on extra costs and has to be subsidized at a little higher rate.

Mr. Wildman: Mr. Chairman, I wonder if the minister could indicate to us whether or not he feels the reason that the Northlander was so expensive and perhaps the cost benefit was not what it should have been, as well as the lack of use, might have been related to the fact that there wasn't enough co-ordination between the Northlander service between Timmins and Toronto and the mainline service between Timmins and North Bay?

Hon. Mr. Bernier: Mr. Chairman, I think the public acceptance of the Northlander operation is nothing less than phenomenal. I can't recall one adverse criticism of the service or the quality of the equipment we are using on that Northlander. It's exciting, it's pleasant, it's comfortable—it has all the things you would want in rail travel; so that is not a problem. If there is any criticism, it has to be about the startup of getting a new service into place. There should have been more publicity here in southern Ontario. I think the honourable member would agree that there is sufficient publicity, maybe an oversaturation, in northeastern Ontario with regard to the Northlander. We are turning that around so that there is more publicity here in the populated areas such as Metropolitan Toronto.

I think there always will be and will always have to be a subsidy to train service. There are many other modes of travel that the train service has to compete against. In fact, we have a very intensive study going on now with the Ontario Northland Transportation Commission and the action group, which as the member knows is made up of all the mayors and reeves of the northeastern Ontario corridor. They are looking at all modes of transportation in their corridor—rail service, air service and bus service—to see if some rationalization can take place. Maybe there's an oversupply of one type of service vis-à-vis another. Maybe some changes in scheduling, as the member correctly points out, could be done to improve the services in the northeastern Ontario corridor. It's going on right now, and I think that report is scheduled to be down early this summer.

Mr. Wildman: That's good. I have had some correspondence and reaction from people in the Timmins-Cochrane area, indicating they felt one of the problems might have been that there just wasn't enough co-ordination between the two schedules and that there might have been more use of the service there had been more co-ordination. If the minister has any details on that, I would appreciate it if he could give them to us.

Also, I wonder if the minister can tell us if, in conjunction with the Ministry of Industry and Tourism and the private sector as well, is the ministry intending to or is it about to embark upon a package travel tour of the northeast involving the Polar Bear Express, plus perhaps the CN, CP, and the ACR; that is, a tour that would be a sort of round trip of northeastern Ontario? I don't know how long such a trip would take, but I know this has been rumoured and talked about in the northeast, and I wonder what the ministry is doing on it.

Hon. Mr. Bernier: If I may go back just a moment and indicate to the member for Rainy River that our discussions are going on now with the federal government in our desire to gain a cost-sharing on the Northlander operation. While the negotiations are encouraging, they are not finalized as yet. However, we would expect a reduction in that subsidy of anywhere from \$1 million to \$1½ million if we are successful, and we are putting as much pressure on as we can.

In answer to the member for Algoma yes, the co-operation between Industry and Tourism and ONTC in our own ministry has been going on for several months. We are getting ready to kick off momentarily, really. The

first emphasis will be on the Polar Bear Express. We are using the expertise within the Ministry of Industry and Tourism for the promotion aspect of it. The actual copy and material will be vetted closely by the ONTC. We have that advertising package in place.

Improvements will occur to the Polar Bear Express itself. I think I indicated earlier in my discussions here that the actual services on the train itself will be improved with a number of guides who will be fully trained and made cognizant of the historic items in the Moosonee and James Bay area to give the Polar Bear Express customers a real thrill in going into the sub-arctic areas. That's well along the road, as are the plans to improve certain facilities at the Moosonee end. We are going to see a decided improvement on that end of the service.

In connection with a circle tour, you are quite right; those rumours are accurate. The program has been under discussion for several months with three railways. The package should get under way late this summer or early this fall. The trip will take five or seven days, and the package will use the services of the CNR, the ONR right up to Timmins and to Hearst; then from Hearst right across, and the ACR down to Sault Ste. Marie, and then by CPR to Sudbury.

It is a very exciting package. The plans have been finalized to the extent that already we have bookings from Germany for 300 people on one of the package tours that is going to be pulled together. It is, as I have said, exciting, and one that I think will have a tremendous amount of appeal. It lends itself, with my colleagues' efforts, to bringing more people into northern Ontario and, first and foremost, to keep them here in Ontario.

Mr. Wildman: That's good to hear. I wonder if, since we have the Polar Bear Express, this might be called "the black fly junket."

Hon. Mr. Bernier: No, no; we'll get a more appropriate name than that.

Mr. Wildman: I wonder if the ministry in conjunction with Industry and Tourism and the ACR has looked at the necessity for upgrading and improving tourist facilities in Hearst. It would seem to me that this could be a real boon for Hearst if this package does well. It certainly might lead to attracting a number of people from southern Ontario and from the United States as well as other parts of the world into a lumbering town, a French-Canadian town, which many of them, especially from the United States, might not have experienced before. If we could im-

prove some of the facilities in Hearst that might even add to that proposal.

[3:30]

Also, one other question on that: Can the minister indicate, if we're going to be using the ONR or the CN, ACR and CP track, if it's going to be all ONR equipment? If it is, will it be manned by ONR crews? If that's the case, have there been any difficulties in regard to union situations and so on?

Hon. Mr. Bernier: The equipment will all be ONR equipment. We have been dealing with the railways and with the unions. The actual train, as I understand it, will be operated by the ONR staff, but each union will have personnel in the proper places when it's going over their section of the whole network. All unions have been contacted and we're working very closely with them. They're co-operating 100 per cent.

Mr. Wildman: Maybe the minister is still in the process of finalizing this, but could he indicate if he's going to be leasing track, or is he going to be paying so much to each of CN, AC and CP for the use of their track?

Hon. Mr. Bernier: We won't be leasing it. What we do is pay a service charge which is worked out between all levels of the railway system. It's all added in as part and parcel of the whole cost of the package tour.

Mr. Wildman: I've one other question in relation to ferry service: Is the ministry involved at all with the negotiations with the state of Michigan in regard to the proposal for a ferry from Manitoulin to the UP?

Hon. Mr. Bernier: While we're not directly involved, we've been monitoring very closely those discussions and the progress being made by the American firm that's anxious to put on the ferry service. If that were to be finalized and come to fruition it would mean that additional funds would have had to be provided for the road access—is it to Meldrum Bay?

Mr. Wildman: It would have to be federal funds.

Hon. Mr. Bernier: Yes, there was some responsibility with the feds for the wharfing facilities which had to be built. Our latest ferry itself has broken down and the service will not be in place for this year.

We will be doing a minimal amount of day labour work on that road—it's an ongoing effort—in the hope that they will be successful and we can see that service installed in the not-too-distant future.

Item 5 agreed to.

On item 6, air services:

Mr. T. P. Reid: There's a couple of things in this regard. I think the norOntair service is one of the better programs the Ontario government has ever got into. I remember recommending it about 10 years ago. But I do have a complaint. I spoke to somebody from Ontario Northland about it last week when we were doing these estimates. It's a parochial complaint about the changes in scheduling that took place at the end of April.

The people in my area were quite happy with the afternoon flight. They could catch the Air Canada flight out of Toronto at 4:50 p.m. and be home in Fort Frances, Atikokan, or Kenora for dinner. Now, for some reason, that schedule is changed, which means that you have to leave Toronto at 1:50 in the afternoon. The complaint, strangely enough, comes mostly from civil servants who wish to come to Toronto and do their work and put in a full day's work here and then return home that evening.

My real complaint is that the schedules seem to be changed at the whim of somebody either who's running norOntair or at the whim of Transair, I'm not sure which. I want to register a protest with the minister about that.

The other thing I'd like to ask is that in looking at the money expended and the subsidy of \$1.13 million—that's down considerably from last year when the estimate was \$1.82 million. Something that also intrigues me is that in 1976-77 your actual expenditures were almost triple what your estimate was. Can the minister explain, first, why the estimate is down this year by something in the neighbourhood of \$700,000—where you're saving that money or why you don't need it this year? Second, can you explain how things got so out of hand in 1976-77 that you were about \$2.5 million out on your budget?

Hon. Mr. Bernier: Mr. Chairman, with regard to the scheduling, it's quite difficult trying to tie in with the main carriers like Transair and Air Canada, with their constant changes, and with the limited number of aircraft we have and the large number of communities we're trying to service. To have those aircraft at the right spot at the right time and to cover the distance is sometimes a little difficult.

The difference back in 1976 was a capital cost allowance, the purchase of aircraft. I'm sure the member will recall that vividly. This is not reflected in this year's estimates, in that no new aircraft have been purchased or will be purchased in this coming year. We will be taking delivery of an aircraft, the

seventh aircraft for the northwest region, to replace one that was burned some time ago in Sault Ste. Marie. I think acceptance of that aircraft is planned for the next week or two.

The increase in the growth in the revenues is what is offsetting it. In fact, this year we expect our revenues to go up to about \$2.5 million from \$2.35 million in 1977. Our actual expenditures are forecast to decline slightly from about \$3.7 million to about \$3.6 million. Our net loss will be reduced.

I might say as a matter of interest in 1972 the subsidy per passenger was about \$25.78, and in 1977 that was reduced to \$9.29 per passenger. Growth in passenger traffic is allowing us to reduce the losses. I might say that with the norOntair service, in my opinion and I know in the opinions of a lot of people—and I'm sure the member for Rainy River agrees with me—we get the biggest bang for our buck from this particular service. It's an excellent service. The quality of the equipment is excellent. The reliability of flights is, I guess, one of the highest for a small airline across Canada. In fact, we've had a number of other provinces and people from other countries come to look at the norOntair operation and the service it's providing for those far-flung communities, 17 communities in total, across northern Ontario. It's one service that we're indeed proud of. It's doing a great job.

Of course, I would like to see it expanded further. We hope to add a number of communities to the program in the near future.

Mr. Haggerty: Like the Niagara Peninsula, Leo.

Hon. Mr. Bernier: I'm sorry, there are areas in northern Ontario that have to be looked after yet. I'm thinking of Hornepayne, Terrace Bay and Geraldton.

Mr. Haggerty: Just give us some of that service down in that area, in St. Catharines too.

Hon. Mr. Bernier: We have enjoyed the excellent service and our distances are much greater than yours down here in southern Ontario.

Mr. Haggerty: Gore Bay down to Owen Sound, Douglas Point and the Niagara Peninsula.

Hon. Mr. Bernier: As northerners we're indeed grateful for the excellent service it's providing. I may say to the member for Rainy River I'm sure he's aware that we've added Red Lake recently to the norOntair service—one community that several years ago told us to pack our bag and not even come

near them. That attitude has changed, I am most pleased to report. They are now enjoying the excellent service of norOntair.

We have gone another step further, as I am sure the member for Rainy River will appreciate, in that we now have a member on the ONTC from northwestern Ontario. He is a gentleman who hails from Dryden, Peter Burns, who is very knowledgeable in the aviation field, having been very much involved with the PWA-Transair deal. I don't know if you would call it a fiasco or what you would call it. The decision hasn't come down yet; so it must be something along those lines. Nevertheless, he will represent northwestern Ontario. I have personally asked him to take a real interest in the norOntair facilities. If something does come up, I would encourage the honourable member to get in touch with Mr. Burns who will take his complaint directly to the board. I think he will be a real asset to those of us who live in northwestern Ontario.

Mr. Wildman: I would like to know if the minister has passenger figures available. If he does, can he specifically give me some information regarding the increase in passengers between Sault Ste. Marie and Elliot Lake and Sudbury and Elliot Lake this year over last?

Hon. Mr. Bernier: I don't have specific figures on each leg of the operation. We can get that and put it in correspondence to you. I do have the growth of passenger travel in which I am sure you will be interested. I would like to put it in the record.

In 1972, we had 10,472 passengers and in 1973 there was a real increase to 14,725. In 1974, we saw that pretty nearly double to 27,401. Then we took a really big jump in 1975 to 62,808 passengers. In 1976, there was an increase to 20,000, which brought it up to 82,072 for that year. There was a further increase in 1977 to 90,161. In 1978, we have forecast a total traffic service of 96,000 passengers. We think that in that short period of six years to grow from 10,000 to 96,000 is a success story indeed. There is no question about it.

Mr. Wildman: I certainly wouldn't disagree with that. The reason I asked that specific question was in view of the tremendous growth in Elliot Lake and the expansion there and the number of people, a lot of them business and union and government people, travelling into Elliot Lake. My interest was whether or not most of those people who are coming from southern Ontario tend to be coming through Sudbury or through the Sault.

I know the total passengers on that route to Elliot Lake has increased substantially. I wondered whether or not it might mean some changes in the schedule or not in terms of a second flight into Elliot Lake from either the Sault or Sudbury to serve the needs of those passengers. If the minister has some response, I have one other question.

Hon. Mr. Bernier: I have some figures just for the month of November 1977. On the leg between Sault Ste. Marie and Elliot Lake, we averaged six passenger per flight. On the leg from Sudbury to Elliot Lake, we averaged 10 passengers per flight in the month of November. I might say further to this that we are monitoring the needs of Elliot Lake very closely because of the tremendous mining potential that exists there and the boom we know is going to occur.

When you think that in the mid-1980s the population of Elliot Lake could soar to 35,000, it is obvious to us that air traffic and air service will have to be upgraded considerably. I don't think it is any secret that we have looked at and are looking at those traffic patterns. At the present time, Kapuskasing is our heaviest load out of the northeast. We would like to tie Elliot Lake in with Sudbury and the Sault. There is a desire for the mining public to have some direct connection between Elliot Lake and Toronto. We have looked at all those configurations and possibilities and our examinations will continue.

[3:45]

I think it is fair to say we would like at some time, if the service warrants it and we can support a larger aircraft—or increased Twin Otter flights may be the answer—but it may be somewhere well down the road that we could put a Dash 7 on. That aircraft is made in Ontario by Ontario workmen, and if at all possible, somewhere down the road, I think the province would like to have a Dash 7 in the northern part of Ontario if there are the passengers and the support for that size of aircraft, because it holds something like 50 passengers, and the Twin Otter holds only 19. So we are monitoring it very closely.

Mr. Wildman: As the minister is aware, the federal government is doing some expansion work at the airport in Elliot Lake so it will be able to take larger aircraft. It would probably be useful some time in the future for more direct flights from southern Ontario into that area.

For the benefit of the member for Erie, if we are looking at direct flights, and since the minister indicated that Hornepayne is on the list, I am sure the people of Hornepayne

would like to have direct flights into the Niagara Peninsula if that is possible.

Hon. Mr. Bernier: Mr. Chairman, on that point: Hornepayne is an interesting one. The member might be able to enlighten me as to where the traffic pattern would go out of Hornepayne. Does he think the pattern would be oriented to Kapuskasing, to Sault Ste. Marie, or to Thunder Bay? I am just wondering what his opinion is on that.

Mr. Wildman: Certainly the highway traffic pattern is more oriented towards Kapuskasing than the other way. Obviously I haven't done any studies on it, but it would seem to me that people who are travelling by air do tend to head towards Timmins. However, if there were a link between Hornepayne and Wawa, I suppose they could go through the Sault. I really don't have any more information than that. It is certainly true that Hornepayne is oriented more towards Kapuskasing and, the other way, to Thunder Bay than it is to Sault Ste. Marie, but I think that has to do with the fact that there wasn't a highway link until the last few years with the southern part of Algoma.

I have one question relating to a matter I raised in the Ministry of Transportation and Communications estimates last year, I believe; it has to do with safety and how it relates to the air services in the north.

One of the officials in charge of the air service for ONTC had made a statement in the press which I quoted at that time. He was saying that he was very unhappy about the fact that there were more modern radar facilities available than we now have which would make it possible to land and take off in worse weather conditions if they were installed at more airports in the north. He wasn't just relating to provincial and municipal airports and so on.

I raised it at that time in the standing committee considering the Ministry of Transportation and Communications estimates, and that ONTC official did respond. He did say yes, he had said that and he hoped that those kinds of facilities would be installed in the near future at some of the airports that have heavier traffic than others and eventually at all airports in northern Ontario.

Mr. Haggerty: They're not that expensive, Leo—about \$60,000.

Mr. Wildman: Yes, about \$60,000. Unfortunately, at that time the Minister of Transportation and Communications indicated that they did not have plans to go ahead with that at that time or in the foreseeable future because of restraints. When you consider the fact that it isn't an overwhelming cost we are

talking about, I wonder what plans there are now for the installation of this kind of equipment in the northwest and the northeast; and if there are any plans, what specific airports is the ministry looking at?

Hon. Mr. Bernier: Mr. Chairman, if I might respond to the member's earlier questions concerning traffic on the Sault-Elliot Lake run: in 1976 our passengers numbered about 1,050; in 1977 the number went up to 4,400. So the volume has increased fourfold; it is very encouraging.

I am personally very much involved and concerned with the question of air safety. And that relates to the days when I did a little bush flying across northern Ontario. Quite frankly, I guess at that time we were flying by the seat of our pants. In many instances, they are still doing that.

Mr. T. P. Reid: Some would say that's how you operate this ministry. I wouldn't, but some would.

Hon. Mr. Bernier: I know you wouldn't say that. No, I'm sure of that.

Nevertheless, we managed to do the job we were supposed to do and that's the most important thing.

The question of safety causes those of us living in northern Ontario a lot of concern. Following the Fraserdale disaster, a terrible aircraft accident which involved a number of civil servants and other people—something like 12 deaths—I called for a public inquiry and personally contacted the federal minister, as did my colleague the Minister of Transportation and Communications.

There was a response which I believe has assisted some of the operators. And let's not be too quick to condemn the operators, there are a lot of good operators in northern Ontario. I think inspection and surveillance of services by the federal government was indeed weak, and they recognized this. They have since beefed up their inspection system right across the north, at both the local and regional levels, and that is having an impact now.

From recent press comments I also understand the federal government is thinking about setting up a public body to examine aircraft accidents across Canada. I think this may satisfy some of our needs.

The cost and efficiency of navigational aids is something the Minister of Transportation and Communications is very much interested in because of the minister's flair for flying. As you know, he is quite a pilot himself and he has been pressing the federal government to get on with the job of improving the navigational aids across northern

Ontario. In most places directional beacons and this type of thing are a federal responsibility, because they operate the airways.

The installation of microwave landing systems is relatively expensive, I have to say to you.

Mr. Haggerty: Not that expensive for the safety it provides.

Hon. Mr. Bernier: Well, \$250,000 for a microwave landing system. Maybe what you're referring to are directional beacons, which are around \$50,000 or \$60,000. But they don't have the range you would need.

The microwave landing system is a sophisticated ILS system, which is the latest thing. In fact, they're using them in many parts of western Canada now. They're the most sophisticated landing system available to date.

But you're quite correct; the directional beacons are relatively cheap. MTC and MNA are co-operating in putting those directional beacons in the remote airstrips of northern Ontario, like Sandy Lake and Big Trout Lake, the ones that the province is totally responsible for. I don't have a list of those specific ones, but we are making sure they are being installed.

Mr. Haggerty: In our crossfire of interjections this afternoon, I did mention extending the services to the southern part of Ontario. The ministry is doing an excellent job in northern Ontario with the air services there. If I can recall, there was a study done a couple of years ago related to STOL aircraft by Bradley Air Services, that was to include areas around Elliot Lake to Gore Bay to Owen Sound and down to Toronto, and which covered the Niagara Peninsula.

The Ministry of Natural Resources has indicated it is going to open up the north by selling cottage lots. I would suggest to the minister that many of the highways heading to the north country will not handle the traffic. I would suggest if it is to be a successful program of selling these lots to people, perhaps many of them to purchasers in southern Ontario, a quick way to get to northern Ontario and to the cottage area would be by aircraft.

I would suggest to the minister that he should be looking at that study report which was done here about four years ago by Bradley Air Services, because I believe that it would encourage people from southern Ontario to buy lots further north. I'm talking of the Cochrane area and throughout that area, which is quite a drive from southern Ontario. It may eventually open up northern Ontario for the people of southern Ontario.

They would then perhaps have a better understanding of the climate and the atmosphere in northwestern Ontario.

Hon. Mr. Bernier: I have the information now for the member for Algoma with regard to directional beacons. They are to be installed at Fort Hope, Lansdowne House, Kashechewan, Webequie, Bearskin, Sachigo, Deer Lake, Kasabonika, Kingfisher and Wunnumin Lake. We're moving ahead on that program quite rapidly.

In response to the member for Erie, I appreciate his interest and his comments with regard to our services in northern Ontario and his desire to have them spread into southern Ontario. I think it's unusual that somebody from southern Ontario would envy something that is going on in northern Ontario.

Mr. Wildman: Northern Affairs handles everything north of Bloor.

Hon. Mr. Bernier: I recognize his desire to use our pilot program and extend it to the south and also, to make use of the cottage lot program. That's something that we on this side of the House are encouraging. We like your thrust.

Mr. Haggerty: Even the tourists.

Hon. Mr. Bernier: Certainly the idea is a good one. We'll dust it off and look at it. I would just remind the honourable member that we have something like 250,000 natural landing strips in northern Ontario. Those who will fit their aircraft with a good set of pontoons will have the use of one of those at very little cost and they'll enjoy the wilderness aspect that those of us in northern Ontario cherish so much. There isn't that urgent need to build airstrips all over and to get that air service. If they have an aircraft, one that will carry a good set of floats, then 90 per cent of the province of Ontario is at their command.

Mr. Haggerty: Like a Dash 7?

Item 6 agreed to.

Vote 903 agreed to.

Mr. Chairman: This concludes the estimates of the Ministry of Northern Affairs.

On motion by Hon. Mr. Bernier, the committee of supply reported progress.

STANDING MEMBERS' SERVICES COMMITTEE

(continued)

Resumption of the adjourned debate on the motion for the adoption of the May 4 report of the standing members' services committee.

Mr. Speaker: Does any member wish to address himself to this report?

Mr. Warner: I understand also that the member for St. George (Mrs. Campbell) wishes to make some comments.

The members' services committee has met several times to deal with the matter. Some people weren't anticipating this coming up. I don't know if there is any indication that the Minister of Government Services (Mr. Henderson) will be present this afternoon or not, because it does affect him.

[4:00]

We have been trying, as you know, to have some co-operation among all the members. The members' services committee has tried to deal with the jurisdiction of the building for one thing and the movement of the secretariats out of the building for another. The assembly office is another matter.

We have been trying to deal with it in as good a working relationship as one could imagine. We have tried to deal with this in what I think is a very reasonable way as members of the assembly, in part removed from the political arena—if you can ever do that in this setting, which I don't think you can do entirely—but we have tried to deal with it in a very amiable fashion. We have tried to be reasonable about it.

What we discovered first was that there was a commitment that the secretariats would move out and therefore the space would become available. We assumed it would become available under the direction of the Speaker for the use of the members and whatever services they require, but that move would take place.

We then were informed that it was going to be a bit longer than we had anticipated. Then the Minister of Government Services informed us that because of the new budget restrictions resulting from the OHIP decision his budget would be cut by \$2 million. Therefore he could not guarantee that the secretariats would move out, because there were moneys involved in the moving.

Mr. Deans: It's hard to believe that he's really a lightweight in cabinet.

Mr. Warner: It is difficult to believe that that particular minister doesn't have any influence in the cabinet, nor that he wouldn't understand the recommendation of the members' services committee or why it was made so strongly, about the movement of the secretariats—that it must be effected as quickly as possible. We assumed it would be done during the summer.

One thing posed to the minister was, "You tell us that you are short \$2 million now

because of the new budget, but you have indicated that if the members were willing to move into the Whitney Block, you would put in a supplementary estimate." Mr. Henderson agreed. Yes, he would be willing to do that.

I thought it was rather strange that if the members agreed to move into the Whitney Block, he could find money to do that by supplementary estimate. However, if we insisted on the secretariats moving out of the building he couldn't guarantee the money—there wouldn't be any way of finding the money.

It seemed to be inconsistent to me, so we pressed on a bit further and I got the distinct impression that the minister was very reluctant to have the space freed up—perhaps not so much because of the space being freed up but because it might then automatically come under Mr. Speaker and be removed—

Mr. Deans: Mr. Speaker, on a point of order if I may, the importance of this debate to all of the members is self evident. I would not want to have the debate proceed at this time given that there doesn't appear to be a quorum since I am sure the reason for that is the members may not be fully aware of the fact that the debate is currently under way. I wonder if you would check, sir, to see if there is in fact a quorum.

Mr. Speaker called for the quorum bells.

On resumption:

Mr. Warner: I fully realize that members were not aware that this was going to take place right now; we were operating under the assumption that the estimates for Northern Affairs would continue for a bit longer. That is the reason why some of us weren't here, including the Minister of Government Services, who has had an interest in this matter.

Someone commented to me, "What more can you say about the matter? We have dealt with it 50 million times." If it has to be 50 million plus one, then it has to be said. The environs of this place are surely for the members as they try to go about their duties as legislators. That first consideration means that, in the view of the members' services committee, the secretariats should move out of the building and free up the space.

It seems to me pretty straightforward that there are two or three things involved. Firstly, the government should clearly state its intention to adhere to the principle that this building is for the members and their services first and foremost, and that the building will be put to that use. That's the first thing.

Secondly, the government should tell us when that's going to happen. When is it that

it is going to move the secretariats out? I think those are pretty clear items.

Thirdly, which follows pretty directly, in order for us to carry on in an orderly fashion from there on, all of the building should come under Mr. Speaker. That just follows reasonably and rationally.

Perhaps if we're able to accomplish that, then we will know that each member of the assembly is going to get equal treatment with respect to the allotment of space and the kinds of services that are available so that each member of the assembly can try to carry out his or her duties in as straightforward and precise a manner as is possible. That's not going to happen until we get a statement of principle from the government that the secretariats will move out; further, that the building will come under Mr. Speaker, and that that's going to happen pretty quickly.

Now that the minister is here, perhaps he would care to comment on what seems to be a contradiction on his part when he said earlier that he could find the money by way of supplementary estimates if the members were willing to move into the Whitney Block but, because the Treasurer has cut \$2 million out of his budget, it might be a problem for him to accomplish the move of the secretariats out of this building by a specific date. It might happen some time in the future, but he couldn't make a commitment because the Treasurer has taken \$2 million off his budget. That contradiction, I think, needs some explanation from the Minister of Government Services.

Perhaps today, in this debate on our committee recommendation, we could have an indication from the government as to precisely when those secretariats and the assembly office will move out of the building so we can then begin the task of being able to allocate space to members through Mr. Speaker, since the actual allocation of space to members belongs with the Speaker of the assembly. We can also then carry on with our work to make sure that all of the building comes under Mr. Speaker and that we don't have any further difficulties.

As you know, Mr. Speaker, we spent some time trying to figure out how to get some permanent committee rooms so that when important committee work is going on we don't have to scrounge around for a room. Our caucus has donated its caucus room on the last two or three occasions for one of the committees. The committee has come down, Hansard has set up its equipment and so on. That's fine; we're quite willing to do that. But it's not exactly the most suitable location. It does make it difficult for people trying to

find the committee, for example. It certainly makes it difficult for the government staff who have to transport the equipment around and set it up, and for the Hansard people. There are a lot of important matters that have to be discussed.

[4:15]

Quite frankly, I don't think that the members' services committee can do much more useful work until we have solved this particular problem about the secretariats moving out, and secondly the principle of the building coming under Mr. Speaker. Until we have resolved those matters, it really doesn't make much sense for the committee to continue to sit. That's why you've got a report in front of you. That's why the members' services committee reported back to the assembly, because we're anxious to have this matter resolved. Unless it's resolved, there isn't much point in our getting together every Thursday morning. It just frustrates our work, quite frankly.

I'm not sure exactly what other members are going to have to say on this subject, but I do know that some members, the member for St. George in particular and the member for Windsor-Sandwich (Mr. Bounsall), have been quite concerned and have put forward reasonable arguments to try to convince the government. I think we've spent a fair bit of time trying to put forward reasonable arguments.

Maybe we've reached a stone wall. I don't know, but if we have, today is the opportunity for the government to break down the stone wall and explain whether or not they are willing to accept the principle, and secondly, when they're going to actually make it happen.

I await comments from the Minister of Government Services and any other government members who wish to be involved, as well as the comments from my legislative colleague from St. George and any other members.

Mrs. Campbell: Mr. Speaker, I must first apologize. I had thought that the estimates would continue longer than they did, and I ought certainly to have been in the House when this matter was called. From time to time I have felt that I really was going to have to couch my concerns on a matter of privilege, because we have a committee which has been set up by this assembly and it has been frustrated for I would say two years or more in trying to get on with its work.

As my friend from Scarborough-Ellesmere has said, it is useless for this committee to

continue to sit when everything we suggest seems to be a matter of concern to somebody else. As you know, we have tried very patiently to get on with this very small segment of our responsibility, which we view as a first step in trying to come to grips with this building.

We understand that the secretariats, by the commitment of the previous Minister of Government Services, would commence leaving this building in February of this year. What the member for Scarborough-Ellesmere said about the attitude of the present Minister of Government Services certainly filled us with a great deal of concern, because the minister seemed to indicate that he was not able to find the money, or might not be able to find the money, to honour the commitment of his predecessor.

I have been informed via the grapevine that perhaps he is going to move these secretariats, but we need to have it now in a stated position in Hansard so we know how to address ourselves to other problems.

There is no question that we need more committee rooms. Mr. Speaker has sat in this House longer than I have, but I would say that since 1973 the momentum of committee work has stepped up considerably and yet we really don't have any more committee-room space than we had then. It is wrong that we should be trying to bumble along to get space for us to meet. Certainly one of the small committees could use the space of the offices of the Legislative Assembly. Surely the moving of that function cannot be a matter of significant cost to the ministry.

The question of the secretariats and the question of the offices of the Legislative Assembly are really only the tip of the iceberg of the problems of this building. May I say that coming to you and to the minister will be some recommendations with reference to the use of the east door and the north door. Our committee sat and wondered if we should send out a circular "to whom it may concern," to try to find who has the jurisdiction.

One of the government members on the committee was concerned about the lack of lighting at the east door, which is, of course, the door which most members have to use if they are sitting in committee after the dinner hour and the House is not sitting. We have been concerned about the fact that the north door is not available to us on Wednesday nights when we have been sitting, and sitting until late hours. We recognize that this may be a matter of concern from the point of view of establishing security and we are prepared to have an answer to

that; but at the moment, it is pretty ridiculous to sit in that committee and try to determine to whom we should address our requests.

As Mr. Speaker knows, we have had a concern about the matters of the dining room. That seems to be before the Board of Internal Economy. We have made suggestions, but it is not satisfying to discuss topics and yet feel that we are not a part of the ongoing consideration of these matters, since they do come within our purview. I don't know what has to be done to make the work of this committee more useful to this House. We come to the point where we have people writing expressing their concerns that some people have been asked to move from the building. I would like to be corrected on this if I am wrong, but as I see it if this is the legislative building, in our view it should come within the purview and the prerogative of Mr. Speaker.

It is disturbing that Government Services is going ahead planning the rest of this building and acting in a vacuum as far as our committee is concerned. We feel this is something we ought to have a share in, since we were established to have input into the matter of members' services, as the name of the committee implies. It seems to me a little ludicrous that we have to proceed with the point by point reports out of this committee. We start now with the secretariats and the office of the Legislative Assembly. If, as and when that problem is resolved, I suppose then there will have to be a debate and a committee report with reference to room 228, for example. I really do not think it is useful for a committee to have to go piecemeal, a room at a time almost, to bring matters before this assembly.

It seems to me that the principle should somehow be established so that then there may be some orderly progress to enable us to provide the facilities that we see as important. Certainly we cannot do anything about the setting up of permanent committee rooms really until we have the committee rooms; otherwise we are going to find that there will be no committees able to sit. We have to carry on with this very awkward arrangement of committee rooms where there are microphones that fall over and are not permanently fixed. We have to wonder from day to day where we are going to sit.

I say to you, Mr. Speaker, this is a most inefficient way in my view to run a peanut stand. Yet this is the way we are running the assembly in the legislative building in the capital of this province of Ontario. I

would have thought that we might have had a little more pride in ensuring that we have committee rooms which are capable of having public debates. As you know, we have had to use the NDP caucus room for some of our landlord and tenant meetings. It is estimated we had 300 people attend in one night, and there was standing room only. This is not the way we should be functioning.

I too want to hear from the Minister of Government Services. I would like to have an answer to our question as to when the secretariats will vacate this building and when the offices of the Legislative Assembly will vacate so that at least we can add one more permanent committee room. Maybe I am wrong and maybe we always did have so many committees, but I don't think so. It must be an awful lot of work for the Clerk to try to shuffle this deck to find the room and the space for these committees to sit. I am sure he has more important things to do than that with his time.

I too am anxious to hear from the Minister of Government Services and trust that he will at this time be precise in his answers at least to the specifics of this report.

Hon. Mr. Henderson: Could I ask the last honourable member, as I heard her say in her last few words the office of the Legislative Assembly, what was she referring to there? That is the way I took her remarks.

Mrs. Campbell: I guess I should have said administration office, but I thought the minister, having sat in, knew what I was talking about, I'm sorry.

Hon. Mr. Henderson: I just wanted to clear that up.

First, may I make it quite clear to the House that as previously announced the three policy field secretariats are planning to move in August. That is our plan.

[4:30]

Mrs. Campbell: What date?

Hon. Mr. Henderson: I won't give you a date. I'm saying the month of August.

Mr. Worton: In 1978 or 1979?

Hon. Mr. Henderson: August 1978. That is the present plan if nothing gets in the way. The move is scheduled to be completed at the end of August and work on the Whitney Block is proceeding on schedule. Money has been provided in the Ministry of Government Services budget for this work and we estimate that it will be completed within the budget. Almost the entire ground floor of the Whitney Block will be occupied by the three policy field secretariats. Some space is being retained by the Ministry of Natural Resources for their

map and publication services and some space has been provided for the committee of the Legislature chaired by Mr. Breaugh.

There are three or four rooms which are now in reserve and which can be used if there is an urgent need, although it might be appropriate to keep them for some future expansion of a policy field secretariat. Let me clear that up. If there is an urgent need, like we ran into with Mr. Breaugh—he needed a room for his committee and we put them over there.

With the exception of the policy field secretariats, all of the functions presently contained in the building are closely connected with the operation of government. These include the office of the Premier, the cabinet office, the offices of the Speaker and the Clerk of the House, the office of the Legislative Assembly, the Hansard office, the press gallery, the legislative counsel and the Ministry of Government Services legislative services office.

The space vacated by the policy field secretariats will be made available for the members of the Legislature. When these areas are added to the area presently occupied by the members, it will be possible to provide each member with more space than he presently occupies.

The Ministry of Government Services designers are working on an appropriate way of utilizing space allocated to the members in the best possible way. It is hoped that the proposed changes will be approved by all parties so that work can commence when the various areas are vacated by the policy field secretariats.

A major reallocation of space during the time the building continues to be occupied creates a problem of timing. When certain changes have to be made prior to other changes, the work tends to become drawn out. No funds have been allocated or budgeted for these major alterations in the legislative building. No estimate of cost has been prepared since the design work has not advanced to a point where it can be used for the estimating purpose.

The question of the member for Scarborough-Ellesmere was whether it was possible to have all the responsibility for the building under the Speaker. He also asked when the policy secretariats were moving out. Both he and the member for St. George asked that.

Have I answered that clearly? The present plans call for the policy secretariats to move out in August of this year and over to the first floor of the Whitney Block.

The next point concerned the Wednesday night meetings of the committee. How many

Wednesday nights does the committee meet? One, two, three a year? I'm sure that special arrangements can be worked out if that's a problem. But I don't think any member of this House would request that the north door be left open every Wednesday night of the year because of the two or three nights a year a committee is going to sit. I don't think we would want to be that extravagant with the money of the people of Ontario. I would suggest, Mr. Speaker, that when there is a committee meeting on Wednesday nights your office or the office of whoever is accountable for it at that time could certainly make arrangements to see that the north door is open, if that's a must.

Both members made some comments with respect to the complete building coming under the Speaker. At this time, I would reject that proposal. The Minister of Government Services is looking at office space for 125 members. The Minister of Government Services is convinced that all members elected to this Legislature are entitled to an office in this building. As I brought to the attention of the members' services committee a few weeks ago—it's too bad the chairman of the committee was not there that morning; we did have a very good debate.

Mrs. Campbell: I've read it.

Hon. Mr. Henderson: I regret she was not there because we did. I brought out the point about the problems we are faced with in this building. I did have the opportunity to view a map that was presented to the committee a week or two previous to that. That map did not leave sufficient space for the operation of the assembly.

As I mentioned, I am convinced that the press, Hansard, and the legislative counsel are part of the operation of this assembly. I repeat that I want all members to be accommodated in this building. As it stands now, there are not 125 offices available in this building to give the members the size of an office that was recommended or that I believe members are entitled to.

I suggest that the government doesn't plan on turning over the complete building to the Speaker. The government doesn't plan on turning over any of the offices held by the government or the government staff. We are certainly ready to continue with shared accommodation, with the Speaker taking care of the necessary staff for the operation of this assembly and being in charge of the offices of the opposition members. At this point, that is as far as I'm ready to commit the government.

I don't believe it's completely in order in debating a report like this, but I would be glad to answer one or two questions with the Speaker's consent. Before I do that, I have a report here on all of the other provinces in Canada. I find there are two of them in which Mr. Speaker has control of the legislative buildings. There are others where Mr. Speaker has control of the legislature and the corridors leading to it. But, all in all of the 10 provinces, there are two where Mr. Speaker has complete control.

Mr. Warner: What about the federal government in Ottawa?

Hon. Mr. Henderson: Mr. Speaker, with those few remarks at this time, we as the government don't plan on turning over the offices that we or our staff have, to you.

Mr. Young: Could I ask a question for clarification?

The minister mentioned that he wants space in this building for the 125 members, but it doesn't seem to me that space is needed for the 125 members. We're not expecting to move the cabinet ministers of this province out of their luxurious apartments. They're there and they're established. They have quarters which are adequate for them and would be adequate for three or four other ordinary members. We don't need 125 accommodations here but just for the members who are not in the cabinet. That cuts down the requirement quite considerably.

Hon. Mr. Henderson: Mr. Speaker, I don't want to cause a dialogue but with your consent I would answer the question. I'm sure the honourable member has been around exactly the same length of time as I have been. Over those years, I am sure that he has met with—

Mr. Deans: He has worn so much better.

Hon. Mr. Henderson: Yes, I would have to admit to that. He has worn very well.

Mr. Deans: So much better.

Hon. Mr. Henderson: He has worn very well, in fact, excellently. The political party with which he has been associated really hasn't damaged his looks one particle. In fact, they've improved with age, the same as the minister's. We would be in agreement with that.

Mr. Deans: That's true. You carry the weight of the world on your shoulders. I'm surprised you do not have more weight in the cabinet.

Hon. Mr. Henderson: I'm not too concerned about that. That really isn't a concern of the minister.

Mr. Deans: You should concern yourself with it.

Mr. Warner: He's got the honour.

Hon. Mr. Henderson: Didn't you hear the Minister of Northern Affairs and his comments?

Mr. Warner: He's got power.

Mr. Deans: He's got a heck of a lot more weight than you've got.

Mr. Warner: Anybody that can drive fire engines around from one place to another—

Hon. Mr. Henderson: There's a bit of a challenge there, Mr. Speaker—

Hon. Mr. Bernier: The member for Scarborough-Ellesmere is so small I can't even see him.

Mr. Deans: He's just the right size to get the minister off the track.

Hon. Mr. Bernier: Is he there?

Mr. Speaker: Order.

Mr. Deans: Address yourself to the Speaker, please.

Hon. Mr. Henderson: Mr. Speaker, I have been trying to do that, but some of the other members are not addressing themselves to you. I have been watching all the time.

Mr. Speaker: I am responding to the member for Yorkview.

Mr. Deans: Why are you delaying your answer so long? Why don't you get on with it?

Hon. Mr. Henderson: I am trying to respond to the complete assembly. We are in the Ontario Legislature, and there are other members—

Mr. Deans: I know what you are doing. You are waiting for someone to write the answer for you.

Mr. Speaker: Order. The member for Wentworth doesn't have the floor.

Mr. Deans: I don't even want it.

Hon. Mr. Henderson: We, as the government, once again believe that all members are entitled to an office in this building; it's as simple as that.

Mr. Young: Mr. Speaker, does that mean then that the minister is thinking in terms of cutting down office space as far as the cabinet ministers are concerned? I can't see how they can transfer the space they now occupy into this building and still leave space for others. I agree it might be desirable, and if the minister would give a cabinet minister a space such as I occupy, Godspeed to him, that would be wonderful, but I hardly think that would suit the dignity of a cabinet minister. This minister should give them a bit more

space, because one of these days we are going to be in that cabinet and we will want a bit more space than I am talking about now.

An hon. member: Don't hold your breath for that.

Mr. Young: For a Tory member, perhaps it's enough; but New Democratic cabinet ministers of the future are going to need more space than I occupy now at least. Perhaps the minister could tell us something of the plans in this regard. Does this mean he is going to squeeze down the square footage which present cabinet ministers occupy in order to get them into this building and still leave space for the rest of us?

Hon. Mr. Henderson: Mr. Speaker, in response to the honourable member's question, there is no intention of cutting down the size of the office for the private members.

Mr. Warner: We didn't ask you that.

Hon. Mr. Henderson: I know, but I want to go on to that. The ministers may have to take a smaller office to have an office here in this building. They may have to. My staff have not got far enough. I don't mind telling you, Mr. Speaker, and the member for St. George, that I did arrange this morning with Mr. Callfas, the clerk of the committee, to be available at 10 o'clock on Thursday morning, June 22.

Mrs. Campbell: That's the day before we wind up.

Hon. Mr. Henderson: At that time I would hope to be able to present a proposal that my staff have put together. I have got certain information from the leaders of the opposition parties as to the needs and more information is coming. At that time I hope to have plans to present to the legislative committee.

I might say, Mr. Speaker, that I have a letter from you requesting certain information. As I told you, I am preparing a personal reply to you; it's not a reply from the staff. The Speaker is as interested in this building as any of the rest of the members opposite. He has certainly contacted my predecessor and he has contacted me by letter. I haven't responded, but I have told Mr. Speaker that I will be responding to him.

It is not easy to find out what we need—

Mrs. Campbell: Oh, yes! To find out what the government needs.

Hon. Mr. Henderson: With all due respect, Mr. Speaker, there are slightly more than 100 offices in this building for 125 members. There are not 125 offices. Mr. Speaker is aware of that and anybody who wants to look at the plans will be well aware of it.

My concern is that the private members should have the appropriate accommodation. [4:45]

Mr. Speaker: We are getting away off track here. There is a motion for the adoption of a report of the standing members' services committee. Normally, any member who wishes to speak will have an opportunity to do so and the minister can wind up. We have given a little more latitude in this instance. I think if any member still wishes to speak who has not already spoken, I will recognize him.

Hon. Mr. Henderson: Mr. Speaker, before proceeding, if I might say one more word: I have no objection to the resolution before us. It is right down the line with what we are planning. You suggest moving out the three policy secretariats, I have made it clear today that it is our plan to do that during the month of August.

Mrs. Campbell: On a point of order, I don't understand your position. If I may have clarification—the minister has raised in his response a series of questions—at least in my mind—and I would suspect in the minds of other members of the committee. Is Mr. Speaker not going to permit us to address ourselves to the questions which the minister raised in his own statement? Otherwise, we are just spinning our wheels again.

Mr. Speaker: This isn't really a committee. We are sitting here in the House, where the motion before the House is for the adoption of a report submitted to the House by a committee, in this case the standing members' services committee. The normal procedure is that you allow every member who wishes to speak to the motion to do so—

Mrs. Campbell: I am not trying to cut it off.

Mr. Speaker:—and if you want to give yourselves unanimous consent to have a free-wheeling debate on this, it may establish a very dangerous precedent.

Mr. Warner: Could I speak to the point of order? I appreciate your remarks.

The report from the committee has been brought in, it has been dealt with and the minister has stated his position rather clearly on both positions. When the committee sits again as a committee it can deal with the remarks made by the minister and try to carry on from there.

Perhaps we can deal with the matter of principle that the minister has raised. I think that's why my colleague from St. George rose; because the minister raised a matter of principle where there seems to be a division between this side and the other side of the

House. Perhaps when the members' services committee sits again we can deal with that matter of principle and attempt to resolve the basic problem of the building coming under Mr. Speaker.

I would be quite happy to have that happen on Thursday of this week.

Hon. Mr. Henderson: Before you decide, on Thursday of this week I will be 300 miles from here.

Mr. Warner: That's not far enough.

Mr. Speaker: Order. The minister has already spoken.

Mr. Martel: I just arrived from yet another committee and I want to rap a little bit with the minister and with the Speaker.

Mr. Speaker: You are not going to rap with the minister, the minister has risen twice now.

Mr. Martel: Well I said and with the Speaker, I hope I will be allowed to discuss this motion that is before the House.

Mr. Speaker: Feel free to do so.

Mr. Martel: I said I was going to rap with the minister and with you about this building for a few moments.

Hon. Mr. Rhodes: I'd like to rap you a couple.

Mr. Martel: And the Minister of Industry and Tourism as well. Is it tourism and information now, or has it changed again?

Mr. Speaker: Are you going to talk about the report that is before us?

Mr. Martel: I sure hope so, I have been speaking on it for about three years now. I well recall a debate which occurred in this Legislature not more than five or six weeks ago when we were discussing this very matter, and the member for London South (Mr. Walker) said on that occasion that a private member's bill dealing with the control of the Legislature and who would have adequate space was being presented too soon. He said it was premature for such a private member's bill dealing with the Legislature to come here.

I challenged the member for London South at that time to surrender his palatial suite to other members of the Legislature, and, of course the member chose not to respond. After he had his say about it being premature, he disappeared.

I'm not sure, but I think on that day I recall that the member for Humber (Mr. MacBeth) also spoke. He said with such a bill and a motion as we have before us—I think he said we had been served well. I guess from the lofty heights of—where is it,

Grosvenor Street?—which he occupied for some time, and his palatial suite up on the fourth floor, one can well make those comments.

It's one of the reasons we on this side of the House have had to take the type of position we've taken in the last six to eight months about the whole of this Legislature. The point is that until the Speaker is in firm control the opposition members always get short shrift.

I agree the present minister might try to alter things, but with the conditions we're faced with today—and I say this to my friend, the minister—the situation wouldn't be so disastrous if things had been different. If the fairness he speaks about had applied over the years, the situation wouldn't be so obviously distorted as is presently the case. For that reason, we, in the last six to eight months, have started to try to pressure the government into a sense of fairness.

This will never occur until Mr. Speaker is in charge of the building. With the greatest respect to my friend, the minister who occupies that ministry now, that ministry is like musical chairs. We go through ministers there almost a dime a dozen.

He wants to hang on to that—

Hon. Mr. Henderson: There's not that many.

Mr. Martel: Not that many—but close.

Mr. Warner: That's an inflated price.

Mr. Martel: Some of the decisions out of that ministry which apply to the rest of us have not been very fair at all. In fact, they just don't take into consideration the opposition parties. As one of your officials said, "We always look after our own members first." That's a true civil servant, mind you.

I suggest to you that unless the Speaker gets control of the building, nothing will change. This minister might try to influence change but, by golly, one's not sure that come August he might not have moved off to another portfolio and the government might put the the member for London South in.

Hon. Mr. Henderson: Not over there.

Mr. Martel: You might put Gordon Walker in.

Mr. Warner: Can you imagine?

Mr. Martel: But Gordon Walker says it's premature. Could you imagine what would happen to the plan of the present minister if someone like the member for London South were ever to occupy the Ministry of Government Services?

Mr. Warner: Can you imagine?

Mr. Martel: My God.

Mr. Warner: What a disaster.

Mr. Martel: He'd put us in the basement—because anything else is premature.

Mr. MacBeth: Hear, hear.

Mr. Martel: My friend who's just spoken had his day and he didn't alter it for us either. I wish you had, John. You had some clout in those days.

But fairness just isn't here, and my friend, the Speaker, knows that. I believe on the last vote, he declined from voting. In fact, he was going to oppose the bill that was presented because he didn't rise in his place as the rest of them did on being summoned to rise. Five or six of the Conservative members did rise on that occasion—to their credit.

We're lucky this afternoon. We have three cabinet ministers here. If they were to use some influence we might get out of this problem. We might see something called fairness develop. I presume with the present minister that could occur, but I suspect with some pressure they might want to oust him because he's going to make it somewhat better.

Removing the three ministries and, talking about the other section of the motion, the administration office, will really not completely resolve the situation or get us out of the problems in this building.

Mrs. Campbell: Especially when he says he won't get money to relocate people within the building when the secretariats move out.

Mr. Martel: We will still be at loggerheads. Maybe the Tories would like to change caucus rooms with us?

Hon. Mr. Henderson: You will never have our caucus room.

Mr. Martel: Not for that reason, but we're tired of the pillars because we can't see around them. Maybe you Tories can see around corners.

Mr. M. Davidson: They can see through them.

Mr. Martel: Getting rid of those three offices and getting rid of the people who work under the Legislative Assembly Act and the offices they hold now will really not resolve the problems confronting this Legislature.

Mrs. Campbell: But they will be a start.

Mr. Martel: It's just the beginning. If my friend, the minister, had been around a week and a half ago, the afternoon we had one Mr. Jackson with his famous report in committee, he would have seen that members were standing. They couldn't find room. There was insufficient room for the members of the Legislature to get in to the committee. There was

insufficient room for the press. There was insufficient room for any of the citizens of Ontario who wanted to come in to watch that.

The same applied during the Health debate. There was simply no room. We have more room up here. There was no room during the Health mess that went on for members of the press and for members of the Legislature to get in. There was insufficient room for the members of the Legislature to sit down there.

Hon. Mr. Henderson: Bring them up here.

Mr. Martel: We might have, but this place was also occupied. It's a case of having the funding to renovate the committee rooms as well so that we can have adequate committee rooms which to this date we don't have. Can you imagine in 1978 in Ontario, Mr. Speaker, having committees of this Legislature, who, when witnesses come before them have insufficient room for the witnesses and the members of the Legislature to go to the committee room? What's that saying about the goings on in the state of Denmark? It's just totally ludicrous.

As I say, while my friends, the member for Humber or the member for London South might agree that this grand old building has served us, she's not serving us well now. If he was at one of those exchanges within the past three or four weeks, I say to my friend from Humber he would know that what I said in the last debate on this was that the existing committee rooms are not large enough. They don't meet the needs.

They're crazy from the point of view if he were also there—and there were great numbers there—that the microphones continued to fall on the floor. As somebody kicked a wire that was taped to the floor, a mike would fall off. People had their books on the floor beside them as they tried to look at material pertaining to what was going on in those discussions. There was no place for witnesses or members of the civil service to have their material before them. Some of it was on the floor.

We should have put the minister on the floor maybe for openers. That wouldn't last very long. I suspect if my friend, the minister, had on occasion to sit on the floor with his books beside him and put a mike down there with him, then we would see the committee rooms improved.

Hon. Mr. Henderson: I will be on the floor.

Mr. Martel: Yes, but you're not on the floor yet.

Mr. Gregory: He was up on the scaffolding a minute ago.

[5:00]

Mr. Martel: I could tell you about the scaffolding last week too. I thought they'd have the Minister of Labour in here because of the way that thing was erected. Be that as it may, until the jurisdiction for committee rooms comes under the Speaker, we will have that intolerable situation, which surely isn't just demeaning to members of the opposition parties. It must also be demeaning to the government to have committee rooms that are not large enough, to have microphones falling over, to have people standing around or sitting on the floor or trying to follow debates with material on their knees. It is a disgrace that this can prevail.

The same can be said with respect to caucus rooms. My friend the minister says we will never get to that caucus room. I don't want that particular caucus room, but I think we are entitled to a caucus room that is adequate to meet our needs as is obviously being satisfied by the space that has been allocated to the Tory party.

Hon. Mr. Henderson: You won't need nearly as much space after the next election.

Mr. Martel: Why doesn't the government call it? Then we'll find out. Either that or the minister is moving after the next election.

It has been downhill. The minister will recall that when I came in here there were only seven of us. That was in the days when the Tories had 78 and 80 members. Oh, for the good old days. But they ain't there.

Mr. Worton: They're praying like hell that they'll come back.

Mr. Martel: They're going to have to pray a lot harder.

Hon. Mr. Henderson: We will return.

Mr. Martel: MacArthur said he was going to return after he was ousted from his great—

Mr. Nixon: The Tories had more in 1943 than they have now.

Hon. Mr. Henderson: Great days!

Mr. Martel: Seriously, Mr. Speaker, I say to my Tory friends, why is it that their caucus should—that is where the unfairness comes in. If the Tories had their way, and they were short of caucus space now, this minister would find it. He sure as hell would—and in a hurry.

Mr. Nixon: Aren't you in that beautiful big air-conditioned caucus room downstairs? The one we had for a while?

Mr. Martel: Yes, the one the Liberals had for a while. The one with all the pillars in it.

Mr. Nixon: Well, we'll remove them sometime.

Hon. Mr. Henderson: You can't see through them?

Mr. Martel: Could we remove the pillars?

Mr. Nixon: I used to find those pillars were handy when we were down there.

Mr. Martel: For sleeping?

Mr. Nixon: We could sit behind them.

Mr. Acting Speaker: Order.

Mr. Martel: One could have a little snooze. They might be handy for that purpose or the morning after the night before—

Mr. Nixon: I wouldn't know about that.

Mr. Martel: —but when we have a delegation in, or if only the caucus and the staff are all there, there is simply insufficient room. If the Tories want to change, the minister might say, "We've had it for a long time, and we're always fair-minded." But, as the member for London South says "we are premature in wanting an adequate facility. The committee rooms are lousy, the caucus rooms are lousy, and there was a provisional order which said the minister would make an announcement and indicate what the government is going to do with respect to the Speaker having charge of the building. The minister hasn't done that yet.

Hon. Mr. Henderson: Oh yes, I did. You are behind the times, Elie.

Mr. Worton: Where is your caucus room, Lorne?

Mr. Acting Speaker: Order. Only the member for Sudbury East has the floor. He may continue.

Mr. Martel: Thank you, Mr. Speaker.

Mr. Nixon: We're just trying to improve the quality of the debate.

Mr. Martel: If that were the case, I would suggest that my friend refrain.

Mr. Nixon: Tell us about your office.

Mr. Martel: I don't want to talk about my office; it's a palatial suite.

Hon. Mr. Henderson: Do you have an office up in your riding?

Mr. Acting Speaker: Order.

Mr. Martel: Yes, the office in my riding is a little bigger than the one I have here. It doesn't compare to the minister's, mind you. But I want to talk about the office space that I am told—in fact, we saw it; the member for St. George will recall that we were down in the Premier's end. It's crazy; he had people working in an old vault. That says something, doesn't it? People working in an old vault.

Mr. Nixon: They have Kelly in there.

Mr. Martel: Kelly? He's counting the money. I exclude Kelly; he is only in there when the new supply comes in. He tabulates it carefully and then he leaves. It is the secretaries who have to have work there that I'm thinking about. Imagine having to work under those conditions. It says something again about the government, and even about the Premier, that he would allow people to work under those conditions. The member for Mississauga East was with us on that great tour when we went to see him. On both sides, we saw people working in vaults.

They had brightened it up and painted it a nice yellow. But can you imagine people working without proper lighting and without proper air conditioning, day in and day out under those conditions? That says something about this government and the people who work for the members of this Legislature that we would even tolerate such conditions.

One has to go back to the Camp report which said that although the government continues to cry poor mouth, it nonetheless was able to find money for Ontario Place and for the Hydro building; yet for the building housing the members of the Legislature it was able to find nothing.

Mr. Worton: Put the Lieutenant Governor down in the Hydro building.

Mr. Martel: Yes, we could send govie down there. We could hearken back to the old days. Who was it sold the Lieutenant Governor's residence?

Mr. Nixon: Harry Walker.

Mr. Worton: Chorley Park.

Mr. Nixon: A very wise move it was. They sold all the limousines at the same time.

Mr. Acting Speaker: Order.

Mr. Martel: We had a facility for the Lieutenant Governor but the Liberals were found wanting once more and sold it.

Mr. Nixon: I am sure you would have supported it, being a well-known royalist.

Mr. Martel: Yes. Don't insult me. There is another space—7,000 square feet. That is 4,000 square feet less than either the Liberals or the New Democrats have that she has. It houses the Lieutenant Governor once in a while.

Mr. Nixon: Very proper.

Mr. Martel: There must be close to 80 members and assistants and what not in the Liberal caucus. If you take the total ball-park figures, there are roughly the same in ours. We have 4,000 square feet less than the Lieutenant Governor has.

It says something that moneys can be found for everything else except to fix up this building to make it adequate for members, not only, as I say, in respect to caucus rooms, but particularly in view of the members' offices. Can you imagine a secretary or an assistant or a researcher sitting in the middle, back in the north wing where we have had to purchase lamps because the testing done in this Legislature by people who are in the know indicates that the lighting is harmful to the eyes, particularly of the assistants and research people who work back there constantly?

Mr. Worton: Back in and back out.

Mr. Martel: There is something wrong. We can joke about it, but there is something wrong when we have to do that sort of thing. Yet we are being forced to do it because the conditions are so deplorable. Nothing ever changes.

The thing that is strange is that it never happens to those people in the civil service. I have found in my 10 years plus here that the members of the Legislature take a back seat to everything, except cabinet ministers who come first. I am not even sure about that. Maybe it is the deputy ministers who come first, then the cabinet ministers, then all the civil servants and, finally, the back-benchers.

I guess the reason the Conservative back-benchers don't say anything is that they always have hope they will have the laying-on-of-hands ceremony by the Premier. Therefore, they don't want to rock the boat for fear that they might jeopardize their position.

Mr. Gregory: You will never have that worry.

Mr. Martel: I said before you came that I recall the days when there were seven of us around here. I think you should count them now.

Hon. Mr. Henderson: You were not here then.

Mr. Martel: I came in after that election. We changed things.

Hon. Mr. Henderson: You were not here.

Mr. Martel: I well recall that there were seven. That is vastly different. I remember 1971 too when you had 78 members.

Hon. Mr. Henderson: Great days.

Mr. Martel: That's right. You long for them.

Mr. Samis: You'll never see them again, Lorne.

Mr. Warner: Those days are gone.

Mr. Martel: The Tory back-benchers really don't complain as much as we do because,

although substandard compared to the minister—

Mr. Warner: They get a little better treatment.

Mrs. Campbell: They get pretty good-sized offices.

Mr. Martel:—they're a great deal better off than the opposition members, of course. That's why, when we come to vote on this, I suppose that as they did four or five weeks ago when they opposed the private member's bill—I'm not sure, they might vote against this as well. It's premature to expect all members to be treated equally around this place. It depends on how you measure it.

Mr. Gregory: Some are more equal than others.

Mr. Martel: There are some members who are more equal than others, Bud.

Mr. Gregory: Correct.

Mr. Martel: And they all sit on that side of the House. That's why we have to take that piece of legislation and we've got to put the whole of the Legislature under the Speaker. I suspect that's the only time we're going to see any equality around here. That's why the Tories resist it. I don't think the Speaker has any intention of reducing the services the Tories have. He might just bring everyone else up to that standard. If the Tories are opposed to that, they should tell us.

Mr. Grande: The Tories are philosophically opposed to that.

Mr. Warner: The minister is opposed.

Mr. Martel: I don't think the situation can go on and I don't really think it will change—I say this in all seriousness—until there's an order in council which comes from the Premier which says that the entire building will come under the jurisdiction of the Speaker.

How do we handle the services? Certainly there should be no duplication of staff. We just hire those people who are presently doing it to look after the buildings, to make sure it stands up, to make sure it's clean, to make sure all of what goes on in maintenance is done without duplication. The Speaker would become responsible for the improvements that are necessary in (a) office allocation, (b) the quality of the committee rooms themselves, and (c) this Legislature.

Something that has bothered me for some time is those television cameras. It was my understanding, having sat on that committee which brought in the first bill, the cameras up there were just supposed to be a temporary arrangement—we were supposed to put in something more permanent and of

better quality. All we're doing is adding to the cameras. We started with four; I think we now have seven. I'm sure it's really of no value to most of us that they're there. It's a problem.

This room itself needs improvement—that's one of the first areas—with different lighting that will not be as harmful to everyone's eyes. I don't know if it's harmful, but certainly when they're on for the one hour all of us find the glare a bit offensive. If the Speaker had the total control and the budget to do the type of job he would do, probably with assistance from the members' services committee—and maybe the wisdom of the Board of Internal Economy could be sought in these matters—we could have a Legislature which would serve the needs in 1978.

As long as it remains under Government Services, that will not occur. That's no reflection on this minister because I believe he wants the changes. The building has reached this point because Government Services has not given it the priority it needs.

I hearken back again to Camp who wrote his initial report in 1971 or 1972. He made the point then that although people will scream about money, in those years they were in fact building Hydro, they were building Ontario Place, they were renovating Osgoode Hall and the St. Lawrence Market area.

Funds could be found by the civil service for all of that, but never have there been funds found for this building. They were insufficient then—that was the excuse given to Camp. From then to now we're still short of funds. It will always be short. The place that gets short shrift all the time is this building, and that's what is nuts about it. This is supposed to be the centre of the government of Ontario and it's supposed to be for the members who serve in this Legislature. Why it is that the government can find money for everything else except improvements for this building is beyond me. These aren't the days of Leslie Frost when the House used to sit for 10 weeks and that was it.

[5:15]

Mr. Nixon: He spent a million dollars digging out the cellar.

Mr. Martel: When Leslie Frost was here.

Mr. Nixon: No, no.

An hon. member: To build a restaurant.

Mr. Acting Speaker: Order.

Mr. Martel: Oh, yes, sure. We had to have a restaurant that was big enough to serve us. They've expanded and now we need some catering in it; some decent service. A little decent food would help.

But the minister found money for everything else so, surely, he's got to find money for this. There are decent rooms across the way for committee hearings. Why aren't there decent facilities in here which are adequate for committee hearings?

As I was saying, this isn't a 10-week operation any more. Members work in this building almost year-round now. We already have four select committees coming before us this summer. I understand there could well be three standing committees sitting too. It's just nuts that we would provide adequate facilities somewhere else but in this, the building for the government of Ontario, it should be allowed to go this route.

I say to you that the time has come, Mr. Speaker, when you get control of the building.

Mr. Worton: It has been a long time.

Mr. Martel: It's been a long time coming and I guess it will take another couple of private member's bills because the government still doesn't want to say, although it's in rule 43, I believe, of the provisional orders, where it indicated over a year ago it would announce its intentions with respect to this building. I say with the greatest of respect to my friend the minister, that he should be encouraging the Premier.

Mr. Warner: He's not. He's against it.

Mr. Martel: I realize that and I can't understand why. He should be encouraging the Premier to turn this building over to the Speaker and get out from underneath. He shouldn't have to worry about this building. He's got enough to worry about.

Hon. Mr. Henderson: I am worrying about your room.

Mr. Martel: It has been the people before the minister who have kept us there.

Hon. Mr. Henderson: No, they didn't keep you there.

Mr. Martel: And I say to the minister that the chances of that occurring under the Speaker or his assistants would change rather dramatically because they are fair men and they would change it to make it equal.

So I say to the minister he should be saying: "I don't need the hassle of this building. I've got enough to look after in the rest of the province and I want this building to be turned over to Mr. Speaker. Let him accept the responsibility. Let him provide the space. We'll just move all the civil servants out and we'll turn the building over to the Speaker and we'll provide the services as the Speaker requests them."

Maybe that way then we'd see this building brought up to the standard it should be

where we, in fact, have the seat of government.

Mr. Acting Speaker: Are there any other members who wish to speak to this motion?

Mrs. Campbell has moved the adoption of the report of the standing members' services committee. Shall the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion the "ayes" have it.

Motion agreed to.

Mrs. Campbell: The "ayes" have it?

Mr. Martel: My God, it's so unusual.

Mr. J. Reed: It could not have been that critical.

Mr. Martel: Do you realize what just happened to you, Lorne?

SELECT COMMITTEE ON THE OMBUDSMAN

Consideration of the fourth report of the select committee on the Ombudsman.

Mr. M. N. Davison: The members of the select committee on the Ombudsman worked very hard in putting together this report which we consider to be a rather important document in the course of events.

It was, in my opinion and in the opinion of members of the committee, unfortunate that at the time the Legislature passed the Ombudsman Act, there was no clear and definitive statement or explanation of what role the Ombudsman was to play in the system of government that we have in Ontario. I think that in many ways we can trace back to that point any of the growing pains that the institution has suffered in this province in the past two and a half years.

One of the most important elements arising out of the select committee's report that I would like to underline for this Legislature's attention is the committee's stated intention during its next round of meetings to undertake the formulation of rules for the guidance of the Ombudsman in the performance of his function. The committee intends that these rules will include definitions and interpretations and that they will provide an explanation as to how the Ombudsman's institution should function, fit into and relate to our system of government in the province of Ontario.

The committee, when it enters this process this summer, will be involved in an open process. The rules will be formulated in a very open fashion, Mr. Speaker, and it is the intention of the committee to invite and encourage the participation of members of this

Legislature and the Ombudsman in the formulation of those rules, and I would trust that a large number of my colleagues in the Legislature who have some interest in the Ombudsman's institution will come before the committee and help us in formulating those rules.

The only other matter I wanted to refer-ence today is one dealing with one of the two recommendations that the committee has put before the House in this report. The committee's second recommendation is as follows: "It therefore again recommends that its order of reference be amended to provide that it receive and consider the estimates of the Ombudsman and report thereon to the Legislature with such recommendations as the committee deems appropriate."

The words "therefore again" are included in that recommendation because this is the third time the select committee has brought this recommendation to the Legislature. This recommendation will be found in the second, third and fourth reports of the select committee on the Ombudsman, and frankly, I would hope that it will not be found in the fifth report of the select committee on the Ombudsman. It's unfortunate that the government House leader is not in the chamber to respond to this recommendation, as it is a very important recommendation and I would hope that someone on the benches opposite would be in a position to make some comment today on it.

It is to me, as a private member of this Legislature, both an undesirable and to some extent offensive process that the Ombudsman's budget should be determined by a board that is dominated by cabinet ministers behind closed doors. I think it's terribly important for the Ombudsman's institution that that budgetary procedure be done in a public and open format, and I think that therefore this is an extremely important recommendation and we cannot continue to allow the budget of the Ombudsman to be determined in the way it's determined today.

There are a number of reasons other than the one I have just mentioned for holding that position, and those are arguments we have gone through a number of times both in the Legislature and in committees, and I don't intend to take any further time today discussing those because the argument has been well made.

The final thing I would like to say to the government House leader if he were here is that if some effort is not made by the government House leader, by the government or by the Board of Internal Economy, to explain to this committee of the Legislature why it

is so terribly inappropriate to accept this recommendation or why it is so terribly necessary to continue ignoring this recommendation, the committee will again have to deal with this matter when it sits during the summer.

Without wanting to predetermine the matter, I would think it might well be the committee's opinion and it would certainly be my opinion that the select committee should then make a special report to this Legislature making reference to no matter other than this particular recommendation; and that at the time of that report, that recommendation will come to a vote in the Legislature. I think it would indeed be unfortunate if the select committee were put in a position where it had to go, as it were, above the head of the government House leader, the government, or the Board of Internal Economy to the Legislature to demand that this situation, which at least I think is incorrect, should be rectified.

Mr. Lawlor: I wanted to say a few words today on this report, which is a pivotal and central report in the ongoing functioning and role of the Ombudsman in this province. I think it will be generally agreed that it is a fairly crucial office which has had to date certain thorny features, so much so that it was requisite that a select committee give a further canvassing of this particular field and seek to gain some particular insights into how it may perhaps more harmoniously function.

I have been very disappointed indeed in the reception by the press of our report. I think it has been just about wholly misconstrued. Sometimes I wonder if those who write can read—I also wonder whether those who read can write. But in any event, the whole tenor of the comments from the press, thus far at least, has been saying almost diametrically opposite what we intended. Surely that is something that cannot be allowed to go by either unnoticed or not cried out against. That is why I am standing here.

As we put in our report, our intention was to seek some kind of intelligent reconciliation, an ongoing understanding between the two offices. Because nowhere else in the world have such rubs and frictions developed, and the problem is how did it come to pass? The first answer was because we didn't know what we were doing initially. We all sprinkled a little baptismal water on the head of the newborn infant, sanctimoniously raised our hands to heaven and said, "Aren't we fine fellows and aren't we all doing excellent things on behalf of the

people?" without having a thorough survey of what the whole matter was about. In that way, there was a certain blindness present.

Secondly, out of that has developed a number of alterations, misunderstandings, stupid frictions, as many of these things often are; gratings against one another which neither party I suppose intended, but to which both managed to add their little bit of unction. So the office had come into a condition where a report of this kind appears to be necessary.

We say in the report that on both sides there are faults, blindnesses, inadequacies, unwillingness to respond, a lack of the appreciation of the problems of the other guy—all the silly things that can cause great institutions to break down. We said on our side, *mea culpa*, we have failed; first of all because we didn't give it a proper surveyance to start with and, secondly, because we carry over into our relationships with this transcendent authority the very sort of antagonism that we either really or artificially from time to time engender in this body.

[5:30]

Parliaments are bodies based upon adversarial relationships where a pretended or real hostility actually exists with respect to the ongoing debate. This is generated, this is affirmed, this is recognized and this is sanctioned. But that's not the position of the Ombudsman. It can't be if it's to function at all. Some of us get a certain amount of gratification out of the sheer aggression that constantly ensues. It relieves nerves and tensions. You can go out and talk to your family in an almost half-human fashion. Otherwise, all this repressed violence wouldn't possibly be good. But there's no role for repressed violence vis-à-vis the Ombudsman's office.

There's this habitual state of mind that we have in terms of antagonisms and stirring up difficulties and we carry that over. This is particularly vehement and particularly harmful in terms of cabinet ministers who, in jealousy of their own prerogatives and office, take an offensive, a defensive, a contestation stance over against any criticism from any quarter, including this fairly neutral body of gentlemen and surrounding individuals vis-à-vis his office. That has been exacerbated to the point where it has become almost childish. It has to cease.

This report says our department, our attitude, our appreciation and that of cabinet ministers have to alter because they don't recognize the tenor, direction and meaning of this particular office. On the other side of the fence, so too should the Ombudsman. The

Ombudsman follows the general capitalistic ethos of the *Globe* and *Mail* editorial I saw recently, where everything under the world is a warfare, where knives are out constantly, where we war not only in the night, but in the noontime, where everyone fights everyone else because if we fight one another hard enough and the blood flows in sufficient abundance, somehow truth will emerge at the end of the rivulet.

What bloody nonsense! And I mean bloody. Nothing in this particular context, at least of any benefit to anybody concerned, will emerge out of that particular attitude of adversarial relationship. I haven't got the editorial in front of me today, but the *Globe* says that if an Ombudsman just happened to do anything to win our affections, he would be inadmissible. He cannot help but be an outsider and at logger-heads with this assembly. That's his function, they say.

I say to them they wholly misunderstand the function. That is not the way the Ombudsman operates in Sweden. Since 1809, that office has developed and it has had a slow, testing evolution. The greatest care and delicacy are exercised on both sides. That is the only way, which they think and which they have tested, that the Ombudsman can adequately function in any jurisdiction, through a circumspection, a conservation and a real care for the various functions performed and the interrelationships of the two offices. No one in authority in Sweden would dream of going out of his way to castigate or to call in question or, simply for the heightened blood pressure, to oppose the Ombudsman's position, as seems to be commonplace in this assembly.

The Ombudsman on his side—and in Denmark and in every other jurisdiction—goes about his job with tact, diplomacy and a sense of the rather thin-skinned, if you will, position of people in elected office. We are highly sensitive and thick-skinned, for all the thickness of our epidermae. Sometimes you don't think you could ever get through it, not with a Bowie knife, but despite all that the sensitivities are a very curious thing. Ought those sensitivities to be respected? I would think so. We are not children of darkness. We'll accept in the case of the Ombudsman an enormous independence. We consider the body autonomous but beholden—and they're not contradictory terms. We have failed in that ongoing relationship on this side of the House in so far as we have not had an ongoing formal or informal, off-the-cuff or ritualized colloquy, an ongoing dialogue in a way that applies to no other office.

Some damn fool sitting on that particular select committee has written in a section here that has been reported and quoted in all the editorials. They talk of perfumed prose. They seem to think that in order to make a point, if the rhetoric is perhaps a little heightened in order to precisely make that point, this is questionable in the otherwise terribly commonplace and unutterably prosaic precincts of this particularly halting and inarticulate assembly.

I'll read this section first: "As possible with no other office, however independent by statute, the relationship between the Ombudsman and Parliament is performe and necessarily trusting. It is a unique and delicate flower in any democratic system and its preservation and growth requires almost infinite and endless care." That's a pretty good paragraph except for the "delicate flower" business. If I had anything to do with it I would have said that it may be the "rank ailanthus in the April dooryard." That's a quotation from T. S. Eliot.

I would simply and without rhetoric let the thing go at that, without pushing the issue. Stereotyped as it may be, delicate flowers are delicate. This particular function we tried to impress upon this assembly—and it is contained in our report—is a unique one, totally different from anything else that we have got. It exercises independence, and yet it must work in very close co-operation with the members of the House who, all of us, perform more or less the same function as the Ombudsman's office.

Incidental to that, my feeling is that we as members don't half often enough refer cases to the Ombudsman. We tend backwardly to retain, to the last squeezing ounce, the case in our own hands, just in case we miraculously might solve it; whereas at an earlier date, the Ombudsman, who has these very wide investigatory powers, who has access to government files and to the government itself in a way, without a Freedom of Information Act which we do not have and we will not have, he might be brought in at an earlier time in a completely open and trusting way. I am sure the Ombudsman on his side of the fence would welcome that more open approach to the thing.

There is a fundamental trust lacking. That may be papered over. That may even be receding. I hope, as a result of our report, it will wholly disappear. We cannot function on that basis with this particular office, whatever one may do with any other government agency that exists. So apportioning the blame on both sides, although I hate to use that word, we say, "All right. Let that be the

case. Let the river run. But we will seek to build bridges and we will recognize the necessity therefrom." We would ask the Ombudsman's office to meet us at least halfway, although we are prepared to go further, and set up an ongoing accommodation between the two offices which will not bring about a great expense of public moneys in terms of any number of committees that are still sitting and still debating—the whole thing is in a hazardous condition with respect to the Pickering situation and what not.

I want to go on record as saying that I have no objection whatsoever—as a matter of fact, I go the opposite direction and say, "Bless the Ombudsman with respect to these across-the-board investigations." There is nothing wrong with that. I wouldn't think there would be too many of them. I think he would use the very greatest prudence before he launched on one. The investigation in Correctional Services will bear fruit and has borne fruit. Whether or not, according the Minister of Correctional Services, it has saved the province all the money he says he has, nevertheless Mr. Maloney enjoys a good friend in the minister on that particular point.

Many of us in this House give a basic accord to that particular type of approach, because it eliminates a multitude of evils. It does what other jurisdictions, particularly the Scandinavian jurisdictions, do in terms of not placing the emphasis on the individual case as being central but on the elimination of the injury at the root so that a hundred cases can be solved in a single instance. That, and the kind of preventive medicine operating against the possibilities of any number of cases arising out of similar or the same type of incidents, is all to the good and within the ambit of the Ombudsman's functions.

I don't think we should take issue with that, although I think people around here have been too blatantly taking issue with that and with everything else under the sun. It is not helpful. It is quite detrimental to the operation of this office and again, as this report says, it must cease. Otherwise the office won't function; it will break down. Maybe someone will say hurrah, that this should be the case. I would think that any sensible member would regret that in the extreme.

I think we all have some kind of vague or more or less definite image of what that office should consist of. I think that what I am saying today, and what this report says, would meet the accord of the overwhelming number of members in this body, but the type of goodwill and the type of approach to

the office to bring that about has not yet been set afoot.

There are a couple of areas I would like to mention. Again, in parenthesis, I say that if any one thinks that a visitation to Stockholm in the dead of winter is a particularly gratifying experience, I would ask him to do so the next time the weather closes in.

[5:45]

Israel, of course, was much more to the point in the sense at least of some comfort. The Israeli situation is curious. Members who read the report will see that a man by the name of Dr. Nebenzahl performs two functions—a function of a state controller, which means that he has investigatory powers over the whole field of government from defence to garbage cans, the whole thing. He has a staff of about 450 people. Like a controller general or an auditor general in this province, he looks into the spending, looks into the purchasing policies, looks into the legal justification, in all departments.

That was set up many years ago in Israel and of course we have nothing quite like it. Our power here in the auditor is very much delimited over against the range of his power. Out of that function—finding faults with the civil service in overspending, in exercising their powers improperly here and there, with respect to the whole fiscal picture—he gradually evolved into an Ombudsman's office. So that office is directly related to and works in quite close co-ordination with the office of the state controller.

It was suggested during our trip and might have been contained in the report, just might have been, that we would set up a similar institution here. I don't think we make direct remarks about that in the sense of whether or not that would be feasible, but I think the general consensus in the committee was that it would not be, that institutions are endemic to the country or the geographical region in which they are found; they grow out of traditions, out of habits of life that are peculiar to that area and trying to alter them to adopt a foreign mode of procedure to our own requires a great deal of care and the application is not immediately forthcoming.

In this particular regard, to bring those two offices together could possibly be, in all democratic jurisdictions, brought into being in the future. Maybe Israel would give some guidance and some leadership in this respect. On the other hand, for the nonce, for the foreseeable future and I would think pretty far foreseeable too, that would not be feasible as I see it in our jurisdiction.

Again the press comments on the report seem to me, from the quotations and from the tenor and from the misunderstanding, to have involved them reading the first chapter. Maybe it is too much to ask that maybe they read the second one too. It spells out the insights that we gained on these visitations.

Again in parentheses, as to these trips that are taken by committees, sometimes individuals say that if we had stayed at home we could have got just as much information by an invitation to certain key people from abroad. I would argue sincerely that is not possible. Every time we get on a streetcar or take a taxi or go into a restaurant in these places we visit, we tend to ask the waitress or ask the conductor or whoever what they think about their Ombudsman. That is a good source of basic information which gives one a feeling in that population of how this particular office is regarded, what approaches are made to it, what safeguards are necessary and how secure with the office the average citizen on the street would be. That can't be obtained in any other way.

Second to that are the informal conversations. We saw over 60 governmental people in the course of this thing. The cost of having even a large portion of those people come to our jurisdiction would exceed anything that could be spent the other way. How are we going to learn about these things unless under the conditions that we observed in the course of garnering the basic information and the impressions which are the most important thing? The facts are okay. We can get them in books. The sensibility of the thing can only be gained on the spot, such as through our select committee.

Each of these Parliaments has something very similar to what we have with respect to delegated authority from the Legislature to the committee in its relationships with the Ombudsman's office. Sometimes the sole approach that can be made to the Parliament is through the committee. The sole way that the Parliament can get to the Ombudsman or have conversation with him or deal with his function at all is through their committees, whatever they may be called, and the sense of those committees and the respect that each of these committees have for that office.

In these various jurisdictions, almost invariably the Ombudsman's functions end at the end of a Parliament. He's either re-

appointed or a new man comes in. Secondly, invariably if it were felt that the confidence of the House or the Legislature or the Parliament involved was in question with respect to the office, workings and department of the Ombudsman, then such are the niceties of the situation as they exist abroad that the Ombudsman would resign. He would quit.

The Ombudsman's office is such an office that it cannot withstand criticism. Not only would he not put up with it on one side of the fence, he can't afford to. To retain the general sense of respect—and I'll even go this far—and say even of reverence, blast it, that we ran into abroad with respect to this office would involve his saying: "If you don't trust me, if you think I've offended in some serious way, then there's nothing for me to do but withdraw." That was the tenor. That's what we heard over and over again. I think we have to bear this in mind.

If that is the case and if it is as delicate as that, then we have to be terribly careful what criticisms we level so as not to infringe upon or call him into question unnecessarily. As a matter of fact, both parties bend over backwards in this particular office in order to keep a working relation and accommodation going. That is the tenor we find abroad.

These things are not presently being said in the press or in the public, and it's a shame, because otherwise I suspect the office will disintegrate. The sooner we come to a basic understanding, as this report gives us the basis for doing, or what this thing is all about, then the sooner the good ongoing relationship and the fullest possibilities of the working of that office will be given an opportunity to develop. Otherwise we'll continue to blunder and snarl and no one will be either the happier or the wiser.

Mrs. Campbell: Mr. Speaker, I don't know whether it's profitable for me to start at this point. I am in your hands. If you wish me to proceed I will, but it may be a very disjointed statement with about five minutes to go. I wonder if it would not, therefore, be appropriate for me at this time to move the adjournment of the debate so that we can have a more lucid presentation later.

On motion by Mrs. Campbell, the debate was adjourned.

On motion by Hon. Mr. Henderson, the House adjourned at 5:56 p.m.

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Tuesday, June 6, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, JUNE 6, 1978

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

APPRENTICESHIP PROGRAM

Hon. Mr. Parrott: The continued success of manufacturing industries is vital to Ontario's economic well-being. Many of our industries have suffered critical shortages of skilled trades people and I would like to advise the House of action by my ministry to alleviate these shortages.

Precision metal machining is one of the key groups of trades in manufacturing where skill shortages are often cited. This includes the trades of tool and die maker, mould maker, and general machinist. We hope to see a threefold increase in the number of apprentices working in these three trade areas. This increase should result, in part, from a recent agreement by management and labour representatives regarding training standards. Such an agreement has been sought for many years. I am extremely pleased to announce today that it has been concluded.

Regulations, which have subsequently been approved by cabinet will enable an apprentice to work towards his certificate of qualification under the Apprenticeship and Tradesmen's Qualification Act. As the members know, certification has been successfully implemented in the construction trades for many years and needs no expansion at this time. However, to further develop training programs in the manufacturing sector the ministry is mounting an intensive information campaign to promote the merits of apprenticeship to employers in the manufacturing industry.

Our goal is to visit up to 5,000 manufacturing companies not currently engaged in apprenticeship training and to discuss with them the advantages they might enjoy if they mounted training programs. This campaign will build forcefully on the promotional programs aimed at employers which was recently undertaken by my ministry. Currently apprenticeship counsellors throughout Ontario are vigorously following up with the more than 1,000 employers who expressed an in-

terest in apprenticeship as a result of our advertising, direct mail, and other promotional activities.

Another action to expand apprenticeship in Ontario is the decision by the Ministries of Colleges and Universities and Education to build better continuity between technical training in secondary schools and apprenticeship training. A link has been established between senior secondary school courses and the basic college portion of apprenticeship programs for the trades of baker, cook, hairdresser, and motor vehicle mechanic. In other trades we are developing similar linkages in order to reduce the amount of time spent in the classroom where formal apprenticeship training begins.

In addition, the Windsor school board, with the encouragement of both ministries, is realigning its skilled training programs in the metal cutting trades. This realignment will give high school graduates the choice of entering an apprenticeship program in local industry to complete their training on the job, or entering St. Clair College in the second year of the toolmaking technician or plastic mould making technician programs.

This scheme should become a model for other locations and trades. It will enable an apprentice to become a qualified journeyman at a younger age and will reduce employers' training costs by "freeing up" expensive equipment and supervisory personnel that would otherwise be needed for basic training.

Finally, I would like to refer to a new initiative in industrial training called employer-sponsored training. This scheme has been developed in consultation with labour, private industry, trade associations, community colleges, and other interested groups. It is supported by the Canada Employment and Immigration Commission which under a contract recently signed with my ministry will provide up to \$8 million in the current fiscal year for employer-sponsored training projects.

A key characteristic of this new mode of training is that it will respond to locally defined community needs. Community industrial training committees will be established in interested communities and economic

regions of the province. These agencies will represent employers, labour, local government, the local office of the Canada Employment and Immigration Commission, local educators, and other training interests in the community. They will determine the type and the amount of training required by the community.

Employers, of course, are vital to this training program. Most training will occur in the workplace and employers will be reimbursed for their approved training costs. This plan will allow employers to help develop a pool of skilled workers without running the risk of losing their investment in training if the trainee leaves to work elsewhere. We believe this program will enable many small employers who have not formerly provided training to get involved in training activities for the very first time.

Employer-sponsored training will recognize that there are different levels of proficiency within trades and will enable trainees to apply the skills they have learned while they work in an orderly way to acquire new skills. Training will be self-paced so that the students with greater aptitude can complete it more quickly.

Discussions are currently under way with several communities to establish employer-sponsored training projects. By this fall we will begin to announce these projects locally as arrangements are completed. Within the next year we expect to see several thousand people go to work across Ontario in employer-sponsored training activity.

In conclusion, I would like to emphasize that this new initiative of employer-sponsored training will not take place at the expense of traditional apprenticeship training in Ontario. The year 1978 is the 50th anniversary of regulated apprenticeship programs in the province. We currently have about 30,000 registered apprentices and one of Canada's most advanced apprenticeship systems which we will continue to develop.

I have emphasized trades in manufacturing industries in my statement today. Further developmental activity may be directed to other trade areas such as the hotel and restaurant industry. The actions outlined today have been undertaken with the co-operation and support of management, labour, the industrial training council, government organizations, community colleges and other interested groups. With their continued support and assistance, we believe we can make a significant addition to Ontario's record of accomplishment in the field of industrial training.

YOUTH EMPLOYMENT PROGRAM

Hon. Mr. McKeough: Mr. Speaker, I am pleased to table today, for the information of the members, a paper entitled, Youth Employment and the Ontario Economy, which has been prepared by my staff and which outlines some of the dimensions of the serious job problems of our youth. It has been sent, as well, to participants of the Skills for Jobs conference, which will be convened by the government this Thursday.

While this paper does not deal with all the social and economic consequences of youth joblessness, it does, I think, point out key areas for concern and concerted action. In particular, it focuses on the tens of thousands of Ontario youth who face extended unemployment because of the inability of our economic and social institutions to adapt to changing needs and changing circumstances.

This situation is most serious and without action from governments at all levels, from our learning institutions, from private business and our skilled trade unions, it promises to remain so. At a time when this country is facing competitive challenges and opportunities on all fronts, when the need for innovation and technological advancement is critical, the squandering of the energy and the skills of our youth is a betrayal of the confidence that has been placed in all of us.

We are well aware of the phenomenal surge of young people into our job markets over the past decade. The coinciding of this accelerated growth with our economic difficulties associated with slow growth and high levels of inflation have exacerbated the challenge of youth employment. Nevertheless, our young people have faced an unemployment problem of far more significant dimension than others, and in large part their difficulties have been caused by structural rigidities in our economy.

This staff paper indicates that fundamental changes in institutional policies and priorities are essential. In this respect I believe the success of the Ontario Youth Employment Program is encouraging. Nevertheless, it is evident that significant reforms in the unemployment insurance program and in manpower planning and funding will be necessary.

It confirms that the task before all of us is immense. I anticipate this study will make a contribution to the important work before us.

FISHING BAN

Hon. Mr. Rhodes: Mr. Speaker, during the past few days there has been some consider-

able confusion surrounding the recent federal government ban on US commercial fishing.

At the outset I would like to state that the closing of Canadian waters to US commercial fishing simply does not apply to those American visitors who come to Ontario for sports fishing.

When the Canadian waters were closed to commercial fishing by the Canadian federal government, the US government reacted in kind by closing US coastal waters to Canadian commercial fishing. However, I understand that US law does not distinguish between recreational and commercial fishing and this has led to some confusion among American sports fishermen as to whether or not they would be banned from fishing in Canadian waters.

During the past few days I have been in contact with the federal government and have been reassured that American fishermen will still be welcome in Canadian waters. My ministry has already sent Telex messages to all our travel and information centres around the province to inform Americans inquiring about the fishing ban that they are welcome to fish in the Great Lakes bordering Ontario, as well as in all our 400,000 inland lakes and streams. The only provision is, of course, that they obtain and have a valid non-resident fishing licence.

My ministry is also in the process of informing all of Ontario's fishing resort operators, through the various tourism associations, that they can reassure their guests that the commercial fishing ban does not apply to sports or recreational fishing. As well, we have been in touch with all of the major media in the northern states of the US, informing them that Canadian law does distinguish between commercial and sports fishing and that sports fishermen are still welcome in Ontario.

I am quite certain that neither side in the commercial fishing dispute has any desire to obstruct the tourism business. Figures I have obtained from the Ministry of Natural Resources indicate that more than 627,000 non-resident angling licences were issued in Ontario, representing, I am assured, more than \$110 million a year to the province.

[2:15]

I would like to conclude by repeating that the anglers are welcome to fish Ontario waters. There is no ban on sports fishing by Americans on the Great Lakes or on our inland waters. They are as always most welcome.

ONTARIO ROAD MAP

Mr. Mancini: Mr. Speaker, I rise on a point of privilege. Recently all the members of the

assembly received road maps, and I assume the government has also sent out these official road maps across the province as the official map of the province. After I had time to study this map, I was able to find out two of the most popular tourist resort areas in the riding of Essex South have been omitted.

First of all Fort Malden museum, which has visitors in the thousands, has not been placed near the Amherstburg area, and also Bob-lo Island Amusement Park, which has visitors in the hundreds of thousands, has not been placed on the map. I would wish to bring this to the attention of the Legislature so that in next year's official road map we can continue to encourage tourism in the area of Essex county.

Mr. Warner: Did it include your restaurant?

Mr. Lewis: Do you think it was deliberate?

Mr. Conway: How about the Frank Drea Parkway?

Hon. Mr. Davis: That's an idea.

ORAL QUESTIONS

HEAVY WATER PRODUCTION

Mr. S. Smith: I would like to direct a question to the Minister of Energy who had originally told the House he would have a statement to make on the state of the heavy water plants under construction at Bruce and the situation regarding the surplus of heavy water, but I notice that no such statement has been forthcoming.

Will the minister answer a very simple question? Will he tell us whether there has ever been, to his knowledge, commissioned after the year 1974 an independent review of heavy water supplies and requirements by an agency external to Hydro?

Hon. Mr. Baetz: As I indicated last week to this House, I promised to make a full statement on heavy water this week. It was either going to be today or on Thursday. I will be making that statement on Thursday.

Mr. Riddell: Why did you choose Thursday?

Hon. Mr. Baetz: I will not answer questions on this subject until that time.

Interjections.

Mr. J. Reed: Oh, no.

Hon. Mr. Baetz: I will do so on Thursday.

Mr. S. Smith: Can the minister explain, by way of supplementary, why he is trying to duck what would seem to be a fairly straightforward question, which hardly requires an entire prepared statement by his staff and which simply asks whether, as recommended by the report to the minister by the Ontario

Energy Board in August 1974, there has ever been commissioned an independent review of heavy water supplies and requirements by an agency external to Hydro? It requires a simple yes or no, or maybe the minister doesn't know. It doesn't require putting this off for a major statement on Thursday. This is a billion-dollar enterprise. The minister ought to know some of the basics about it and be able to tell us about it.

Mr. Yakabuski: Why doesn't the Leader of the Opposition do his grandstanding on Thursday?

Hon. Mr. Baetz: I would like to assure the Leader of the Opposition and all members of this House, that this is not a simple subject, it is a very complex subject.

Mr. J. Reed: Just say no.

Hon. Mr. Baetz: I will not answer until Thursday. I am making a statement on Thursday.

Mr. S. Smith: An answer to the question would be enough.

Mr. Cassidy: Supplementary: When the minister makes his statement on Thursday, would he be kind enough to inform the House why Ontario Hydro has been blocked out of export markets for heavy water produced in this province, and why Ontario Hydro's own reports are now talking about the possibilities of deferral of projects? Have those decisions been already taken or will they be announced on Thursday?

Hon. Mr. Baetz: That is one aspect of the subject that will be contained in the statement.

Mr. S. Smith: I will try one final supplementary, although I can't for the life of me see why the minister is afraid to answer such simple and direct questions.

Interjections.

An hon. member: He doesn't know.

Mr. Havrot: Simple-minded questions.

Mr. S. Smith: Can the minister simply tell this House the first date upon which he personally was made aware of the potential surplus of heavy water in the province of Ontario? What is the first date on which he began to be aware of this?

Hon. Mr. Baetz: That is a very good question. I will answer on Thursday.

Mr. S. Smith: Really, you almost wish for the member for Prince Edward-Lennox (Mr. J. A. Taylor) back here again.

Hon. Mr. Davis: How about the member for Brant-Oxford-Norfolk (Mr. Nixon)?

Mr. Breithaupt: Where is the former minister when we need him?

CONVENTION FACILITIES

Mr. S. Smith: A question for the Minister of Industry and Tourism: Is the minister aware that there are at least 71 large associations that have indicated, in one way or another, that they cannot hold their conventions in Metropolitan Toronto because of the lack of adequate facilities in Metro Toronto, namely a convention centre. Is he aware that these 71 associations collectively could represent an attendance of about half a million people and possibly a market potential of \$153 million? Are those figures available to the minister?

An hon. member: Paul Godfrey was here.

Hon. Mr. Rhodes: I am aware that there has been some difficulty in getting a number of large conventions to this community due to the lack of those appropriate facilities. I have had discussions with the Metropolitan Toronto representatives, the Metropolitan Toronto convention bureau, and at the present time there is a study going on as to the possible site for such a convention centre. There is some work being done as to the designing of a model of the type of building that would be required. But I completely agree with the Leader of the Opposition that one of the real failings in this area is an adequate convention centre and trade centre. There's no question about that.

Mr. Lewis: Bring it right into Riverdale.

An hon. member: Scarborough would be nice.

Mr. S. Smith: Supplementary: Given the provincial tourism deficit somewhere, I guess, between half a billion and a billion dollars—I'm not sure how it is being calculated at the moment—what precisely is this government prepared to offer and prepared to do to bring about the building of a convention centre in Metro Toronto, as soon as is conceivably possible, and to get on with something constructive in the way of not only creating jobs but reversing this very severe drain on our dollar?

Interjection.

Mr. Martel: You were the ones who wanted to cut the budget.

Hon. Mr. Rhodes: The important thing, and I believe the honourable member would agree, would be first of all, to determine the best site for such a convention centre. That would be determined by the local people, of course. Secondly, it would be to design or at least have a model of the type of building and facility required.

Then I think it would be most prudent of us to determine what the overall cost of

that facility would be. From there we can get into discussions as to how that particular facility would be financed. But we are working on that with the levels of government locally that would be involved.

Mr. Deans: Supplementary: In making your determinations and evaluating both the need and the appropriateness of building a convention centre in Toronto, will you take into account that you are presently involved in one way or another in the development of such a facility in Hamilton, and the problem that may well flow from having two large trade and convention centres located within 50 miles of each other?

Mr. McClellan: We don't need two.

Mr. S. Smith: They are different.

Mr. Deans: And whether or not we might be able to do something to bring the two together—

Mr. McClellan: One is enough.

Mr. Deans:—in order to create some kind of development that will be satisfactory and appropriate for the entire area?

Hon. Mr. Davis: We will build it in Bronte. We will build it in the Bronte park.

Mr. Martel: You announced that a number of years ago.

Hon. Mr. Davis: That was not a convention centre.

Mr. Speaker: Order.

Hon. Mr. Rhodes: I am not going to quarrel with the honourable member that perhaps there is a need for some kind of convention centre in the city of Hamilton. However, I would suggest—

Mr. Deans: It is being done. It is now being done.

Hon. Mr. Rhodes: I am not quarrelling with the fact that it's required.

Mr. Nixon: I thought the Minister of Government Services (Mr. Henderson) had promised this.

Hon. Mr. Rhodes: But I think it is fair to say, if you look at the total scene, that the most logical place for a major convention and trade fair centre is Toronto.

Mr. Foulds: Why not Minaki Lodge?

Mr. Deans: "The most logical place for everything is Toronto"—that is nonsense.

Mr. Lewis: What about Burlington? Half way.

Hon. Mr. Norton: Kingston has a cleaner harbour than Hamilton.

Mr. Nixon: Give it to Sault Ste. Marie or Sudbury.

Mr. Foulds: Float it on the water there.

Mr. Speaker: Order.

Mr. Foulds: Gogama. Can you move Minaki to Burlington?

Mr. Speaker: Order.

Hon. Mr. Rhodes: The necessary facilities such as support motels and other very necessary facilities, to properly host a large convention of the type that we are talking about are obviously here in Metropolitan Toronto.

Mr. Deans: Just keep building in Toronto—everything. That is a good idea.

Hon. Mr. Rhodes: I think that is the area we have to work on. To have a convention centre in Hamilton would be a good idea and I would point out to the honourable member—

Mr. Lewis: Diversify around the province for heaven's sake. Leave Toronto alone.

Hon. Mr. Rhodes:—that some of the unions have indicated to us this is where we should be putting it.

Mr. Martel: I thought you wanted to put it in Minaki, John.

Mr. Eakins: Supplementary: Is the minister aware that approximately 10 per cent of the membership of these international associations' conventions is made up of Canadians, and is he aware of the incentive which already exists to assist him in bringing these conventions to Ontario?

Hon. Mr. Rhodes: I'm sorry, Mr. Speaker, I don't think I understand the question. Am I aware of incentives to bring conventions to this area? I didn't understand the question.

Mr. Eakins: Mr. Speaker, 10 per cent of many of these international associations are made up of Canadian membership. I was just wondering whether the minister is aware of the incentive to assist him to bring them here to the province of Ontario?

Mr. S. Smith: That in itself is an incentive.

Hon. Mr. Rhodes: There's no question that there are all sorts of incentives for the people who are involved in these associations and they are working very hard to bring these conventions to Ontario. There is no question at all that we want to work with them and to co-operate to the best of our ability. I think the member will agree that there has been a long discussion about the need for a large convention centre here in this area. Everyone agrees that there is a need for it and now we're in the first stages of getting everyone together.

There is a committee, under the chairmanship of Alderman Smith from Toronto, which is working very hard on developing the necessary design and the criteria for what sort of facility will be needed. I think we're making some progress. It's been a long time coming but it looks like everybody has got his act together.

APPRENTICESHIP PROGRAM

Mr. Cassidy: I want to ask a question of the Minister of Colleges and Universities regarding the piecemeal expansion of apprenticeship and training programs which he announced in the House today.

In view of the fact that more than 200,000 young people will be entering the labour force during 1978, can the minister say how many additional apprentice training places will be made available as a result of the programs that have been announced in piecemeal fashion today? What is the amount of the additional provincial contribution, if any, which will be made in this area?

Hon. Mr. Parrott: There are many questions in that one, Mr. Speaker. First of all, the number of positions that we will have will depend to a very marked degree on the type of programs that the community committees will establish. We have \$8 million and, as I said in my statement, these are indeed funds from the federal government that will be applied to this program. I think it matters nought where those dollars come from, it's the kind of commitment that we've been able to negotiate with the federal government to go into that program. I think it's a very substantial commitment for a first-year program.

Given that fact, I am very hopeful that it's literally in the thousands. I can't say the precise number, but I also draw the honourable member's attention, not only is it important how many we train, but as the training exercises come to their fulfilment, it will be the spinoff that's so important in those production jobs that are entirely dependent, in my mind, upon having the expertise to compete in the international markets. With this kind of training program, I think we'll be in a far more competitive position to compete in the market and, therefore, many thousands of production jobs will result because of it.

Mr. Cassidy: A supplementary: If I can try and pin the minister down to some more specific figures, can the minister say how many apprenticeship places the ministry hopes to see created in private industry through the program of encouragement of

voluntary provision of training places which his offices are now undertaking? How many apprenticeship places does he hope will be created in industry by that particular means and will there be any provincial contribution in that area?

[2:30]

Hon. Mr. Parrott: Certainly there will be commitments. As I indicated in the statement, it is the responsibility of our ministry, as on ongoing project, to see that 5,000 employers that we intend to interview in the foreseeable future. How many of those 5,000 will then become involved in the apprenticeship training program is extremely difficult to say. The very fact that we're going out and promoting on a very direct basis to 5,000 employers, many of whom have never been involved before, should result in many thousands of training positions; but I remind the honourable member that it will depend entirely upon the co-operation of the trade union movement, of management, and of the educational people within the community. Therefore we are establishing the climate and I think a sufficient commitment to make that climate so favourable that literally thousands of jobs will result—thousands of positions, I should say, will result.

Mr. Sweeney: Given that the minister's description of the employer sponsored training part of this program highlights the locally defined community needs, how is he going to assure himself and the students who engage in this program their training will not be so narrow they will in fact have no mobility within the profession or within the trade?

Hon. Mr. Parrott: In the concept we have put forward today to ensure there is portability, the training costs for which we will provide aid to the employer will be based on the portability of the skills that the students will learn; not on skills they learn that are relevant to the employer only but on the portability of those skills. So we are not going to subsidize an industry; it is not on the basis of a subsidy to an industry, no; we are going to assist financially with the training that will go on in the industry, provided the skills which the employee, the trainee, has acquired are portable. Therefore, we think we can assist the employer in those costs and ensure at the same time that the trainee is not locked in and of benefit only to that one company.

We will maintain the normal standards of certification; that is taken as granted, I guess, because the trainee at the end of his or her program will be required to pass all

of the normal tests. We have not only built in portability of training but we are building in some of the other concepts of modular training, and so on, that will advance the training program but not lose any of the qualities we already have in the system.

Mr. Cooke: Mr. Speaker, a supplementary to the minister: I would like to ask him with respect to one sentence on page five of his statement where he says: "Future developmental activity may be directed to other trade areas such as the hotel and restaurant industry." I am wondering if the minister has now changed his position, since he stated in estimates that he felt this type of training should remain in the community college system. Is he now supporting the Ministry of Industry and Tourism's position that a separate institute should be developed? Could he clarify that for us please?

Hon. Mr. Parrott: I really can't believe that the member could read those kind of inferences into that statement. I don't think there's any doubt that officials of the Ministry of Industry and Tourism and myself speak with a united voice on the need for training in this area. I believe it can be done in the systems by all colleges and universities, and in the apprenticeship program; there's no doubt about that. I believe that the Minister of Industry and Tourism (Mr. Rhodes) will accept the basic fact that we need more emphasis on those trades related to the hotel industry. We don't really care who does it as long as the job gets done.

Mr. B. Newman: A supplementary of the minister, Mr. Speaker: Will the minister provide financial assistance to those corporations and companies which out of the goodness of their own hearts have implemented apprenticeship programs and now see him giving financial aid to new programs, whereas they have been carrying on programs for quite some time at their own expense?

Hon. Mr. Parrott: Yes. I would want to say to the member, however, that it depends entirely upon the portability of those skills; that's a very important factor. Secondly, it will depend upon the local committee we are establishing in various areas to ascertain those costs and to approve those firms. We want it to be based locally, but if a firm has been active in the apprenticeship program, we want to encourage them to do more.

Mr. Cassidy: Mr. Speaker, given the fact that judging by this announcement only a few thousand apprenticeship positions may be created from the ministry with this program, given that there is no clear indication of any provincial commitment in terms of funding

to this program, and given the fact that Ontario now has a \$5 billion trade deficit in our manufactured trade with other parts of the world; does the minister feel this is an adequate response to the shortage of skills in Ontario's industry?

Hon. Mr. Parrott: I can't for the life of me understand why the leader of the third party doesn't accept that an \$8 million commitment is a sizeable commitment in the first year of any program.

Mr. Cassidy: Those are federal funds.

Hon. Mr. Parrott: I think it matters not to the taxpayers of this province whether those funds are supplied by the federal government, the provincial government or the local government. They are tax dollars that are going into a program.

Mr. Breough: I think they might have a comment or two.

Mr. Laughren: Where is your commitment?

Hon. Mr. Parrott: Our commitment is in the personnel who will administer this program, and that has taken a good deal of time and effort. I have never said, ever, that there wasn't a very large financial dollar going into this program from the federal government. Indeed, that's fair enough, because there aren't many federal dollars going into our university and college systems. Why are we hung up on where the money comes from? It's the commitment. In reply to the member's direct question—do I think this initiative will prove successful in the long run?—yes. We have started down a road today that will lead to a very successful program in apprenticeship training.

We haven't got all of the pieces in place today, nor should we. We are asking the local communities to get behind this concept when there are funds available and to make it a success in those communities. I am convinced they will.

FEDERAL HOUSING PROPOSALS

Mr. Cassidy: I have a question of the Minister of Housing. Can the minister indicate whether the government has signed, or is about to sign, a master agreement with the federal government on the new federal housing program package? If he has, will he table a copy of the agreement; and if not, will the minister be pressing for changes in the proposed program when the Housing ministers meet on June 14?

Hon. Mr. Bennett: We have not signed a master agreement with the federal government at this point. As I have said to the House on two or three occasion, we have some

very great differences of opinion with the federal government on the proposals they have put forward at this time. As the Minister of Housing for the province of Ontario I invited my colleagues from the other nine provinces, including the federal minister, to meet with us here next Monday and Tuesday to discuss the housing problems the federal minister has brought forward, and also the community service package he has proposed. I would hope that by next Tuesday or Wednesday we shall have some conclusive positions, federally and provincially, in regard to the overall program proposed by the federal government.

Mr. Wildman: Where did you get that tie?

Mr. Mackenzie: You didn't buy that in Canada.

Mr. Warner: Does that thing glow in the dark?

Mr. Bounsell: He's killing our tourism with that tie.

Mr. M. N. Davison: Have you bought a new jacket, Claude?

Mr. Foulds: The Minister of Agriculture and Food (Mr. W. Newman) needs one like that.

Hon. Mr. Bennett: Let me tell members it's made in Canada; that's better than most of them do. I wanted to be half-way between the Liberals and the rest of the members, with a little bit of polka dot now and again.

Mr. Cassidy: Given the lack of consultation over the new federal program, and given the considerable opposition which has emerged from co-operative and non-profit housing and from the financial institutions, and most recently from the Municipal Liaison Committee here in Ontario, will the minister undertake to push for a delay in implementation of the new federal housing package at least until the end of the year in order that these very serious objections can be both discussed and responded to?

Hon. Mr. Bennett: Since they announced these new programs February 1, our position to the federal government, put very clearly, has been that they should not be implemented in this particular calendar year, that there should be a period of time for the provincial governments and the local governments, to find out exactly what it happens to relate to.

As far as deferment of the program is concerned, I understand from Mr. Ouellet that there will be a period of time before he brings on the new programs.

I am aware of the fact that financial institutions across Canada have had some very strong words in relation to the federal govern-

ment's proposals. Indeed, at the mayors' and reeves' conference in Edmonton this week, there were some resolutions yesterday afternoon which strongly indicated to the ministers of housing and the ministers of municipal affairs in the 10 provinces that we should not proceed at this time to accept any of the proposals of the federal government until we have a program and a policy that will help the non-profits, the co-ops and the other housing developments in the various provinces.

That is the position that Ontario has taken since last January when the proposals first became known to us. We put that position very strongly on February 1 when the federal minister was present with us. I can tell members of this House that we continue to take that position. We are not prepared to accept what the federal government has proposed at this time because we do not think it's in the general best interests of the taxpayers of Canada, and more specifically the taxpayers of Ontario.

We do not think it's going to afford us the opportunity of putting up portable housing in position in this province. Obviously, if the program is not designed and retailored to meet the conditions of this province, indeed the conditions of the other nine provinces, it is really not going to satisfy what we believe are two important needs: housing and employment.

Mr. Duksza: Is the minister aware of the fact that if the current program ends on July 1, as planned, 811 housing units, valued at \$33.6 million will not be built in Toronto alone? If, in spite of all the government efforts, the federal government persists in its intention to terminate existing programs in July 1, is the minister prepared to introduce an Ontario program to replace the old federal program so that the federal Liberal government can be prevented from destroying co-operative and non-profit housing in the province?

Hon. Mr. Bennett: As I've already said to the leader of the third party, it's been our intention to try to get the period of time extended to allow us to implement some of the newly designed programs with the federal government programs, that meet our requirements over a longer period of time.

As to the second part of the question; no, it is not my intention to suggest that Ontario pick up the slack created by the federal government. The federal government does an excellent job—

Mr. Warner: You'll do nothing.

Interjections.

Hon. Mr. Bennett: The federal government does an excellent job of implementing pro-

grams and sticking with them for a year or two and then dropping them and saying it's now the province's responsibility. Let me assure this House that we do not intend to take up the slack, for the simple reason that we do not have the financial capacity with which to do it.

Mr. Foulds: So you won't create affordable housing.

Mr. Warner: You just turn it over to the municipalities.

Mr. Cassidy: That's the real Claude Bennett speaking.

Mrs. Campbell: What are you doing now?

Hon. Mr. Bennett: A lot more than your federal colleagues

WELFARE RECIPIENTS

Hon. Mr. Norton: I have a response to the question raised on May 29 by the member for Bellwoods (Mr. McClellan), concerning the numbers of recipients of family benefits and general welfare assistance who are also injured workers in receipt of partial pensions from the Workmen's Compensation Board.

I'd like to answer by saying that there are about 1,307 family benefits recipients who are also in receipt of partial pensions from the Workmen's Compensation Board. Of those, about 614 are categorized as GAINS-D recipients. The amount of the allowance payments per month is approximately \$289,482, based on our most recently available information.

Mr. Laughren: That's a disgrace, do you know that? You should resign.

Hon. Mr. Norton: As far as general welfare assistance is concerned, there are approximately 530 cases where recipients are also in receipt of payment from the Workmen's Compensation Board. The allowance for these cases is approximately \$78,906 per month.

Mr. Martel: Why doesn't industry pick up its bill?

Mr. McClellan: Aside from the, I must say surprising and shocking extent of the number of—

Mr. Speaker: Question.

Mr. McClellan: —injured workers on workmen's compensation, does the minister not agree that the amount of money that is being paid through your social assistance programs to injured workers who are in receipt of permanent partial disability represents a subsidy out of the general revenue of this province to employers in order to repress the level of their industrial assessment? Does he not agree that subsidy is inappropriate and that the way to pay for injured workers' pensions ought to be

through adequate pensions financed out of adequate industrial assessments through the Workmen's Compensation Board and not through general revenue?

Hon. Mr. Norton: I would like to say, no. I do wish the honourable member opposite would learn not to ask me those questions which he prefaces with "don't you agree?" He should anticipate the answer. What I do not know from the data I have available—

Mr. di Santo: The Minister of Labour (B. Stephenson) is responsible.

Hon. Mr. Norton: —is the specific nature of the injury the individual had received—

Mr. Mackenzie: Why should that matter?

Mr. Laughren: Why don't you stand up to the Minister of Labour sometimes?

[2:45]

Hon. Mr. Norton: —that had caused him to be in receipt of some payment from the Workmen's Compensation Board. I do not know the individual degrees of disability, I do not know to what extent the injury received in the work place—

Mr. McClellan: It's assessed by the board.

Hon. Mr. Norton: —was or was not a contributing factor to the fact that the individual is now in receipt of benefits under legislation administered by my ministry.

Mr. McClellan: Will the minister find out?

Hon. Mr. Norton: Yes, I could, but I want to explain to the member what would be necessary. In order to try to obtain that information, I have been advised would require 12 monthly printouts on the computer at a cost of \$250 per printout; and that to acquire the more detailed information—and that would only apply to our family benefits legislation not general welfare assistance—would cost an additional \$3,000. If the member wished me to pursue that I shall, but I would still not have all of the information he requests.

Mr. McClellan: You are paying \$350,000 a month in social assistance.

Hon. Mr. Norton: In order to get the information with respect to general welfare assistance, since the data we receive on general welfare assistance comes from the municipalities, I'm advised it would take approximately two months for us to be able to get that information.

ADVISORY COMMITTEE ON CONFEDERATION

Mr. Conway: My question is to the Premier. Following upon what some of us considered to be a very significant debate in this House

last Thursday on Bill 89, and considering the Premier's statesman-like intervention in that debate, can he guarantee at this point or give us a commitment on behalf of the government that the first report of the Advisory Committee on Confederation will be brought before this Legislature before the adjournment, which is expected later in June, for a full legislative debate, such as was discussed and generally supported by him in this House on May 12, since many of the issues that are raised in that report are of rather immediate and widespread public interest?

Hon. Mr. Davis: I think I indicated when I suggested there should be some discussion here that there was also merit in having this discussion when the second part of the report which deals with distribution of powers is available. I am hopeful that that part of the report will be available some time during the summer.

The honourable member really might be a little more direct and suggest that there is a recommendation in that report which perhaps he would like to see debated again in this House. I have no objection to that: I would only suggest, with respect again, that the bulk of the advisory committee's report does relate to the question of constitutional reform or constitutional change. While an initial discussion on that could be helpful, I think when it gets down to it, a lot of what is recommended in the report will of necessity, in terms of both its acceptability or otherwise by other provinces and whatever interest there may be on the part of the government of Canada, and certainly I would think in terms of the interests of the people with federalist leanings in the province of Quebec, involve the question of distribution of powers, which is very fundamental.

While I'm not reluctant to have a discussion, I'm just trying to be as constructive as I can and suggest that the second part of the report is necessary for a really meaningful discussion on constitutional change, which is one of the basic considerations in that report.

Mr. Conway: Supplementary: Since the report has been circulated, as he indicated earlier in May to other Premiers—in fact I think his statement indicated to all Premiers—for the Regina meeting in August, and since it's going to be referred to the special committee meeting at Glendon College, I believe in late June, would the Premier not agree that it perhaps would be useful to take that first report and have it discussed in this Legislature? Would he not agree that

perhaps sometime in the very near future it is important for the Premier of this province to state, in this Legislature, the position of his government on these matters of vital public interest and concern? Would he not at this point in time—

Mr. Speaker: The question has been asked.

Mr. Conway:—assure the Legislature that he's prepared to do this before the House adjourns in late June?

Hon. Mr. Davis: Mr. Speaker, I have already stated in this House my position in terms of general principle. That position has been and continues to be that on the "third option" that most people are talking about in terms of the basic issue facing this country, Ontario has taken the position and will continue to take it that we are prepared to see some change in our constitution, some greater measure of flexibility, some recognition of diversity of this country; although I restate, so that there is no misunderstanding in the minds of any members in the House, that we believe there is a very real role for a strong federal government in some of the very crucial areas. I don't want anything I say to ever detract from that philosophy.

I would also point out that once again we could debate in this House the concept of the House of the Provinces, we can discuss the question of appointments to the Supreme Court, and many of those other things. If the member for Niagara Falls (Mr. Kerrio) is looking for an appointment to the House of the Provinces, I think that we could do worse.

Mr. Deans: Not much.

Hon. Mr. Davis: We might also do better.

Mr. Speaker: Order. That has nothing to do with the question.

Hon. Mr. Davis: I am just saying that while a lot of those issues are important I think most people discussing the issues facing Canada really want to see the suggestions on distribution. I say that having dealt in this area for so many years; I think that is really quite crucial to the discussion, particularly as it relates to the federalists in the province of Quebec where distribution has been, and I think continues to be, a matter of some concern.

I am only suggesting that I am not reluctant to have a debate but I would like to see that aspect of the report available to us. I think it is going to be difficult to discuss some of the other issues without knowing what the recommendations are on distribution.

Mr. MacDonald: Supplementary: With reference to the Premier's suggestion that we might postpone the debate until we have the second report from the Ontario Confederation committee on the redistribution of power, how does the Premier reconcile that with the statement on the redistribution of powers that was made to Premier Levesque some weeks ago by Joe Clark, on behalf of all existing Conservative provincial Premiers? Could we not at least have the benefit of that interim position that Joe Clark presented on their behalf with regard to the redistribution of powers?

Hon. Mr. Davis: Mr. Speaker, I think I could get that position for the honourable member if he would like it. My recollection of that position is that it really was stated very clearly after a meeting of the Premiers with our national leader in the great city of Kingston and formed part of that communique. I am only going by memory, but it stated in general terms the need for much closer co-operation and consultation as between the federal government and the governments of the provinces. I don't think it got into, as I recall it, specific suggestions as to distribution, but I will dig up that communique and give it to the honourable member so that he will be familiar with what I know of it at least, which I think formed the basis of whatever conversation Mr. Clark had with Mr. Levesque.

Mr. Foulds: You are not only a skater, Bill, you are a master of blimpery.

INCO SAFETY COMPLAINT

Mr. Martel: I have a question for the Minister of Labour which is really a follow-up on the question I put to her yesterday.

Despite the statement by Mr. Susil of her department, pertaining to the case involving Mrs. Duhaime, which says that charges against D. Brickett are being considered, did, in fact, Susil recommend to the ministry that charges not be laid against this official of Inco for a violation of the Employees' Health and Safety Act? If so, what bearing on this decision not to have charges laid against Inco is due to the fact that Susil was a former member of the International Nickel Company staff?

Hon. B. Stephenson: As I suggested to the member for Sudbury East yesterday, I would be very pleased to amass all of the information related to this specific incident and I shall present it to the House as soon as it is available to me. The staff is already working on gathering all of the information which is available. I shall be pleased to do so.

Mr. McClellan: In November? December?

Mr. Martel: Supplementary: Is the same Mr. Brickett of International Nickel Company now involved in a second violation against the health and safety act as it was passed by this Legislature some 18 months ago?

Hon. B. Stephenson: Mr. Speaker, that will be ascertained and will be a part of the report.

TORONTO ZOO AND CENTRAL REFERENCE LIBRARY

Mr. Kerrio: I have a question of the Minister of Culture and Recreation. He is here, Mr. Speaker; he just has to get to his place.

Mr. Conway: He only answers to Deputy Premier, the member for Chatham-Kent (Mr. McKeough) notwithstanding.

Mr. Speaker: He doesn't have to hear from his own seat, just answer from it.

Mr. Kerrio: Thank you, Mr. Speaker. Now that a Metro committee has recommended that the provincial government take over the Toronto zoo and the central public reference library—

Hon. Mr. Davis: And a convention centre. What else is on the list?

Mr. Kerrio:—and excluding the possibility that the zoo might be included in the Speaker's responsibility, what is the likelihood of such a takeover?

Hon. Mr. Welch: Not very.

Mr. Kerrio: Supplementary: The first part of my question was, is the minister aware of the fact that a Metro committee has recommended the provincial government take over these two quite large responsibilities?

Hon. Mr. Welch: Yes.

PROVINCIAL ECONOMY

Mr. Wildman: In the absence of the Treasurer (Mr. McKeough) I would like to place a question to the Premier. Is the Premier aware of a review conducted by the Royal Bank of Canada of the performance of provincial economies in Canada since 1970? If he is aware of that study, could he comment on its finding that Ontario has had the lowest growth in gross provincial product per capita in this country—lower than any other province?

Hon. Mr. Davis: Mr. Speaker, I don't read all of the material from any of the banks. I am intrigued that the honourable member is reading that much material from the bank.

Mr. Makarchuk: Do it all the time.

Hon. Mr. Davis: Perhaps it is a hopeful sign that at least he is listening to others more than traditionally is the case.

Mr. Samis: Answer the question.

Hon. Mr. Davis: I would be delighted to get some further information for the honourable member as it relates to the growth of the provincial product on a per capita basis. I think it is fair to state, and the Treasurer has pointed this out, that we have had slower growth in the past two or three years than we would have liked, but then, of course, we have started from a somewhat different base than some of our sister provinces.

While I haven't read that particular article from the Royal Bank, nor would I debate it here in the House until I have read it, I can only state once again what the Treasurer said, that our own anticipated growth this year is somewhat higher than the national average. I think the figures indicate that the economy is improving; I won't say it is because of the enlightened programs of this government, but nonetheless the government has—

Mr. Martel: There aren't any programs.

Hon. Mr. Davis: The members opposite don't agree with that?

Mr. Warner: No.

Hon. Mr. Davis: I would say to the member for Sudbury East—

Mr. Speaker: You don't have to.

Mr. Foulds: Just answer the question.

Hon. Mr. Davis: —he is wearing two hats again.

I would say to the honourable member that I will get some material, or alert the Treasurer and discuss that particular Royal Bank article with him here in the House. As I say, I am encouraged that at least he is reading some other sides of the coin on occasion.

Mr. Wildman: Supplementary: Since the Premier is encouraged by what he calls the enlightened programs of this government, is he also aware that Ontario stood sixth in growth in expenditures on new machinery and equipment, only ahead of New Brunswick, Nova Scotia and Newfoundland in this country since 1970?

Mr. Breaugh: We're struggling for parity with Newfoundland again!

Hon. Mr. Davis: Once again I will not comment on the particulars of the Royal Bank—

Mr. Makarchuk: Obviously the Tories don't know how to run the province.

Hon. Mr. Davis: I understand that the members opposite would have that point of

view. The fact remains that in almost every respect, with the possible exception of Alberta, the economy of this province is relatively healthy.

Mr. Wildman: Saskatchewan is first, by the way.

Hon. Mr. Davis: It is amazing that of the numbers of new people still coming to this country, the majority decide that Ontario is the place they would like to live and do business—

Mr. Warner: Yes, they haven't heard about you.

Mr. Swart: A number are moving west.

Hon. Mr. Davis: —and that is true of most investment that comes into this country at the moment, with the exception of Alberta, which has a certain natural resource that we haven't available to us here, unfortunately.

[3:00]

Mr. Peterson: To the Premier: As his previous answer pointed out, the growth of gross provincial product has been below the national average, but is he aware that our compounded annual accumulation of debt has been higher, in fact, than in the growth of gross provincial product? In fact, we are going into debt at a far higher rate than we are generating wealth? Is the Premier aware of that and what is his reaction to that?

Hon. Mr. Davis: I think it is on a comparative basis once again, and I think the member will find that is not factually correct compared to other jurisdictions. I think in terms of the debt of the province, that is one reason the Treasurer has embarked upon a policy of restraint, which the members opposite support when it suits them and object to when it doesn't, which is politics, which we all totally understand.

Mr. Nixon: The Premier has never changed his thoughts on restraint, has he?

Hon. Mr. Davis: No, I haven't changed my thoughts on restraint, I am just saying—

Mr. Nixon: How did we get the deficits we have?

Interjections.

Hon. Mr. Davis: —you people support restraint one day; but if there is going to be a new Hydro plant—

An hon. member: Sensible restraint.

Mr. Breithaupt: That's a billion and a half dollars.

Hon. Mr. Davis: —in your riding you support it the next day. I understand the politics of that, but I would say to the member that while he may be negative about

the economic prospects of this province, I am not, I have total confidence in our ability to deal with these issues.

Mr. S. Smith: You take credit for what is good, eh?

Hon. Mr. Davis: I would only say that my confidence is shared by his father-in-law, who feels the same way.

Mr. Peterson: You know, Mr. Speaker, he is always dragging in my recalcitrant father-in-law—a Tory—and I am embarrassed about it—

Hon. Mr. Davis: The member should never be embarrassed by his father-in-law.

PROPERTY TAXATION

Mr. Epp: Mr. Speaker, I have a question of the Premier. He has been up so much today, I thought I might as well ask him another question. This has to do with property tax reform.

In view of the fact there has been a lot of discussion on property tax reform and market value assessment in the last 10 or 12 years, and fairly intensively the last few months; and given the fact that there are a lot of citizens in the province who are concerned with this matter, and that the cabinet has discussed it on at least two occasions the last month, will the Premier share with this House his thoughts with regard to whether this legislation will be introduced this session; and if so when?

Hon. Mr. Davis: To say that it has been discussed by cabinet on two occasions recently, while not disclosing what goes on in cabinet, is perhaps an understatement. Since I have been in cabinet it has been discussed with some degree of regularity, and I must say to the members that it is still a rather complex issue. I would only say to the member that we are grappling with this difficult issue and when there is a statement of policy to be made we will share it with the member and other members of the House.

Mr. Swart: Supplementary: When the property tax reform is brought before this House will there also be reform in the property tax credit and in the grant program, so that those citizens, some of whom are inevitably going to have an increase in their taxes, will get a greater credit that will mitigate the blow to them?

Hon. Mr. Davis: Mr. Speaker, I think that I really answered that question for the member for Waterloo North (Mr. Epp) when I said that when we have something to say on this particular complicated matter, I or

the Treasurer would share it with all members of the House.

Mr. Laughren: In the fullness of time; we know.

Mr. Speaker: The member for Windsor-Riverside, with a new question.

Mr. Cooke: Supplementary, Mr. Speaker.

Mr. Speaker: A new question. The member for Sarnia.

Mr. Blundy: Mr. Speaker, I have a supplementary question of the Premier, regarding the matter raised by my colleague from Waterloo North. As the Premier knows, the municipalities of Ontario would like to know as quickly as possible, because in the fall they will have to start preparing as far as the assessment department, the tax department and so forth are concerned if they are to be able to take any advantage of these things—

Mr. Speaker: Is that a question?

Mr. Blundy: Is the Premier going to let us know in time to take advantage of any reforms for the taxation year 1979?

Mr. Cooke: That is a supplementary?

Mr. Speaker: Order. The Premier had already indicated that he had nothing further to add.

A new question from the member for Port Arthur.

THUNDER BAY POLICE REPORT

Mr. Foulds: I have a question of the Solicitor General. Can the Solicitor General indicate to me why he and his ministry support the board of police commissioners of the city of Thunder Bay in its decision not to release publicly the study of the Thunder Bay police department, when the minister had said in his letter to me, dated April 10: "Let me assure you that there is no suggestion in the report of any wrongdoing or corruption by any member of the force. However, certain changes in procedures are recommended which, if released to the public, could lead to the false impression that certain members were not able to perform their duties properly. Because of this possible position, the ministry supports the local board's decision not to release the document"?

Mr. Speaker: Question.

Mr. Foulds: Could the minister not simply release the document pointing out and clarifying that position?

Hon. Mr. Kerr: This was in the hands of the local police commission. We have no reason to overrule or dictate to the police commission in the handling of that report.

Basically, it's an internal report. It wasn't the result of any particular allegation or claim or anything of that nature. It was an internal report for the use of the board and of the force. The board has its particular reasons as to why it doesn't want to make the report public, and I have no reason to disagree with that.

Mr. Foulds: Supplementary: Would the minister not agree that in general principle it is better to release such reports publicly, because keeping them secret simply breeds suspicion amongst the local populace? Would it not be better for the morale of the force, if what the minister said in his letter to me is true, to release it publicly? Would he not encourage the local board of police commissioners to do that?

Hon. Mr. Kerr: I can follow that up with the local board. What I don't want to do is discourage inquiries of that nature. When there are any problems, whether of morale or otherwise, within a force, it is better to have this type of inquiry and this type of conclusion and report. Then the commission has an opportunity to implement certain recommendations of the report. However, I don't mind following up again with the chairman of that police commission to see what particular areas of the report he feels are sensitive.

MILK SUPPLIES

Mr. Riddell: I have a question of the Minister of Agriculture and Food. Would the minister comment on the meeting he had with his federal counterpart yesterday regarding a possible solution to the rather serious problem being faced by the cheese factories in Ontario?

Hon. W. Newman: Yes, I'm sorry we were unable to take the member down but we had a full plane.

An hon. member: Get a bigger plane.

Mr. Warner: Listen to that Tory mismanagement.

Hon. W. Newman: I would like to point out that under the national supply management system in Canada so many million hundredweights of milk are allowed to the province of Ontario.

We went down to Ottawa to meet Mr. Whelan and the Canadian Dairy Commission to point out that we were encouraged for the last number of years to produce more specialty cheese in this province so that we could replace the imports that are coming into this country. We have fulfilled our obligation and that responsibility. We have

increased the amount of milk used for specialty cheese by some 60 per cent over the last five years. As a result, it has left the industrial milk market for Canadian Cheddar cheese short by approximately 28 per cent of the quota allocations they need.

Yesterday we went down to present to Mr. Whelan and his counterparts suggestions as to how he could give us additional quotas here in the province of Ontario in order that we can fulfil our obligations to produce the cheese and keep a total dairy industry in this province. We had several suggestions for him. We made a suggestion that we should get a credit for interprovincial export of MSQ or industrial milk from the province of Ontario to other provinces. That would amount to about 39 million pounds of milk.

We also suggested we should have a credit of about 228 million pounds of milk that is exported as dairy products from the province of Ontario outside of Canada, which would not hurt the national supply management program.

We made several other suggestions. One very important one was that we were prepared to discuss with Ottawa its surplus removal program for powder and for butter. We were prepared to say to him, "we will take care of our own surplus here in the province of Ontario if you reduce the in-quota levy, which will not upset the national supply management situation across Canada, in return for adequate milk to produce the cheese we need." We had several other requests for MSQ, especially for specialty cheese, in order that we could do the necessary research, and we have export markets for that cheese if we can get the MSQ.

I conveyed to the minister in Ottawa that we were at a very critical point in the province of Ontario and this had to be rectified immediately. He has asked me to send him more details. I think he is now aware of the problem and the critical nature of the situation here in the province of Ontario.

Mr. Riddell: Supplementary: What was Mr. Whelan's reaction to the suggestions the minister made; and furthermore, what are the minister's reactions to Mr. Whelan's suggestion that we take some of the milk going into the butter industry and put it into the cheese industry here in Ontario?

Hon. W. Newman: It's very obvious that in the province of Ontario right now, any powder and butter that's tendered to the Canadian Dairy Commission as surplus in the course of the year is bought back from the Canadian Dairy Commission; thus we in the province of Ontario do not contribute to

the surplus of powder and butter in the province of Ontario. We need that powder and we need that butter in the province of Ontario.

The increase in butter production in the province of Ontario in the last quarter has been about six per cent. In one of the other provinces, it's as high as 56 per cent, so maybe the Canadian Dairy Commission has some responsibility to tell the appropriate provinces they should be making more cheese instead of selling powder and butter.

ASBESTOS WORKERS

Mr. Mackenzie: I have a question of the Minister of Labour. As a result of the lethal effects of asbestos on workers and the overwhelming evidence that after 15 to 35 years the effects start to show, the Health, Education and Welfare Secretary in the United States, Joseph Califano, had the US Surgeon General send a letter to all of the nation's 400,000 doctors—

Mr. Speaker: Question.

Mr. Mackenzie: —alerting them to the asbestos poisoning in their patients. Has the minister or the health and safety division of the ministry sent a similar letter to the doctors of the province of Ontario, or asked the Minister of Health (Mr. Timbrell) to do so; and have we also, as they have done, formulated a public information campaign directed at asbestos workers in this province?

Hon. B. Stephenson: We have most certainly developed an information campaign directed towards workers in industry in which asbestos is used. The information facts sheets are published and are updated with regularity and submitted to the trade unions and employers involved for publication or posting for workers in those areas.

In addition, the vehicle that is being used to inform the physicians of Ontario of the potential hazards in occupationally related health problems is the Ontario Medical Review. The medical director of the Workmen's Compensation Board has been responsible for writing monthly articles in that review to inform the physicians of Ontario precisely of some of the problems they are facing and to stimulate them to consider the potential occupational relationship of certain of the illnesses they see in patients.

Mr. Mackenzie: Supplementary: Given that now is the time many of the workers that were involved in the defence industry would be showing the effects, does the minister not think a direct letter to all of the doctors, as

was decided in the United States, would be better than just monthly reports in the Medical Review here?

Hon. B. Stephenson: They are not monthly reports. Indeed they are specific articles related to the problems which physicians see.

There has also been a great deal of publication within the Canadian Medical Association journal, which is read by 85 per cent of all the physicians in the province of Ontario. Indeed we are using all of the methods that are reasonable in terms of bringing the physicians up to date with the problems which their patients may potentially be facing. If there's any possibility of using any other technique we will most seriously consider it.

We have also made available, or will be making available shortly to all physicians in Ontario, a booklet published by the occupational health and safety division which will alert physicians not only to the problems of asbestos but to all other kinds of occupationally related medical problems about which we are knowledgeable at the moment.

[3:15]

SPECIAL EDUCATION

Mr. Van Horne: A question of the Minister of Education: In the light of application forms for ministry special education summer programs arriving late at many schools, certainly in the London district—either late or right on the deadline date for submission—can the minister tell us what selection criteria were used for accepting applicants; and on top of that how many applicants were turned down?

Hon. Mr. Wells: I will be happy to get that information for my friend.

Mr. Van Horne: Supplementary: The numbers that I heard on the weekend were very high and distressing to me. In light of the ministry's stated priority for special education, I am wondering if any plans are being made right now to accommodate these many people who apparently will not be able to get on the summer program.

Hon. Mr. Wells: I will be happy to look into it and give the honourable member some information on it; then perhaps I can tell him whether or not any special accommodation is indicated or needs to be made.

Mr. Conway: Does the minister want to check with the Premier?

Mr. Speaker: The time for oral questions has expired.

INTRODUCTION OF BILLS

EDUCATION AMENDMENT ACT

Hon. Mr. Wells moved first reading of Bill 110, An Act to amend the Education Act, 1974.

Motion agreed to.

Hon. Mr. Wells: This bill basically contains a number of housekeeping amendments that are necessary because of the Municipal Elections Act, 1977. It needs to be passed before this House adjourns for the summer recess in order that the elections for school trustees can be conducted under that new act next November.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Mr. Wells moved first reading of Bill 111, An Act to amend the Municipality of Metropolitan Toronto Amendment Act.

Motion agreed to.

Hon. Mr. Wells: Likewise, this bill contains several housekeeping amendments in order to bring this bill into conformity with the Municipal Elections Act, and also several other minor housekeeping amendments.

ANSWER TO QUESTION ON NOTICE PAPER

Hon. Mr. Welch: Before the orders of the day, I wish to table the answer to question 62 standing on the notice paper. (See appendix, page 3194.)

ORDERS OF THE DAY

House in committee of the whole.

CORONERS AMENDMENT ACT

Consideration of Bill 86, An Act to amend the Coroners Act, 1972.

On section 1:

Mr. Foulds: I'd like the minister to explain what the substantial difference is between the previous subsection 3 and the present subsection 3. There has been a change in that with regard to notification, I guess it is, to the chief coroner. Can the minister indicate to me why he felt it necessary to bring in this particular change?

Hon. Mr. Kerr: Is the honourable member talking about subsection 3 of section 1 of the bill?

Mr. Foulds: That's right.

Hon. Mr. Kerr: It's just a matter of the chief coroner being notified by the College of Physicians and Surgeons where the licence

of a coroner for the practice of medicine is revoked, suspended or cancelled. This, then would affect the—you're not just trying to delay this thing a little bit, are you?

Mr. Foulds: No.

Hon. Mr. Kerr: That would have some bearing on whether or not the man would continue as a coroner.

Mr. Foulds: What I want to know, if I can, from the Solicitor General, is has it occurred in the past? How many times has it occurred in the past where a coroner has had his licence suspended and has continued to act as a coroner because the chief coroner had not been notified? Were there any instances of that, or is it simply a matter of cleaning up the act? What brought this to your attention that this particular change was necessary?

Hon. Mr. Kerr: I think that would tie in with the amendment to section 1(1)(b) dealing with the revocation, suspension, or cancellation of his licence for the practice of medicine. What we are doing here is enlarging this clause; this is new. The coroner would cease to hold office upon the suspension of his licence for the practice of medicine. Before, we only suspended. Now, he would no longer serve as a coroner upon the revocation, suspension, or cancellation of his licence under the Health Disciplines Act. We're going a little further in dealing with his licence and we're also adding the provision as to notice.

Mr. Foulds: If I understand you correctly, you are now irrevocably withholding his privilege to serve as a coroner even if he has only had a temporary suspension of his licence. In fact, you're toughening up and making more stringent the standards for a medical practitioner to be a practising coroner. Is that correct?

Hon. Mr. Kerr: That's right. You must remember when a professional man is suspended, whether he's a lawyer or a doctor, the suspension comes after a very lengthy hearing by his peers, by a discipline committee—for example, the Law Society of Upper Canada. This is what happens in professions that discipline themselves. Therefore, if he is not fit to practise medicine or law we feel he should not carry on as a coroner.

Mr. Foulds: Do you have handy the figures of how many coroners have been suspended in the past as a result of the suspension of their medical licence?

Hon. Mr. Kerr: I do not. That's something you can ask me in estimates.

Mr. Foulds: Is that vote still open in your estimates? Fine. Thank you very much.

Section 1 agreed to.

On section 2:

Mr. Foulds: I have a question for the Solicitor General. Has it been the practice of the coroner not to get assistance from the Ontario Provincial Police in carrying out an investigation under the Coroners Act inasmuch as it is not under the usual definition of the term "a criminal proceeding"? In other words, does this expand through an amendment to the Coroners Act the responsibilities of the Ontario Provincial Police?

Hon. Mr. Kerr: As the marginal or explanatory note points out, at the present time the provision is that the "police force having jurisdiction in a municipality shall make available to the coroner the assistance of such police officers as are necessary . . ." What this does is just extend this to assistance from the Ontario Provincial Police as well.

Mr. Foulds: Does this mean the Ontario Provincial Police may be called in as well as the local police where there is a municipal or regional police force? Is there envisaged a sequential order of calling in the assistance or is it envisaged that the two police forces may be acting together concurrently in assisting the coroner with an investigation?

Hon. Mr. Kerr: I would think so. I don't see any reason why both police forces couldn't be involved. This isn't a revised section. This is a new subsection, and for example, as the honourable member knows, the Ontario Provincial Police assist the municipal police from time to time in joint force operations, such as criminal investigations, anti-racket squads and things of that nature. In a municipality that has its own force, and the chief coroner wants some assistance from the OPP, the new subsection would enable it to take place.

Mr. Foulds: I'd just like to bring to the Solicitor General's attention that through one act where we wouldn't normally look we have expanded the responsibilities and the duties of the Ontario Provincial Police. Presumably, their duties and responsibilities would normally be under the act governing that police force. Is there some way that a notation in that act can be made drawing attention to the clause in this act? It is one of those things that legislators and people interested in criminal matters might not be aware of. The Coroners Act isn't normally considered in investigating criminal matters.

Obviously, it's a valid use and a very commendable use of the provincial police. It

would also, I think, lend credence and stature to the investigation the coroner's office is carrying out. It's just that it does seem to be an expansion of the responsibilities and it would be handy to have that notation in the act governing the police force and its responsibilities.

Hon. Mr. Kerr: I'm not quite sure what the honourable member is driving at. As I say, what we're doing here is formalizing the existing practice. Any police force in a municipality shall assist the coroner in carrying out his duties. However, because of the extraordinary facilities of the OPP in the criminal investigation area, we felt it was important to have this set out in the statute; that in the event the OPP is required, either in place of or in conjunction with the local force, that revision should be included in the act.

[3:30]

It is my understanding that actually the coroner has been requesting the assistance of the criminal investigation branch in complex cases. It is really just a matter of placing that in the statutes and making it known to everybody.

Mr. Foulds: This would include the use of their laboratory facilities as well, I would imagine, which would be very useful in terms of the Coroners Act.

Hon. Mr. Kerr: Yes.

Mr. Foulds: Thank you very much.

Mr. Chairman: Shall section 2 stand as part of the bill?

Section 2 agreed to.

On section 3:

Mr. Stong: I have an amendment to section 3(3). If there are any amendments prior to that, perhaps they could be brought forward, but I am prepared to proceed with this.

In its effort to make the Coroners Act and its legislation more understandable, the ministry has to be commended in bringing within the Coroners Act those situations where a coroner's inquest would be mandatory. There is an effort to transfer from the Mining Act, I understand, a mandatory inquest in the event of an accident and a death arising from that accident which occurs during the course of employment in a mine.

The legislation as introduced by the ministry indicates a compulsory inquest will be held in the event of an accident resulting in death during the course of a person's employment at a mine, not including a pit or quarry. The minister has to be commended

for this move. However, I have one concern. This is the only occasion in the act where an inquest is mandatory during the course of one's employment. Accidents resulting in death in pits or quarries should also be included. If we are going to concern ourselves with mandatory or compulsory inquests as a result of a person's death during the course of his employment, we must not only include a mine, but also such other sites as excavations and construction sites.

I am offering an amendment to this section, Mr. Chairman. I drafted this amendment keeping in mind the concerns expressed on second reading by my colleague from St. George (Mrs. Campbell) about death in excavation sites; subway construction, for instance.

Mr. Chairman: Mr. Stong moves that subsection 3 of section 3 of the bill be struck out and the following substituted therefor:

(3) The said section 9 is amended by adding thereto the following subsection:

(4a) Where a worker dies as a result of an accident occurring in the course of his employment at or in a construction project or mine, including a pit or quarry, the person in charge of such project or mine shall immediately give notice of the death to a coroner and the coroner shall issue his warrant to hold an inquest upon the body.

Mr. Stong: Very briefly, this section encompasses all construction sites, including mines, pits and quarries. It does not include every place of employment but is limited to those areas where new and advanced techniques for carrying out construction work and construction safety is involved. Because of the advanced techniques in the construction industry, it would seem to me that we would benefit most as citizens of Ontario from an inquest that would be held and from any recommendations that would result therefrom in the event of a death in such a situation.

I would seek by my amendment to make such an inquest compulsory where there is a death arising out of the course of one's employment in the construction industry, which would include a mine, a pit and a quarry.

Hon. Mr. Kerr: We would support that amendment.

Mr. Germa: The minister said he would support the amendment. I would like to go to one specific word in the amendment and in the legislation, that is, the word "mine." There is no definition section in the Coroners Act. I presume that passage of this amendment to the Coroners Act would remove that section

from the Mining Act which presently covers the situation.

Section 612 of chapter 274, RSO 1970, is the section which presently covers fatalities in mines. I would ask the minister to refer to the definition of what a mine means. I am afraid that the amendment is weak in that it doesn't cover those other parts of a mining operation as defined. I would like to bring to the minister's attention and the members of the House what the word "mine" means in the definition section of the Mining Act.

It says: "The noun 'mine,' except as defined in part IX, includes any opening or excavation in, or working of the ground for the purposes of winning, opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, rock, earth, clay, sand or gravel, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also any quarry, excavation or opening of the ground made for the purpose of searching for or removal of mineral rock, stratum, earth, clay, sand or gravel and any roasting or smelting furnace, concentrator, mill, work or place used for or in connection with washing, crushing, sifting, reducing, leaching, roasting, smelting, refining, treating or research on any such substances."

I am concerned that the word "mine" in the minister's mind and in the Coroners Act is too narrow a definition when he says, "Where a worker dies as a result of an accident occurring in the course of his employment at or in a mine." The "at or in a mine" is a very narrow definition of the whole mining complex. In fact, probably only 10 per cent of the work force in a mining complex is on the site of the mine as defined by the minister. The hole in the ground is a very narrow interpretation of a mine.

When I include, as the Mining Act does now, roasting, smelting, furnace, concentrator, mill for washing, crushing, sifting, reducing, leaching and all of those other activities that go on removed from the mine site, I think what we have to demand of the minister is that he adopt in the Coroners Act the present definition of "mine" as enunciated in the Mining Act. There is another definition in the Mining Act, and I am quoting: "The verb 'mine' and the word 'mining,' except as defined in part IX, include any mode or method of working whereby the earth or any rock, stratum, stone or mineral bearing substance may be disturbed, removed, washed, sifted, leached, roasted, smelted, re-

fined, crushed or dealt with for the purpose of obtaining any mineral therefrom, whether it has been previously disturbed or not."

I think the definition of "mine" is very important in this amendment, so that we do not lose those people who are presently covered under the Mining Act. I don't want to charge the government with trying to dupe us, but I don't see the definition of that word in the new act, and if we do remove it from the Mining Act then we have taken away from 90 per cent of the work force in the mining complex the protection they now have under the Mining Act.

Maybe if the minister can assure me that the definition of "mine" as enunciated in the Mining Act is what he terms it to be, then the amendment, in my mind, would be acceptable.

Hon. Mr. Kerr: Mr. Chairman, the honourable member knows we mentioned in second reading that this provision is, in fact, being transposed from the Mining Act so that there would be a mandatory inquest in the event of an accidental death in a mine. It is my understanding that the coroner, in performing inquests, has been using the definition that is at present set out in part IX of the Mining Act in acting on these mandatory inquests.

Mr. Lupusella: Mr. Chairman, I would like to extend my apologies for being late while the bill was debated. I want to express the position of my party in relation to that particular section which deals with mines. I don't think the position which has been taken by the government and the Liberal amendment are going far enough to encompass the whole situation which is taking place in relation to fatalities in the work place.

I move that section 3, subsection 4a be amended by deleting the words "at or in a mine" to "quarry" in lines two and three, after the word "employment" and before the word "manager" in line three, and the following substituted therefor: "in any work place including a mine, pit or quarry"; and at line four, the word "mine" be deleted and the words "work place" substituted therefor.

Mr. Chairman: I would remind the member that we have an amendment before the committee and I believe the amendment you are placing actually deals with the section now in the bill. I just don't see this as an amendment to the amendment because of the word change in the previous amendment.

Mr. Lupusella: Mr. Chairman, if I can speak to that, I think the amendment introduced by the Liberal Party is not incorporating any work place besides the mine. My

particular amendment is going further than that.

Mr. Stong: We say construction site, including mine, pit and quarry.

Hon. B. Stephenson: All you have to say is "in construction sites, mines, pits and quarries." That's all you really need.

[3:45]

Mr. Bounsall: Mr. Chairman, I wonder if I could enter the debate here. What happened was that the amendment presented by the member of the Liberal Party simply dealt with one very small sector, adding construction as well as pits and quarries; the amendment placed by my colleague from Dovercourt was a much broader amendment dealing with all work places.

Because of the nature of the amendment, and because the Chairman has had those amendments—at least those proposed by the New Democratic Party—for quite some time, looking at the contents of them, it would have been more appropriate to have placed the amendment moved by the member for Dovercourt first, because it dealt with the matter in a much broader way. We certainly would have hoped it would have carried. If it hadn't, then the amendment moved by the Liberal member dealing with construction and pits and quarries would have been appropriate, which are also the ones I had ready to move plus the amendment in two other areas.

Having taken it in the order that you did, I would certainly hope that you would find an appropriate way to continue with an amendment which should be in this act, so that it would be required to have the jury involved in deaths which occur in all work places, which is the effect of the amendment moved by the member for Dovercourt.

Mr. Chairman: I would say to the honourable members of the committee that I recognized the first speaker who was on his feet in regard to section 3 and requested to speak to the section.

I appreciate the content of the member for Dovercourt's amendment. However, we do have an amendment before the committee, and I just don't see how the member for Dovercourt's amendment amends the amendment. It amends the original section.

In the past, of course, we have voted on an amendment and then the committee agreed to go to another amendment. We could handle it that way.

Mr. Warner: That would seem fine. There is no problem.

Mr. Lupusella: That's fine.

Mr. Chairman: In the past, I believe, the committee has handled it in that manner; however, if the member for Dovercourt wishes to review his amendment and change the wording to fit into the amendment already placed before the committee, the committee may be agreeable to that.

Mr. Foulds: Mr. Chairman, could I move that we stand down this clause while the members consider this matter and then return to it, say, after we've dealt with subsequent sections of the bill? Is that an agreeable procedure for the Chairman and for the minister and the members involved?

Mr. Chairman: I'm in the hands of the committee. If they so desire, would anyone care to speak to that point?

Mr. M. N. Davison: Mr. Chairman, I would suggest that it be stood down until we have completed dealing with all the sections up until section 11, and that before we proceed with section 11, which is the next section, I believe, on which there is an amendment, we come back to this one.

Hon. Mr. Kerr: That shouldn't take long.

Mr. Chairman: Does the committee agree to stand down section 3?

Some hon. members: Agreed.

Mr. Chairman: All right. Section 3 will be stood down.

Sections 4 to 10, inclusive, agreed to.

On section 11:

Mr. Chairman: Mr. Stong moves that section 22 of the act, as set out in section 11 of the bill, be amended by adding thereto the following subsection:

"3. Notwithstanding subsections 1 and 2, where a person is charged with an offence under the Criminal Code of Canada arising out of the death, and the charge or any appeal from a conviction or an acquittal of the offence charged has been finally disposed of, or the time for making an appeal has expired, the coroner may issue his warrant for an inquest and the person charged is a compellable witness at the inquest."

Mr. Stong: Very briefly, Mr. Chairman, this amendment to section 11 is simply an extension of the principle that is already contained in section 11 of the bill. Subsection 1 indicates that where a person is charged with a criminal offence, that person is not a compellable witness at the inquest and this naturally is a protection of such a person charged with a criminal offence, so he will not be in a position of having to incriminate himself or find himself a witness at an inquest, when he is facing charges

arising out of the same set of circumstances which are to be heard in a criminal court.

However, my amendment would indicate that in the event that criminal charges have been dealt with through the criminal justice system, that person can then be required to give evidence. In other words, he becomes a compellable witness at any subsequent inquest, and cannot hide under the veil that is provided in the section now, of not being a compellable witness at an inquest.

For instance, I am thinking of the situation where a person may be charged with impaired driving, or in the operation of a Towmotor at a construction site, causing death. That person may have pleaded guilty to that offence before the criminal court, and then by virtue of having not exercised any rights to appeal, the inquest would not have been held yet and he could be a compellable witness at a subsequent inquest, provided that the criminal sanctions have been completed.

As the bill stands now, a person who has faced a charge under the Criminal Code is not a compellable witness. My amendment indicates that the criminal sanctions having been executed and exhausted, he becomes a compellable witness at a subsequent inquest.

Mr. Warner: I have a couple of questions about this because the section as put forward by the member for York Centre appears to be contradictory to subsection 1 above, but more than that—maybe I misunderstood him—it sounded as though he were saying that a person could then in effect end up testifying against himself, and as the member is well aware, and the Solicitor General certainly is aware, in this country it's not very clear as to the rights the individual has in court with respect to testifying against himself. It's clear in the United States where they have the fifth amendment, but here it's not clear and there are circumstances under which a person has—I guess the closest thing you could get to having the protection in terms of not testifying against yourself is in some federal cases.

It just isn't a clear situation, and yet I think it's safe to say it is an issue which quite a few people in our society are concerned about—that individuals should not be compelled to testify against themselves. It's a good safeguard for individuals in a democratic system, in that at some point the laws should be changed to reflect not identically what they have in the United States, but at least something that is similar, something parallel. What I would appreciate, before reaching any decision on this particular

matter, is whether or not the member for York North could—York Centre; sorry about that, they shift around from time to time—

Mr. Stong: Oh no, not for a while.

Mr. Warner: Oh, the member for York Centre is here. I wonder if he might clarify for me first of all his intent, and whether or not he sees that it is a difficulty and that it is not desirable to end up having a law whereby a person can testify against himself in a case. And, finally, could he clarify whether or not the subsection 3 which he proposes is in fact contradictory to subsection 1, in which case he might simply want to amend subsection 1?

Those are my questions. If it is in order, Mr. Chairman, perhaps the member for York Centre could respond.

Mr. Stong: Perhaps I could approach it this way. As the previous speaker, the member for Scarborough-Ellesmere, has indicated, there is an anomaly in our law in many respects. It is uncertain, in fact, in Canadian jurisprudence whether a person can be compelled even at a trial of a criminal nature to give evidence. The common law would seem to support that he is not a compellable witness.

In any event the Canada Evidence Act and the Ontario Evidence Act give a person protection by virtue of any evidence that he may give at any of those proceedings from subsequent criminal or civil action. So there is already protection afforded the witness under the Canada Evidence Act and Ontario's Evidence Act that would protect anything a witness might say in a given hearing from any subsequent criminal or civil action.

As the section now reads, a person who finds himself in the midst of an inquest and is subsequently charged or stands charged with a criminal offence is not a compellable witness. But once the criminal charge has been exhausted and his route of appeal has been exhausted, then in the interest of truth and recommendations, and in the interest of the betterment of society that person can plead the protection of Ontario's Evidence Act and the Canada Evidence Act and thereby be protected from anything he says in a subsequent proceeding. But, more important, he can be required, without being fearful of repercussions arising from a criminal trial or a subsequent civil trial, to assist the coroner from his point of view in making those recommendations from which we would all benefit as a result of an inquest.

Basically, any person who is charged with an offence—and it doesn't indicate whether

the offence has been completed in court or is still outstanding—so long as that person has been charged pursuant to the bill as it reads, he cannot be a compellable witness. My amendment simply says that after the criminal charge has been disposed of and his rights to appeal have been exhausted, he can then become a compellable witness. He can still plead the protection of those two evidence acts, but we will have the benefit of anything he says for the purpose of making recommendations.

Mr. Warner: What about the contradiction; and why subsection 3 as opposed to amending subsection 1?

Mr. Chairman: Order. The member for Welland-Thorold.

Mr. Swart: There is another dimension to this that I would like to ask the minister about and I may ask it in some ignorance. With regard to section 11, am I to understand that if a person is charged—even though there may be the expectation that they may charge others—he can no longer be a compellable witness at the inquest to give evidence relative to others who may have been involved in the crime or accident, or anything of that nature? If so, then does it not deprive the inquest of a witness who otherwise might be able to provide very valuable information relative to others who might have been involved in the incident, whatever that incident may be?

[4:00]

Hon. Mr. Kerr: I assume the honourable member is talking about subsections 1 and 2 mainly, is that correct? Of the present section 22? Yes.

The provision is in the act at the present time, although we are rewording, for example, subsection 1. Instead of using the words, "where a person is charged with a criminal offence arising out of a death" we're amending that to read "where a person is charged with an offence under the Criminal Code of Canada arising out of a death."

There's really no change in the present law which says that only where there is a charge under the code would an inquest be held only upon the direction of the minister. When held, the act says that person charged is not a compellable witness. He may be a competent witness, but he is not a compellable witness. In other words, at this stage he wouldn't be subject to any type of incrimination. In most cases you'll find that the criminal charges would proceed before the inquest, in any event.

Section 22(2) uses the words "during an inquest" if a person should be charged under the Criminal Code arising out of a death. Then the coroner should discharge the jury and close the inquest. He should then proceed as if it had been determined that the inquest was unnecessary. But again, the minister has the prerogative of reopening the inquest upon the same conditions as provided in subsection 1. If there is a charge, that person, if he gives evidence, is not a compellable witness.

The amendment, as submitted by the member for York Centre, deals with a situation that arises after that—after the criminal charges have been fully dealt with, one way or another. The person then would not necessarily be testifying against himself but he would be giving evidence to the coroner to assist in ascertaining the cause of death and other circumstances that are required to come out of a particular inquest.

The honourable member mentioned the Ontario Evidence Act and the Canada Evidence Act. I also might mention section 34(1) of the Coroners Act where the witness in any event would be provided protection.

Mr. di Santo: I wonder whether the minister can clarify for me a point in relation to section 11(1). I understand the amendment which deals with the situation when the charges have been disposed of one way or another. But section 11(1) says that "an inquest shall be held upon the direction of the minister."

In a recent case, the chief coroner, Dr. Cotnam, recommended—I'll read the recommendation: "At the present, by arrangements between the chief coroner and the Ministry of Labour, an inquest is not called into the death of a construction worker on the job if charges are pending. We recommend that this procedure be discontinued and that, if after two months from the date of death charges have not been formally laid, an inquest should be called."

I wonder whether the minister can explain to us whether by regulation this aspect is taken into account or whether while charges are pending there is an indefinite time that can be considered for calling an inquest?

Hon. Mr. Kerr: All I can say is to repeat what I've said before. When there is a criminal charge directly related to what would be the cause or the main reason for an inquest, that is, arising out of a particular death, it is for the most part the practice of the coroner's office—I may be corrected in this—that the criminal charges go ahead and that they be proceeded with, before an inquest is held. The person who may be

charged as a result of that death, if there is an inquest, would not be a compellable witness.

I'm not quite sure if that answers the honourable member's question, but there's really no reason to have two hearings or two tribunals, one quasi-judicial and one an actual trial, going on at the same time. It is better to proceed in many instances with the criminal charges in court, particularly if there is a direct relation with the person who's charged. That person may or may not be a witness at an inquest.

I would suggest that all this, as I've said before, is a matter of re-enactment of a few words of the section to clarify the intent that a criminal offence means in effect an offence under the Criminal Code. That is the real sum and substance of the amendment contained in section 11 of the bill, except for the amendment of the member for York Centre who is adding another subsection.

Mr. Deputy Chairman: Are there any further speakers to this amendment?

Mr. di Santo: Probably my question wasn't very clear, but the answer of the minister doesn't clarify my point. My point was that since the chief coroner asks that this procedure be discontinued and that an inquest should be called, as he says, when charges are pending, after two months, I would like to ask the minister, why would the coroner recommend that? In the particular case that happened on September 2, 1975, at the Bell Canada building site, 226 Simcoe Street, apparently the coroner was unable to collect all the information and evidence that he needed.

Hon. Mr. Kerr: I am not familiar with the particular case the honourable member is talking about. The honourable member knows that inquests are sometimes held six months or a year after the death which is subject to an inquest. Criminal charges are usually laid within a very short period of time, and the matter is brought at least to a preliminary hearing within a matter of weeks. So that's why these provisions are in the legislation at the present time.

There is no reason for any delay once the criminal charges have been laid and the case has been dealt with. However, as provided in subsection 2, if because of the investigations surrounding the case no charges are laid for some reasonable time, and the coroner's office and all those involved in the investigation of the case have sufficient information to conduct an inquest or to at least start an inquest, and during the course of that inquest a charge is laid against a particular person, then the existing legislation gives the coroner

the power to discharge the jury and close the inquest.

I suppose this is because usually the criminal proceedings in the event that criminal charges are laid proceed prior to an inquest.

Mr. Lupusella: Mr. Chairman, we are in support of the amendment placed before us by the member for York Centre.

Mr. Deputy Chairman: Shall the motion carry?

Motion agreed to.

Mr. Stong: I believe credit should be given where credit is due. The minister was very co-operative with this amendment and legislative counsel certainly did help in drafting it. I proposed an amendment that probably wasn't quite as clear as the one legislative counsel came up with. I thank them for their co-operation.

Mr. Foulds: They're very good chaps.

Mr. M. N. Davison: Mr. Chairman, you weren't in the chair at the time when the committee had agreed that upon conclusion of section 11, we would revert to section 3(3).

On section 3:

Mr. Deputy Chairman: Are you now prepared with a new amendment or new wording?

Mr. M. N. Davison: Mr. Lupusella would—

Mr. Deputy Chairman: Fine, then we will revert to section 3.

The member for Dovercourt, if you have an amendment. There is also an amendment by the member for Windsor-Sandwich. Are these to be collapsed into one?

Mr. Lupusella: No, after this one, Mr. Chairman.

Mr. Deputy Chairman: Mr. Lupusella moves that the words "at or in a construction project or mine including a pit or a quarry," in the amendments before us be deleted and replaced by the words, "in any work place"; that the words "project" or "mine" be deleted and the words "work place" be substituted therefor

That would be an amendment to the motion by Mr. Stong. That will be in order. Is there any further discussion to that amendment?

[4:15]

Mr. Lupusella: I would like to speak to the principle of my particular amendment because it's important that the minister understand its content.

First of all the minister should know that the total number of fatalities from 1935 to 1977—and I think this statistical data is par-

ticularly related to mines—was 1,511. And I am sure no inquest has taken place in relation to all the deaths that took place from 1935 to 1977.

Our particular amendment goes further than the amendment placed before us by the member for York Centre. It seems that the minister is going to accept the amendment which was placed in the Legislature by the Liberal Party. I am expressing both my personal opinion, and the position of the New Democratic Party when I say that we are pleased with the content of that amendment.

I hope that with my statement I will convince the minister that this is important and it would be to our detriment if this Legislature did not act responsibly in regard to these deaths which take place in the province. During the estimates of the Solicitor General I had ample opportunity to express the concern of the New Democratic Party in relation to this important item, and how serious we are when we are talking about industrial deaths.

We have been voicing this concern over the years, but it seems that the government will not move far enough to eliminate this problem, which is a big problem for the workers of the province. When the minister suggested a particular amendment to incorporate deaths which occurred in mines, it was a welcome amendment, and I told the minister that during the estimates. I was quite pleased with the content of that particular amendment.

The government, and the Solicitor General in particular, is aware that the idea to incorporate that amendment in the Coroners Act didn't come from the government itself. It was suggested by the Steelworkers union, which through the years really has put a lot of pressure on the government to amend the Coroners Act to require a mandatory inquest.

I want to emphasize that the Steelworkers union is not really pleased because the government suggested to the union that they were going to incorporate pits and quarries as well in the amendment, and when the bill was introduced in the Legislature, there was particular exclusion of those two words. I don't think the amendment which has been introduced by the Solicitor General is fair because it does not incorporate the position of the union which through the years really put on a lot of pressure in order that this particular piece of legislation would encompass the principle suggested by the union.

Therefore, in the name of and on behalf of the union, I would like to place before the minister their regret in relation to this particular betrayal which took place when the minister dropped this particular piece of legis-

lation. I don't think it was fair to take that particular position when the union wanted to incorporate pits and quarries, which was a reasonable position put forward by the union.

Besides that particular comment, I would like to convince the Solicitor General and the Liberal Party that, if my amendment is going to be passed by this Legislature, I don't think the Solicitor General should worry about the bureaucratic process that might take place in the coroner's office. That's not a realistic fear. Last year, when we dealt with the estimates of the Solicitor General, we were made aware that 27,000 inquests took place in Ontario—inquests that were not related to industrial deaths at all.

If we are going to incorporate the principle encompassed by my amendment, Mr. Chairman, let me put before you some statistical data in relation to industrial accidents that are taking place in Ontario; and I am talking strictly to the issue of fatalities. In 1977, we had just 226 deaths in Ontario; in 1976, the previous year, we had 297 deaths. If we are going to make a particular comparison in relation to the number of inquests that have taken place in Ontario and are not related to industrial deaths, we are talking about 27,000 inquests every year which are called to investigate unknown deaths that have taken place in the province.

I do not understand the position of the government. I also hope the member for York Centre is going to express the position of his party as well, when we are dealing with 226 fatalities taking place on industrial sites around the province, as to what kind of an extra bureaucracy is going to be created through the process of those particular inquests.

In the light of these particular statistical data, I hope that at least I am able to convince the Solicitor General that a mandatory inquest should be required in any work place in Ontario so that this particular problem will be thoroughly investigated to find out the causes of those industrial accidents. That is where the principle lies. I think it is important for the government to eliminate the problem at its origin. I think the coroner's inquest is going to play a really important role when an industrial death has taken place in any work place to find out what the unsafe conditions are and so that the government will follow the coroner's recommendations and so that improvements on those industrial sites also will follow.

During consideration of the estimates of the Solicitor General, I expressed this particular position before the minister was going to introduce this particular amendment in the

Legislature. In some way he was completely shocked. He said to me: "What the hell are you talking about? How many inquests do you want to call in the province of Ontario?"

Mr. Foulds: He said that? That was a direct quote?

Mr. Lupusella: We have the statistical data which was released by the Workmen's Compensation Board. He knows the figures. He knows he has to deal with 226 fatalities. I think the Solicitor General, in co-operation with the Minister of Labour, has an obligation to investigate those fatalities in any work place in the province of Ontario, and to understand the origin of the problem and the unsafe working conditions which exist throughout Ontario. This way the recommendations which will come out from those investigations can be implemented so no other fatalities take place.

That's the principle which the Solicitor General and this government should understand if this government is really serious about approaching the particular problem of accidents which is becoming a disgrace for this government in relation to the number of people getting injured every year. I think that's the principle the Solicitor General should understand. We want to alleviate the situation which presently exists.

I think it's also a disgrace for this government that the Minister of Labour is not introducing Bill 70 in this Legislature in order that those particular sections incorporated in that bill be implemented as soon as possible in order to reduce the number of accidents in Ontario.

But, Mr. Chairman, I want to show my frustration that this government, when it deals with the accidents on the job in the province is not really serious about them. Otherwise, this government would do something about it.

To correlate this particular principle, Mr. Chairman, and to show the importance that inquests be called in any industrial deaths in the province, let's also talk about another side of the statistical data which is in front of me.

Since 1977, the total payments arising out of industrial accidents—and I mentioned those particular figures to the Solicitor General and to the Minister of Labour when we dealt with the particular item of accidents on the job—and occupational diseases increased from \$260 million to \$800 million in 1976. That's why you should be concerned about studying the facts which surround those industrial deaths in order that this amount of money may eventually be reduced.

Compensation payments to injured workers have also increased dramatically and have reached \$17,000 a year in some provinces. Of course, we are not talking about fatalities in those statistics. We are talking about accidents. The principle which I want to emphasize in relation to that is how costly it is to the employers in the province when those accidents take place and when industrial deaths occur as well. There is no reason in this world to scream about this extra burden of a premium which is raised from year to year to the employers because the cost of accidents is increasing.

[4:30]

I think the main approach which should be used by this government is to study the unsafe conditions of the work place in order that strict recommendations be implemented. Then at least we don't have to see this financial disaster which is taking place in the province of Ontario in relation to fatalities and accidents.

I want to conclude my presentation of the subamendment to the Liberal amendment. I hope that the Liberal Party is going to sympathize with the position which we took on amending its amendment and that the government is going to respond in a positive way to pass this particular amendment because it is really important.

Mr. Stong: I think that I probably do sympathize with the position as held, but when the member for Dovercourt began his remarks he quoted statistics dealing with mines and the mining industry. The bill itself dealt with mines and the amendment that I have offered expands that to the construction industry.

I have one concern with respect to the compulsory nature of inquests in every situation. When inquests are commonly held or placed commonly, they become commonplace and are rendered really insignificant and no one pays attention to their recommendations.

It seems to me that if we are going to speak in the interest of meaningful recommendations, then we should be more careful when inquests should be called. Rather than fetter the coroner's discretion by expanding the list of compulsory inquests, I would prefer to protect the importance and the significance of recommendations arising out of inquests by leaving basically the coroner's discretion unfettered on every occasion.

It seems to me we do not need inquests arising out of death in every work place. The amendments that I offered, expanding it to construction where greater advances and

technology and techniques are being employed every day, would satisfy the needs of our community and our society at this time.

Mr. Foulds: I would like to recommend to the House and to both the Liberal and the Conservative parties the importance of the amendment put forward by my colleague from Dovercourt. Let me put it very simply. A death is a death is a death. If that death can be avoided, then we must do everything in our power to avoid it if we can by a coroner's jury. Surely one of the major principles of a coroner's jury is to make recommendations to avoid situations occurring again that caused a certain death. Surely the area in which deaths are most preventable are those that occur in the work place.

I have had some direct personal experience in this matter of deaths that occur in the work place, in the pulp mill and in the bush. Two cases in particular that have come to my attention in the recent past as constituency cases from the widows could have been well served by an immediate and mandatory coroner's inquest. I say to the member for York Centre with great respect and with the utmost pleading to accept the expansion of the compulsory coroner's inquest in every work place death, because they are preventable.

In the two cases that have come to my attention recently, the widows would have been well served by an inquest in order to get their death benefits from the Workmen's Compensation Board. The evidence that would have come out and could have come out would have assisted them with their claims. In both cases, they are now settled. But in one case the young widow is still requesting of me—and I have had to advise her—that she still wants an inquest into her husband's death. She has made that request verbally to the coroner in the area. It is now almost two years since the incident, and for various reasons she has to make a formal request to the coroner for that inquest. I don't think she or her family should have to go through that. I think it should be an automatic process.

If we are talking about remedial action, basically that is the purpose of coroners' inquests: to advise government and whatever bodies are responsible of remedial action. Whether a death occurs in a mine or on a construction site, or whether it occurs, as I say, in the bush or in a pulp mill, that remedial action should be taken.

I want to point out that the figure my colleague from Dovercourt quoted: the 226 deaths were the total number of deaths that

took place in the work place in 1977—he has very up-to-date statistics. We are saying to the Solicitor General and to the coroner's office, we believe it is worthwhile to increase your work load by one one-hundredth—that's all we're asking.

We're not asking for a big burgeoning of the bureaucracy. We're increasing the work load by one one-hundredth. We believe that economically that is worthwhile, because we believe the recommendations of the subsequent coroner's jury would avoid enough future deaths so that in crass economic terms—and if the government understands no other argument, surely they understand the argument of economics—the contribution that the survivors would make, the people who would not now die, would be beneficial to the province in economic terms. They would be contributing to the economy. We would not be having to pay the widows compensation benefits. I urge you to do it on those grounds. I also urge you to do it on humanitarian grounds.

Mr. M. N. Davison: I think this is a very important amendment to the legislation. With the absence of Bill 70 we will go some long time before we find in this House legislation that is more important to working people's health and safety. I for one would like to congratulate my colleague from Dovercourt for bringing this amendment forward to the Legislature. I believe that we in all three parties would be well advised to accept this amendment.

This amendment does not address itself to a large number of cases. The point has been well made with 1977 statistics that are quite accurate: we are not even talking about 226 deaths in that year, because 35 of those deaths were in the mines. Thus it is indeed much less than 200 deaths that are in dispute. If we accept this amendment and widen the scope to all or any work places, we shall be talking at the most, I would hope, of perhaps 200 further inquests in the province, and I suspect a good deal less.

The inquest is terribly important for one good reason: we hope that out of that inquest will come some information that will protect somebody else in a similar situation at another point in time. That's the whole purpose of an inquest, in my opinion; that by learning the lesson of a tragedy we can protect another workman at some other time.

Sure, it costs money. No one is going to stand up in this House and say that it doesn't cost money to have an inquest. This is one of those occasions when the members would be asked to put values in terms of dollars

on human lives, on workers' lives. I suspect on occasion in this province there seems to be a difference between humans and workers, but that's another matter.

If this government, through its agencies such as the Workmen's Compensation Board, can blow thousands of dollars on those fatuous, self-serving, bizarre commercials directed at the foolish workman on the construction site, they can afford, and we the people of Ontario can afford, to have some money spent on something that will really protect working men and women in this province.

Perhaps there aren't too many of us in the House who came directly from the factories of this province to this Legislature. Before I came here I worked for five years in a factory. I've worked beside these men and women we're talking about today. They're my former workmates, they're my friends and they're my neighbours.

Mr. Mancini: Go back.

Mr. M. N. Davison: Remo, at least they would take me. You wouldn't know a working person if you fell over one.

Mr. Mancini: I think I would.

Mr. M. N. Davison: Those people matter a great deal to me personally. Frankly, I resent the implication involved here that we can't afford to shell out a few dollars to help those people.

I believe, as my colleague from Port Arthur said, that when we're faced with legislation like this that involves the health, safety and perhaps the very lives of working men and women, we have upon us as legislators a very deep moral obligation to support such legislation.

I would like to ask my colleagues in the Liberal Party, especially Mr. Stong, who well understands these matters, and the people across the way, especially the Solicitor General, who on occasion has shown some sensitivity and warmth towards working men and women, that those two parties reconsider their positions. I do believe it is incumbent upon us to do what we can today to help protect the health, safety and lives of working men and women in this province.

Mr. di Santo: I would like just briefly to comment on the amendment presented by my colleague, the member for Dovercourt.

I'd like to say I really don't understand the rationale behind the minister's amendment and also behind the member for York Centre's subamendment. In fact, I don't understand why it is that you want to restrict inquests to mines, pits, quarries and construction sites.

I think my colleagues have put the case quite clearly. The intent of an inquest is to

find out why there was an accident and the circumstances of the accident. An inquest also provides the widow or widower with the Workmen's Compensation Board benefits; and what is more important, provides the Ministry of Labour with recommendations which will prevent future accidents. In the case I mentioned before, the chief coroner, Dr. Cotnam, provided the ministry with 19 recommendations, all of them directed to preventing future accidents.

Why is it that you are so worried about the discretion given to the coroner to initiate an inquest in the areas the member for York Centre is suggesting in his subamendment, but not in every work place? As was said before, we had 226 fatalities in 1977. Thirty of them happened in mines. So the number of inquests is not that large.

[4:45]

I don't think we should be worried about the time spent and we shouldn't be worried about the amount of money spent. We know the purpose of an inquest and its values in terms of saving human lives, preventing future accidents and also of saving money for the economy of the province. I really don't understand the worry of the member for York Centre or the minister's rationale in restricting the areas in which he wants inquests to take place.

I would really ask you to reconsider your position. Unless you give us a very strong case against having a coroner's inquest in each fatality in each work place, I think your position is wrong with due respect.

Mr. Bounsall: I rise, of course, to support the amendment to the Liberal amendment placed by my colleague from Dovercourt. Again, I'd like very much at this point to speak to the Liberal critic in the area and to the minister, to convince them to accept this. I guess it's the numbers which make a very convincing case here—27,000 inquests held per year. Those were figures which came out in the estimates.

Hon. Mr. Kerr: Investigations, not inquests.

Mr. Bounsall: All right, how many inquests?

Hon. Mr. Kerr: About two hundred and eighty-two.

Mr. Bounsall: Two hundred and eighty-two in total?

Hon. Mr. Kerr: That's for last year.

Mr. Bounsall: Those are—

Mr. T. P. Reid: Not out by much.

Mr. Bounsall: Two hundred and eighty-two, eh? How long is the investigation?

Hon. Mr. Kerr: I don't know how long. It depends on the coroner.

Mr. T. P. Reid: He's going to be our new Treasurer.

An hon. member: That makes the case even better. What are you talking about?

Mr. Bounsall: I can't make the case so strongly on the figures, but you then make the case in principle.

Hon. Mr. Kerr: Certainly can't.

Mr. Bounsall: I just received some additional information from the Workmen's Compensation Board. In 1977 there were 226 deaths attributable to the work place. The total of all deaths in the work place was 226. Of those 226, only 182 were traumatic. In other words, there were 44 compensated work place deaths attributed to an illness or a disease picked up in the work place. We're proposing to ensure in this legislation that all of those 182 do, in fact, have a coroner's inquest.

I have no idea what proportion of those 182 were investigated and had a coroner's inquest associated with them—I would bet virtually all of them. All right, then I don't know what on earth we're arguing about or why the minister should, from time to time, appear so exercised about one compelling them. I understand—and this is the same document made by the member for York Centre—he would leave discretion to the individual coroner whether or not to proceed. The way one does this is by not requiring him to so do.

I would prefer to have it the other way. He's not required now and he has the discretion to go in and do it. The discretion used last year, according to the minister, was to investigate every one of them. Just to make sure there is no uninvestigated workplace death which should be investigated, take our amendment that they all be investigated and add another line to it, "unless the coroner has good reason to choose or decide not to." That will give him the discretion, and the onus is on the coroner's inquest to take place in a workplace death, or every workplace death, unless the coroner has good reason to choose not to have it.

I would sooner the onus be that way than the reverse as it would now pertain. I would suggest to the minister or to the member for York Centre that we would be quite happy to have added or accepted into our amendment one which says they will all be investigated unless in the opinion of the coroner there are good reasons not to have that inquest. It still gives him the discretion but it is a discretion which he must exercise, unless he has his reasons not to, rather than as at present in the act not requiring him to do so, but

leaving it completely to his discretion whether to do so.

His discretion, based on the minister's figures for last year, has been wisely used. The coroners across Ontario investigated each and every one of them, we gather from the minister. In essence, we don't have that much of a problem. It is a case of where we want the onus. In terms of fairness, in terms of a traumatic workplace death or a death resulting from an industrial disease or an industrial illness, because those facts surrounding those deaths are to be reported to the province of Ontario or should be as a result of that inquest or are available to become so known, from recommendations flowing therefrom, surely, the onus should be to have them all investigated unless a coroner in his discretion has good reason not to do so.

That's where the onus should be. We would be quite willing to incorporate into our amendment, if the minister or the member for York Centre would feel it would be useful, to build in the discretion not to do so do that the onus is on the proper place.

We move these amendments with no feeling of mistrust or distrust of the coroners in the province of Ontario. Obviously, last year they investigated every workplace death, according to the minister. Therefore, we feel not at all uneasy about giving him the discretion right here in the bill not to investigate if he has good reason to do so. But clearly up front would be the requirement to do so unless he could state those reasons.

I would be interested to hear from the minister or from the member for York Centre that that additional phrase would make our amendment acceptable to either or both of them.

Hon. Mr. Kerr: I suppose I could repeat a lot of things I said when we debated this bill on second reading. I will say again, however, it is important to realize—and we have a tendency not to do that as I noticed I did in reading Hansard—that when we say investigation or we say inquest there is a mandatory requirement on the coroner of this province to investigate all accidental deaths.

If he decides, based on the criteria of the legislation as to finding the cause of death and other circumstances, that there should be an inquest, there will be an inquest. If there is any question about how that person died, the circumstances surrounding the death, when, why, how and things of that kind, then there will be an inquest. Certainly, as has been the case with the chief coroner, when there is any mystery surrounding the death or anything that should be embodied in a

recommendation to assist in preventing that death in the future, an inquest is usually held.

In saying that, I must say it is not the responsibility of the coroner to enact safety legislation in Ontario. That is the responsibility of the Minister of Labour. Many of the recommendations that come out of a coroner's inquest result in certain actions and steps being taken to avoid that type of accident in the future.

The honourable member referred to figures in supporting the amendment that there should be inquests in all work places.

All I want to say, Mr. Speaker, according to the figures of last year, as already has been said, there were 26,985 investigations and out of that there were 282 inquests.

All I am saying is, the information I have from the coroner is that if we have inquests in every accidental death, instead of 282 inquests you are talking about 5,000 or 6,000 inquests. That is the difference.

Mr. Lupusella: That's impossible.

Hon. Mr. Kerr: It is the coroner's feeling that many of these inquests would be unnecessary.

Now, the honourable member referred, I believe, to 226, Workmen's Compensation Board injuries—

Mr. Bounsall: And work place deaths.

Hon. Mr. Kerr: —and work place deaths. I would suggest if not all, nearly all of those would have been subject to an inquest. Certainly, with the amendment proposed by the member for York Centre, I would think just about 100 per cent of those would be subject to an inquest.

When the honourable member is talking about the work place, he is talking about a cab driver, he is talking about a store clerk and he is talking about somebody working in a restaurant. If a doctor or coroner attending that investigation said, "Well, I know how this woman or this man died. There is no question, from the information I have, as to how that woman died," regardless of that, you are asking that there be a mandatory inquest, and there be a jury and panel and all the structure of an inquest for three or four or five days.

As the member for York Centre suggests, people will be getting sick and tired of hearing about inquests. You won't get the coverage and the importance attached to an inquest that you get today with the selective procedure that is applied by the chief coroner.

Mr. M. N. Davison: What about the factories?

Hon. Mr. Kerr: Certainly, where you want recommendations, valid recommendations to

prevent a recurrence, prevent that type of accident, those inquests will be held. But you are saying all work places. When you say that I think you are going to undermine what very positive objectives you may be trying to achieve.

All I am saying is rather than double the staff of the coroner's office and have inquests 365 days a year, the amendment proposed by the member for York Centre covers those areas where the member for Dovercourt expressed some concern to me after we have finished the debate on the second reading.

The provisions, the criteria and the legislation at the present time, in my opinion, coupled with the fact of the minister's option and the option of the next of kin, provides that where inquests should be held, they are held.

Mr. Bounsell: Let me just reply very briefly to the minister on that.

I am still a little confused as to why the minister is taking such a hard line on this. He reports 282 inquests took place this past year. He says that of those 226 deaths which did occur in the work place, the vast majority of them would have been investigated and, therefore, would have been part of that 282.

Mr. Lupusella: Where is the problem?

Mr. Bounsell: Where is this doubling of staff? Where is this great loss in press coverage which is going to occur if we require it in this bill, when he says it is his very good guess that most of those 226 deaths will in fact be part of the 282?

We are not talking of a very big additional number, if any, that haven't been investigated.

We have asked the minister, from the second reading debate right on, including today, why doesn't he build in a discretionary phrase for the coroner? We are quite willing to accept that.

[5:00]

In that very obvious case—and I am not sure what it would be—that needs no inquest after the investigation, the coroner can, right in this bill, be granted the discretion not to continue with an inquest. Very few would fall into that category because the minister himself makes a very good guess that most of those 226 deaths are included in the 282 figure of last year. He's consulted with his staff several times this afternoon, and that must have been one of the questions being transferred back. If this committee stage were taking place outside the House in committee, we would no doubt be asking the staff and the chief coroner just exactly how many of those 226 deaths which occurred in the

work place are included in the 282. That is an easily obtainable answer. It wouldn't be a good educated guess by the minister but an exact number. We would know whether we're talking about eight, 10 or 12 as that difference, which I would guess is the number we're talking about.

Does the minister have the exact number difference? He said he is sure most of the 226 deaths are encompassed in the 282 already done. Does he have the actual figure? It should be very easily obtainable.

Hon. Mr. Kerr: I'm not sure if we have that. I can get that for the honourable member, but that isn't the point. I'm not concerned if that figure of 282 was 300. That isn't what is concerning me about the amendment proposed by the NDP. I'm looking at the figure of 26,985. That's the number of investigations.

It is my information that of that figure, about 5,000 to 6,000 could have been accidental death investigations. If your amendment carries you'll have to have 6,000 inquests. That's what I'm saying.

Mr. Lupusella: What you are talking about is impossible.

Mr. Stong: Nonsense.

Mr. M. N. Davison: Let's see the statistics. Why don't you table these statistics?

Mr. Deputy Chairman: The member for Hamilton Centre.

Mr. M. Davidson: The amendment relates to a work place.

Mr. M. N. Davison: The amendment very clearly says in the work place. Your figure of 5,000 or 6,000 accidental deaths is not the figure we should be talking about. The only figure we should have in mind today is the number of accidental deaths in the work place.

Hon. Mr. Kerr: Right.

Mr. M. N. Davison: If you have some statistics from 1977, or from this year, that show that figure is substantially higher than 226, please table them and then it may well be that this party might reconsider its position. But if all you can offer is a set of statistics, 5,000 or 6,000 accidental deaths which have no relevance whatsoever to the point at stake today, I think you should accept the amendment.

Mr. Foulds: If I could help clarify the minister's fuzzy thinking, I think his worry is that maybe someone should accidentally die in a shopping mall, for example, which is a work place, who is not a worker in that work place.

Hon. Mr. Kerr: No, no; I am talking about a clerk working in the work place.

Mr. Foulds: A clerk is a worker, who is working in the work place; but you are worried we will have to have an investigation if there is a customer involved.

Hon. Mr. Kerr: No, there has to be an investigation now; it is the inquest that you clarify. It is investigated, most investigations are mandatory now; you want an inquest in each case.

Mr. Foulds: Okay. You are worried there will have to be full inquest for every accidental death that takes place in the work place, whether it is a worker or not.

Hon. Mr. Kerr: No, only if it is a worker.

Mr. Foulds: Okay; what you are saying is you don't want workers' deaths investigated. Is that what you're saying? You don't want an inquest.

Hon. Mr. Kerr: No, I'm not saying that. They are all investigated. That is what you can't seem to clarify in your thinking.

Mr. Foulds: You do not want an inquest into all workers' deaths in the work place, is that what you're saying?

Hon. Mr. Kerr: That's right.

Mr. Bounsall: It isn't though.

Mr. Foulds: Then I'm saying to you, you are using false and misleading statistics, because in the definition my colleague is using—he's using the word "worker" and "in the work place," and because they are both used in the same clause his figure of 226 is the sound and correct figure. Your figure of 5,000 is highly and erroneously inflated.

Mr. Deputy Chairman: The member for Dovercourt.

Mr. Lupusella: If I may, Mr. Chairman—

Mr. Deputy Chairman: Before you speak, might I caution the members that the debate is getting somewhat repetitive and the rules indicate that when persons speak again—

Mr. Walker: Totally repetitive.

Mr. Deputy Chairman:—they must have new information.

Mr. Lupusella: Mr. Chairman, with respect, it seems that the Solicitor General is trying to confuse the issue using the wrong figures.

Mr. Walker: Totally repetitive, you are right.

Mr. Lupusella: The 226 deaths taking place every year in the province of Ontario is the figure that has been released by the Workmen's Compensation Board so we are

not inventing this total number of industrial deaths.

Hon. Mr. Kerr: It is only the Workmen's Compensation Board, not a dolly in a store.

Mr. Foulds: The what in a store?

Hon. Mr. Kerr: Not a worker in the store.

Mr. Foulds: Dolly, did you say?

Mr. Lupusella: We didn't invent those numbers, and if you want a breakdown on those accidents, those industrial deaths—

Interjections.

Hon. Mr. Kerr: Stick to your figures, stick to your statistics.

Mr. Deputy Chairman: Order.

Mr. Lupusella: Mr. Chairman, if the Solicitor General would like to have a breakdown about those industrial deaths: in 1977 we had just 35 mining deaths, 35; let's see what other people died on the job. Seven people died in farming; 41 people died in construction and 67 died in manufacturing industries, industrial accidents. We are not talking about the small store or a plaza where people do their shopping. We are talking about the work place.

I am sure in a little store you will never find people usually—and I want to underline the word "usually"—dying as a result of an accident. That is understandable. I don't see why you should appear really up tight about this particular situation.

On the figure released by the Solicitor General on the previous estimates—that 26,900 cases had been investigated by coroners—I am sure the 226 people dying on the job which we are now talking about had been investigated in 1977 anyway.

The only difference, the principle which is incorporated in our amendment, is that we are calling for an inquest to find out the cause of the death so that those particular recommendations coming forward from that inquest will serve this government to implement regulations so that no further deaths will take place in the work place.

Why should you feel uneasy about it? It is really important, because the Coroners Act speaks to the principle that we have to investigate deaths to preserve people's lives. Our amendment, Mr. Chairman, through you to the Solicitor General reflects the principle by which the coroner operates in the province of Ontario.

How can you preserve people's lives when you don't want to call an inquest or you don't want to investigate these deaths? It's against the principle in which the coroner is acting, and that's why our amendment speaks to the principle. I really do not understand

why the Solicitor General feels uneasy about this particular situation.

Mr. Deputy Chairman: The member for Hamilton Centre.

Mr. Warner: It's a filibuster.

Mr. M. N. Davison: Could the Solicitor General please—I am sorry, it's not meant to be a filibuster to whoever it was over there; this is a serious issue.

It's a serious issue and when in a few moments we take the vote, there should be no doubts about the statistics that have been flying around this room today. I would just like to clarify with the Solicitor General exactly what the statistics are. When you use the statistic, which was about 26,000, what kinds of deaths are those?

Hon. Mr. Kerr: I don't know. I'm just saying that of the figure of approximately 27,000 investigations, it is my opinion—borne out by some professional opinion within the chief coroner's office—that with the amendment you are proposing—

Mr. Lupusella: You are investigating these cases?

Hon. Mr. Kerr: Of those 27,000 investigations, you could have 5,000 or 6,000 inquests under your legislation.

Mr. Lupusella: Which is not true.

Mr. M. N. Davison: I cannot for the life of me understand that a—

Hon. Mr. Kerr: When I am saying that—

Mr. M. N. Davison: Mr. Chairman, I suspect I have the floor at this moment.

Hon. Mr. Kerr: —there is no reason to include the 226, I am including the 226.

Mr. M. N. Davison: I am not talking about the 226.

Hon. Mr. Kerr: Right, so don't mix these up.

Mr. M. N. Davison: I don't understand how it is that the Solicitor General can come into this House today, in committee, and toss out the figures of 26,000 deaths per year in the province and not know what that means. What kind of deaths? Are they deaths into which you had an investigation? Do you investigate every death in the province?

Hon. Mr. Kerr: No; they were accidental deaths for the most part.

Mr. M. N. Davison: So we can assume that this figure 26,900, refers to accidental deaths. You're quite sure that's what it means? For the most part they are accidental deaths?

Mr. Lupusella: No. They are investigating even industrial accidents, they are included in that number.

Mr. M. N. Davison: Some, but not all of those, I take it, are deaths by natural causes. So the figure 26,900 refers to deaths into which the coroner's office has launched an investigation and all accidental deaths were in that group; and some of that group are deaths from natural causes. That, then, is a portion of the total number of deaths in the province.

Then you toss out a figure, approximately 5,000 to 6,000 deaths in the province into which there is an investigation but no inquest. They are part of the 26,900 and are dealt with, as are the majority of the 26,900. You suspect, perhaps, that those are deaths in the work place, in your definition of whatever a work place may be. Is that correct? Then from the statistics of the compensation board we find out there are indeed 226 deaths per year in the province, which are cases where a workman dies from an accident in the work place.

I would assume the Solicitor General would have some vague idea of what work places are covered by the Workmen's Compensation Act before he comes in here and gives all these sets of statistics to which he isn't at all sure what meaning to give.

I think if the government party votes against the amendment put forward by my colleague from Dovercourt, based on statistics put forward by the Solicitor General which are so meaningless that he doesn't even understand what they represent, they would be doing so blindly; and I think that would be a travesty.

Mr. Deputy Chairman: Mr. Stong has moved that section 3(3) of the bill be struck out and the following substituted therefor:

"3. The said section 9 is amended by adding thereto the following subsection 4(a): When a worker dies as a result of an accident occurring in the course of his employment at or in a construction project or mine, including a pit or quarry, the person in charge of such project or mine shall immediately give notice of the death to a coroner and the coroner shall issue his warrant to hold an inquest upon the body."

Mr. Lupusella has moved an amendment to the amendment, that the words "at or in a construction project or mine including a pit or quarry" in the amendment be deleted and replaced by the following words "in any work place"; and the words "such project or mine" be deleted and the words "such work place" be substituted therefor.

The committee divided on Mr. Lupusella's amendment to Mr. Stong's amendment to sec-

tion 3(3) which was negated on the following vote:

Ayes 28; nays 55.

Mr. Chairman: Mr. Bounsall moves that the amendment to section 3(3) be amended by adding the words "in a factory or shop" after "quarry" in line three.

Mr. Bounsall: Again I draw to the attention of the minister and the official opposition that I hope they will be able to accept this amendment. The minister has indicated he would be willing to accept the amendment to which this amendment is attached. This would require that a coroner's inquest be held in those accidents which occur in the construction industry—in 1977, 41 in all.

In the industrial sector as covered by the words "factory or shop" there was an even greater number, 67. It seems to me that if one is willing to expand the section according to work place, by where in the work place if there is an industrial accident resulting in death, a coroner should hold an inquest, it would surely be in that group in which there has been the largest number of deaths.

Mr. Martel: That's common sense.

Mr. Bounsall: In 1977, there were 67 deaths in the industrial sector, as defined by the term "factory or work place" and only 41 in the construction industry. I say particularly to the critic for the Liberal Party, that if for some reason he felt justified in covering a situation in which there were 41 deaths, surely he would feel even more justified to cover a work place in which there were 67 deaths in the year 1977.

Mr. Bradley: Their leader is not listening to you.

Mr. Bounsall: I do not see the logic that would require you to do anything else when it's the same kind of death. You can't differentiate between the type of death which occurs in the construction industry and the type of death which occurs in an industrial accident, they are very similar. Those 67 deaths are all traumatic deaths, not deaths resulting from an industrial disease or an industrial illness. They are clear cut traumatic deaths, as the Solicitor General is willing to accept in the initial part of the amendment by agreeing to the words "construction industry."

I will not make the argument which we have made again and again in—

Mr. Chairman: Order. There are a number of private conversations which make it very difficult to hear.

Mr. Nixon: Yes, but we've heard this before.

Mr. Bounsall: You weren't even here, you didn't get the sense of the subdivision. The member for Brant-Oxford-Norfolk did not hear the number 67 until I got up to speak. This encourages me to go on longer; we'll stay until 10:30 tonight.

I don't quite understand why the Solicitor General is being so stubborn on this issue. He is willing to accept 41 deaths in the construction industry. Hopefully, he will accept 67 in the industrial sector as defined by "factory or shop." The work place is very clear cut and defined. There should be absolutely no problem in the minister's mind, nor in the chief coroner's mind, as to exactly what kind of work place we are talking about.

Mr. Martel: Come on, George, accept it.

Mr. Bounsall: There should be no difficulty with that whatsoever. If there is, to make it very clear we are talking about those 67 industrial work places in which deaths occurred and which the Workmen's Compensation Board accepted as fatalities for which they would compensate.

If that's the only hangup, to make it exactly clear as to what work place, so there is no disagreement whatsoever, we would be quite willing to make it that clear by placing that amendment.

When we are all finished discussing the very valid reasons on this side as to why this amendment should be included, I would like to hear the minister's reasons why this is not reasonable to include. I would also like to hear from his staff or from the chief coroner any problems or difficulties he is having with the definition of work place as it relates to the exact wording of the amendment, "factory or shop." There should be absolutely no problem whatsoever with that definition and the clarity of that wording.

Mr. Lupusella: He doesn't know the definition, that's the problem.

Mr. M. N. Davison: During the debate on the first subamendment, which was defeated and which spoke to a similar principle, the Solicitor General engaged in an outpouring of statistics. The statistics he used, as I recall them, were 26,900 investigations into deaths; and I believe he said most of which were accidental and some were natural, but I would wait until I saw Hansard before I make that statement with great certainty. He then went on to suggest there were 5,000 to 6,000 accidental deaths in the work place which were investigated.

I would like to offer to the Solicitor General some real statistics from this government and from the federal government. Perhaps he could benefit from understanding the real

statistics and would no longer engage in putting out fuzzy, ill-defined statistics, meant, apparently, to suggest something other than what the statistics really indicate.

I would like to tell the Solicitor General that in terms of total deaths in the province of Ontario, in 1975 there were 60,604 deaths; in 1976, 60,710 deaths; and in 1977, 61,380 deaths. I offer those statistics to the minister so he has some idea of the way in which the death rate climbed generally and specifically.

I would then like to hear a comment from him about the 1974 death rate in Ontario, which was as follows: In 1974 in Ontario there were 5,217 deaths. That is very similar to the number the minister referenced as accidental deaths in the work place. There were 5,217 deaths that resulted, Mr. Solicitor General, from all accidents, poisoning and violence.

Can you tell me, sir, how you could purport that that figure has anything to do with the debate we have been engaged in today? I would really like to know, because I believe at least 1,200 of those deaths were the result of automobile accidents. We saw a very shameful exhibition earlier on today when those statistics were thrown out with such reckless abandon. I would urge that the Solicitor General be more careful in the future.

Mr. Chairman: Any further comments?

Mr. Foulds: Accept it, George.

Mr. Chairman: Shall the amendment carry? All those in favour of Mr. Bounsall's amendment to the amendment please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

An hon. member: Same vote.

Hon. Mr. Welch: Wait a minute. There may have been some members who have left. Could we not assume that the bell has rung and have a vote on this before 6 o'clock? Would that not be reasonable? May we vote?

We could have either the same vote as previously, or have a five-minute bell.

Mr. Nixon: Just have it.

Hon. Mr. Welch: I would be satisfied with the same vote.

Mr. Nixon: I must say it is a strange alteration.

Mr. Chairman: It is the duty of the chair, I believe, to call in the members and when the

whips appear at the door—it can be a very short bell.

[6:00]

An hon. member: A 30-second bell.

The committee divided on Mr. Bounsall's amendment to the amendment to section 3(3), which was negative on the following vote:

Ayes 18; nays 40.

Hon. Mr. Kerr: Another vote?

Mr. Chairman: There is an amendment before the committee. Do members wish to continue? It's 6 o'clock.

An hon. member: The amendment is carried.

Some hon. members: No.

Mr. Stong: Why not?

Mr. Bounsall: I have yet a further sub-amendment to the amendment which is before us, which will be placed at the appropriate time.

Mr. Havrot: Grow up.

Mr. Bounsall: What's the matter over there? You don't believe in amendments being made to bills? You don't believe in it?

Hon. Mr. Welch: In view of the further surgery that some want to do on this bill, we perhaps should indicate that it was our intention at 8 o'clock to go to Bills 85 and 95, because that was the agreed upon time.

Mr. Hodgson: What about Bill 66?

Hon. Mr. Welch: Yes. We will have to adjourn consideration of this bill, and at 8 o'clock we'd like to start with Bill 85, followed by Bill 95. Then perhaps there is time to come back to Bill 86 and Bill 66. It's that order starting at 8 o'clock—Bills 85, 95, 86 and 66. If there is time, we start the municipal bills.

Mr. Hodgson: On a point of privilege. The order paper says we call 66 as the next bill. I wonder why—

Mr. Eaton: That was this afternoon; we're in the evening now.

Hon. Mr. Welch: If I could speak to my colleague: it was made quite clear last Thursday night that at 8 o'clock, no matter where we were in the order, we would go to Bills 85 and 95.

An hon. member: That's what it says.

The House recessed at 6:02 p.m.

APPENDIX

(See page 3176)

ANSWER TO QUESTION ON
NOTICE PAPER

REVENUE FROM ALCOHOL

62. Mr. S. Conway (Renfrew South): Including figures derived from the price increases of May 23, 1978, what are the latest estimates of revenue to be obtained from the sale of alcohol in the current year? How do these figures compare with the figures in the Ontario Budget 1978? What is the most recent estimate of the increase in alcohol revenue for 1978 over the revenues collected in 1977, including the latest series of price increases? [Tabled May 24, 1978.]

Hon. L. Grossman (Minister of Consumer and Commercial Relations): Liquor Control

Board of Ontario latest estimates of revenue to be obtained from the sale of alcohol in the current year: The latest figures of revenue to be obtained from the sale of alcohol in the current year remains at \$350,000,000, which is the figure contained in the 1978/1979 Ontario budget. This projection partly included the effects of price increases during the year.

The effects of more frequently increasing selling prices, such as the price increases of May 23, 1978, will be analysed as quickly as possible and the government will be kept informed as to any change in our 1978/1979 estimates.

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 Blundy, P. (Sarnia L)
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 Breaugh, M. (Oshawa NDP)
 Breithaupt, J. R. (Kitchener L)
 Campbell, M. (St. George L)
 Cassidy, M. (Ottawa Centre NDP)
 Conway, S. (Renfrew North L)
 Cooke, D. (Windsor-Riverside NDP)
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 Martel, E. W. (Sudbury East NDP)
 McClellan, R. (Bellwoods NDP)
 McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs
 (Chatham-Kent PC)
 Newman, B. (Windsor-Walkerville L)
 Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Norton, Hon. K.; Minister of Community and Social Services
 Parrott, Hon. H. C.; Minister of Colleges and Universities (Oxford PC)
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 Rhodes, Hon. J. R.; Minister of Industry and Tourism (Sault Ste. Marie PC)
 Riddell, J. K. (Huron-Middlesex L)
 Rotenberg, D.; Deputy Chairman (Wilson Heights PC)
 Samis, G. (Cornwall NDP)
 Smith, S.; Leader of the Opposition (Hamilton West L)
 Stephenson, Hon. B.; Minister of Labour (York Mills PC)
 Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)
 Stong, A. (York Centre L)

Swart, M. (Welland-Thorold NDP)
Sweeney, J. (Kitchener-Wilmot L)
Van Horne, R. (London North L)
Walker, G. (London South PC)
Warner, D. (Scarborough-Ellesmere NDP)
Welch, Hon. R.; Minister of Culture and Recreation, Deputy Premier (Brock PC)
Wells, Hon. T. L.; Minister of Education (Scarborough North PC)
Wildman, B. (Algoma NDP)
Yakabuski, P. J. (Renfrew South PC)



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Tuesday, June 6, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, JUNE 6, 1978

The House resumed at 8:05 p.m.

House in committee of the whole.

Mr. Warner: Perhaps the Chairman could tell us how we can proceed with the bills without any cabinet ministers?

Mr. Kerrio: Did everybody who was late bring a note?

Mr. Ruston: Mr. Chairman, there doesn't appear to be a quorum.

Clerk of the House: There is not a quorum, Mr. Chairman.

Mr. Deputy Chairman: called for the quorum bells.

On resumption:

Hon. Mr. Welch: Mr. Chairman, I wonder if I might make some explanation to the committee. It was our plan at the commencement of the evening sitting to start with Bill 85. It is my understanding that the minister is somewhat held up in traffic trying to get here.

Mr. McClellan: You don't know where he is. You don't have the slightest idea where he is.

Hon. Mr. Welch: With the permission of the committee, we might start with Bill 95, since the minister concerned is here. Hopefully, when the Minister of Correctional Services (Mr. Drea) arrives, we could go to his bill and then carry on for the balance of the evening.

Mr. Lupusella: Is this a reasonable explanation?

Mr. Foulds: Mr. Chairman, we would willingly agree to that procedure. We only hope that the Minister of Correctional Services has not been detained in one of his own facilities.

Hon. Mr. Welch: I'm sure, in keeping with the spirit of the minister, he may well have been inspecting one.

Mr. Warner: The government is totally confused.

Mr. Haggerty: I hurried back too.

Mr. Warner: The government is confused, totally confused.

CHILDREN'S PROBATION ACT

Consideration of Bill 95, An Act to provide Probation Services to Young Offenders.

Section 1 agreed to.

On section 2:

Mr. Deputy Chairman: Mr. McClellan moves that section 2(2) of the bill be deleted.

Mr. McClellan: I spoke at some length during the debate on second reading and I don't intend to take a great deal of time on the amendment. I think I made our objections to this section fairly clear. If I may, I'll recap those objections.

We feel very strongly about the inappropriateness of section 2(2) of this bill. Make no mistake about it, section 2(2) gives to the minister an extraordinary power, a power the minister did not possess under the old Probation Act which is being replaced. It is a power which the minister does not possess under the new Ministry of Correctional Services Act, the companion bill to this one, with respect to adult probation services. I stress again that the Minister of Correctional Services has adopted the language of the original Probation Act in re-enacting this section for adult probation services. The Minister of Community and Social Services has chosen to give to himself the power to designate and to appoint—

Hon. Mr. Norton: I'm not on any personal quest for power. You know that.

Mr. Foulds: You are on the biggest power trip around here.

Mr. McClellan:—for whatever vainglorious reasons, probation officers, apart from the original provisions to appoint under the Public Service Act.

I say again this gives to the minister a power which is undesirable. It gives to the minister the power to appoint to contract positions on the basis of equality with his power to appoint under the existing provisions of the Public Service Act. The minister has given us a rationale that he needs to have the flexibility—I think that was his word—to deal with particular situations. He mentioned the instance of an isolated community, wherein he may want to appoint, on a special basis, somebody to provide probation services.

I'd point out to you, Mr. Chairman, that the minister has this power under section 4(2) of the Community and Social Services Act which is a catch-all clause. I don't have the section with me, but it states, in effect, that he can do whatever he needs to do in order to accomplish the purposes of the ministry. Under that section, he has the power to do what he is asking for in section 2(2) of this act.

[8:15]

However, as we know, it is very difficult, and as I think the minister said to me in a conversation, it is cumbersome to act under section 4(2) of the Community and Social Services Act. That is well and good, because that is the power we aren't anxious to give to any minister, regardless of the merits of the incumbent. It is a power which bypasses the Civil Service Commission. It is a measure that restores to politicians the power to appoint to jobs. We thought we had moved a long way from that.

Hon. Mr. Norton: You make it sound like patronage or something.

Mr. McClellan: I may well make it sound like patronage. Make no mistake about it, it is part of the concern and the concern is not directed to the incumbent or any other individual minister. It is a power that represents a retrograde step. It is a power that represents—

Mr. Foulds: When your former deputy ran the ministry over the bodies of the last three ministers, there was abuse of power.

Mr. Deputy Chairman: Order.

Mr. McClellan: It is a measure which gives sanction to the rights to contract out service; to bypass the Civil Service Commission; to reduce the career status of probation officers; and to set up, at least theoretically, a counter organization based on the tenuous relationship of contract employment. That's not suitable. That's not adequate.

If there are very rare and exceptional circumstances where the minister, for whatever reason, hopefully for clinical reasons, has the need to appoint a probation officer and regular employment procedures don't work in these extraordinary circumstances let him then use the provisions of the Community and Social Services Act. Let him not come before us and ask for legislation which grants an equal right of appointment to the traditional route which is enacted in section 2(1) under the Public Service Act, and the extraordinary and wholly inappropriate route which is enacted in section 2(2) in this bill.

I made the case on second reading debate, and I don't feel the need to belabour it. And

despite the fact that the Minister of Correctional Services is no more visible than he was 15 minutes ago, I have no intention of filibustering on this section in order to save the Minister of Correctional Services' face.

Hon. Mr. Norton: Somebody else might want to say something.

Mr. McClellan: I will, out of courtesy, Mr. Chairman, ask a question of the minister. It has been brought to my attention that there has been representation made to the minister on this issue by representatives of a liaison committee which is composed of representatives of the probation officers' association and an association of judges. I don't know if this is correct.

I would like to ask the minister whether he has had communication formally, in a written sense, either from the probation officers' association or from representatives of the judiciary, or through some kind of a liaison body on this matter. It is my understanding that it is a matter that is viewed with alarm, not just by probation officers, but also by members of the judiciary. I'd appreciate some clarification on that from the minister.

Hon. Mr. Norton: I would like to respond to the specific question the honourable member has raised. I have had no direct communication from the groups to whom the honourable member refers and if I am able to read the head-shaking of some of my staff who are in the House this evening, they have not had any formal communication either. I understand there has been some telephone communication between the president of the probation officers' association and one of the members of the ministry staff. I have at no time had any direct communication from them during the course of the time this legislation has been before the House.

Mrs. Campbell: As I understand the position, it seemed to me to be most reasonable, particularly when one was dealing with a child, that one should be able to improve a relationship if it were in the best interests of the child was what we were seeking to do, and to me the welfare of a child comes before any other consideration. Could the minister answer that question for me?

Mr. McClellan: May I make a comment on that before the minister replies and then he can reply to both of us. Speaking to the matter raised by the member for St. George, it is my understanding that the minister has a twofold power without the additional powers of section 2(2), which he is trying to persuade us to approve here tonight.

First, under section 2(1) it says "probation officers as are considered necessary for the purposes of this act may be appointed under the Public Service Act." There are ways and means for the minister to make appointments under 2(1) which are not appointments to the civil service, but appointments to the public service. That is one set of powers the minister already has. But there is a check and balance built into the powers under section 2(1) and that is the sense of propriety on the part of the Civil Service Commission. The Civil Service Commission is not happy to see ministers abusing the powers to appoint to the public service apart from appointments to the civil service. There is a check and balance built into that appointment system of which I am sure the member is aware.

In addition to that, the minister has the power under section 4(2) of the Ministry of Community and Social Services Act to make such appointments as he may see necessary.

Now with those kinds of legislative powers already, I can't see for the life of me why the minister needs the additional powers of 2(2). In view of our concerns in the opposition around the integrity of the Civil Service Commission, I am very reluctant—in fact unwilling—to grant the additional powers under 2(2).

Hon. Mr. Norton: I can assure the honourable members that the intent of this provision within the legislation is not to undermine the integrity of the civil service in this province. The member for St. George in fact has zeroed in on our principal concern. The advice from my legal staff is that under the provisions of the ministry act, which are not as broad in this narrow sense, if you wish—that seems contradictory, but what I am trying to say is that the provisions of the ministry act, as I understand it, do not authorize the minister to appoint a person with the full authority of a probation officer.

We are attempting to provide continuity of service to children—in many cases in remote communities across this province. Take, as an example, some of the remote Indian communities in the northern part of the province, where the opportunities for a regular full-time probation officer to visit might be at the most once a month or even less frequent than that. If a child or a juvenile is to be under the supervision of a probation officer or under the supervision of anyone with any of the authority of a probation officer during that period of time, it surely is essential there be someone closer to the child on a continuing basis. It often hap-

pens in a setting where, because of the numbers of young people involved, it would simply not be possible to provide a full-time probation officer. I am sure the member for Bellwoods would not advocate, nor would he want us to act in such a manner as to provide, that kind of inadequate supervision.

One of the reasons it's important to have the authority of a probation officer in those kinds of situations is that if a child should require the intervention of the officer, be it the volunteer on the reservation or in the remote community or someone with whom we have contracted for a service, if they do not have the authority of a probation officer it is my opinion that they would not have the authority to, say, apprehend a juvenile when it became necessary for the safety of the child. In some cases that would be necessary if they were to be returned to the court because the court itself could be somewhat remote from the community.

I think if we are to meet the needs of the children, even in the remote communities of this province, we must have this kind of flexibility. I don't know what more I can say to assure the member for Bellwoods and those of his colleagues who may share his concern that it is certainly not my intention that we undermine the professionalism of our probation service or the civil service of this province. But surely he can recognize the need for this kind of flexibility in those situations.

The other night in our debate on the second reading of this, I used the example where a child might be in need of professional family services and counselling services. It might in some cases be appropriate that the person charged with the responsibility of the supervision of that child's probation be a member of that agency in a given situation. Once again with some umbrella supervision from a professional probation officer. But in terms of the therapeutic setting, there are circumstances under which it might well make more sense that those two roles be combined. Without this flexibility, that would not be possible.

I think the authority the honourable member is attributing to the ministry act is more limited than he and even I assumed when I was talking to him in the conversation that he made reference to earlier. I think that without this we would be seriously handicapped.

[8:30]

Mrs. Campbell: I know my colleagues want to speak to this matter, but to me it is essential to bring the very best of services to a

child in these circumstances. We have many children who require far more intensive care. I am not talking about the north, although I can understand the point. In a place like Metropolitan Toronto, there are children who need very highly specialized care which really would go beyond the normal probation officer's function or would certainly eat into his or her case load.

I would like to see us with adequate probation services. Nevertheless, I am inclined to feel that if we believe that the welfare of a child is paramount in our discussions—and I am very free to say that is my choice and my position—then it seems to me there has to be an opportunity to make use of those who may have special skills for a special situation, but still have that kind of court relationship which can enable them to deal with the court in bringing forward a child.

I go back to my often-expressed concerns over the child we see in our society today who is potentially suicidal. This is not something that a probation officer in the course of his or her duties can adequately deal with. It needs to be someone who can work very closely on a one-to-one basis, both with the child and with the family. I would hate to see us boxed into the position where we couldn't bring the necessary support to a child. On the other hand, I would be the very first to criticize if the minister were to deem that this gave him power to contract out in any case.

Mr. Foulds: That's exactly what it is.

Mrs. Campbell: I believe that we have to have a flexibility. I would watch this very closely and I would like to warn the minister that if it were used other than in that sort of very close kind of relationship case, then I would want to see us review the matter. At the moment, I just don't think the probation officer could perform that function adequately on all occasions.

Mr. Foulds: I would be more willing to accept the minister's explanation of the need for the power he has outlined in section 2(2), if he had that power clearly defined and curtailed within the act to allow him to use that power in the special situation that he gave us in his illustration. What I would like to put to the member for St. George and to the rest of the House is that if this section as it is presently written passes tonight, then the minister, whoever he or she may be, has sweeping powers to do exactly the kinds of things my colleague, the member for Bellwoods, indicated he would have.

Mr. Martel: We might get another Taylor or Scrivener.

Mr. Foulds: I think it is incumbent upon us as legislators, to consider that, because with all great respect to the member for St. George we won't have the right to recall on this subsection of this bill in the future, even in a minority parliament situation. Once the legislation and the inclusive clause pass, it is passed, and the minister has the authority to act under it, whoever he or she may be.

I would like to put to the minister that he should look at the situation he describes. If we agree that the probation officer system we have developed under the Public Service Act is a good one, and I think by and large we do agree, then it should be a service that is available to all the people of this province.

To put it in harsh terms, I don't think we should be thinking of a second-class service for people in remote communities in northern Ontario. I am saying to the minister that we should make them an integral part of the public service. It may well be that they would not have a full case load. It may well be that they would not be full-time employees; I'm sure that could be worked out on a pro rata basis with the individual and with the civil service union. I'm sure that in those special circumstances, because the need is apparent and great, it is not beyond the wit of the minister, the Civil Service Commission and the union involved to work out a sensible and reasonable arrangement.

I draw to the minister's attention, although I don't like all the parallels, that under the Solicitor General's office we have developed the special band constable on many northern reserves. There are some inequities in that system but it is a kind of parallel situation that the minister could look at as a possibility, as a model, always paying attention, I would hope, to the safeguards I indicated earlier in my remarks.

I am very worried—I want to put it in those terms; I do not want to put it harshly—about the sweeping powers outlined in this section. It is not limited in terms of time. It is not limited in terms of the appointment. It is not limited in terms of qualification of any person. It is not even limited in terms of the person this minister wishes to designate being responsible to a probation officer.

Mr. McClellan: The minister is not going to be there for ever.

Mr. Foulds: For those reasons, with good conscience, at this time I would have to wholly support the suggestion—

Mr. McClellan: What if the member for Mississauga South (Mr. Kennedy) or the member for Simcoe Centre (Mr. Taylor) became minister?

Mr. Foulds: —put forward by my colleague from Bellwoods whom I'm trying to help, and if he would stop heckling while I'm speaking I could assist his argument more fully. I would have to support it at the present time unless the minister were willing to stand down this particular section and bring back to us more specific details along the lines of the illustration that he gave. At that point I think we might be willing to be considerate. But if he is determined to push ahead with this particular section, I think that we, as legislators, have no option but to vote against it.

Mr. T. P. Reid: Mr. Chairman, I rise to support section 2 of the bill. I am quite surprised that my friend from Port Arthur and other northern friends in the NDP would vote against this particular section.

Mr. McClellan: You just found out which way to vote a minute ago.

Mr. T. P. Reid: I wonder if I might beg your indulgence for a moment, Mr. Chairman. In the gallery opposite me are grade eight students from the Marks Street School in Atikokan, the school I attended when I was a few years younger—

Mr. Foulds: We won't hold that against you.

Mr. T. P. Reid: It has a certain nostalgia for me, and I'd like to welcome them here tonight.

Mr. Warner: You shouldn't malign the school that way.

Mr. McClellan: Let's just leave it at that; you've made your point.

Mr. Deputy Chairman: Would the member for Rainy River please stick to the bill?

Mr. T. P. Reid: Mr. Chairman, I support this particular action for two reasons in particular.

Mr. G. Taylor: Did you graduate or drop out, Pat?

Mr. T. P. Reid: There's a third one that my friend from Port Arthur seems to be particularly concerned about, and I'll bring that to his attention.

First of all, it's obvious that in northern Ontario we suffer from a lack of all social services, probation officers included. It's necessary that the minister have the flexibility

within his ministry to be able to appoint people, and I would presume that he's going to be appointing people from the children's aid society and other social services who have some kind of expertise in the problems in which he's dealing. I would think those of us from the northern areas know it's sometimes necessary to bring in other people to handle some of the problems the courts have to deal with in regard to probation services for children and the special problems associated with them because of the work load of the people in the northern areas.

I hope that problem will be solved when the economics are such we can have the staffing that's required. This leads me to my second problem: Obviously, under the present restrictions in place by the government, there is a freeze on civil service hiring. We're not going to get any more probation officers of any kind in southern Ontario, let alone in northern Ontario.

Mr. Foulds: If you are willing to accept it, that's a sellout argument.

Mr. T. P. Reid: The minister has to have the ability to appoint these people who, I would hope, have the qualifications to deal with these particular problems.

Mr. Foulds: But you don't enshrine it in legislation to meet the current crisis in northern Ontario.

Mr. T. P. Reid: I'm not happy about giving the minister these kinds of powers either. I'm not happy that he doesn't say in the bill at a certain stage, these particular powers will be done away with. But I would also bring to the attention of my friend from Port Arthur—and here's where I also have a special problem with all the legislation we pass—under section 7 of the bill, the minister and the Lieutenant Governor in Council, which is the cabinet, may make regulations respecting the qualifications, duties and powers of probation officers and proscribing the reports and returns to be made by probation officers. I would hope that before this bill receives third reading and royal assent the minister would be able to come to the House and provide us with those regulations so we can feel more secure in our minds that he's not going out there—

Mr. McClellan: You'll get them in the Gazette.

Mr. T. P. Reid: —and grabbing somebody, but that in fact they will have some qualifications to deal with these particular and peculiar problems.

I come back to the argument that particularly in northern Ontario, there must be this

flexibility. Otherwise we will have no service at all. For that reason I support section 2 of the bill, not because I particularly want to, but because it's the only way we're going to get any service.

Mr. Foulds: You are willing to accept second-class service.

Mr. Warner: I listened very closely to the arguments put forward by my good colleague from Bellwoods, whom I think most members in this assembly would recognize as being an extremely knowledgeable person in this area.

I also listened very closely to the comments from the minister, and I fully understand what he is saying. Part of the difficulty, however, is that I take the comments he made to mean there's a certain amount of good faith dependent upon his retaining his present position.

But we're passing legislation that's going to be on the books for who knows how many years, and this present government may not be here, let alone the present minister.

An hon. member: Could be a Liberal one.

Mr. T. P. Reid: That's something to look forward to.

Mr. Martel: The only argument we hear—just stick around.

Mr. Warner: So his argument is a bit weak. The truth of the matter is, as has been stated by my colleague from Bellwoods, this is a threat to the public service of this province. That's really what it is. Call it for what it is. Aside from the member for St. George, I understand what is afoot with the Liberal caucus.

Mr. T. P. Reid: I am surprised at you.

Mr. Warner: I understand fully what their intentions are.

Mr. Chairman: Order.

[8:45]

Mr. Warner: We went through a similar circumstance on Thursday night. We are going through it again today. We saw it before the dinner break and again this evening.

Mr. Eakins: We are warming up.

Mr. Warner: The strategy here is that the Liberal caucus will not support any initiative put forward by the New Democratic Party. It doesn't matter what the merits are; they are simply not going to support any initiative put forward by this caucus.

Mr. T. P. Reid: We have yet to hear it.

Mr. Blundy: It isn't planned.

Mr. Martel: It shows how right we are.

Mr. Eakins: Resign.

Mr. Warner: The unfortunate part about it was that prior to the comments of the member for Rainy River we had a reasonable debate.

Mr. McClellan: I will bet the member for Rainy River is going to leave now.

Mr. Warner: I say that deliberately because I listened carefully to the concerns of the member for St. George, who has always understood the difficulties of young offenders and who has always tried to assist them to the best of her capacity.

We had a reasonable debate on the merits of the legislation and on the merits of our proposal. Then intruded nothing short of crass political motivation on the part of the member for Rainy River, who is the spokesman of the remainder of the Liberal caucus. That bothers me very much because I think what we have in front of us is something—

Mr. T. P. Reid: We always save the best line for the last.

Mr. Warner: —that is above whatever political situation happens to exist in this chamber. I would ask the Liberal members, particularly the member for St. George and other members who aren't given to the crass political motives that have been expounded since last Thursday night by the member for York Centre and others—

Mr. Stong: Nonsense. That's garbage.

Mr. Warner: —that they consider the problem that exists in section 2 for the public service of this province as well as for the children of this province who are to be served. Let's just not hope that the good intentions of the present minister are sufficient because he may be a victim of the revolving door on the cabinet room.

Mr. T. P. Reid: Have you heard what the alternative is yet?

Hon. Mr. Norton: Have you heard something I haven't?

Mr. Blundy: I stand to speak against the amendment that is before us and in support of the bill.

Mr. Ruston: Just tell them the truth; that's all.

Mr. Blundy: I don't think our friends over in the third party are the only people who have sincere understanding and so forth of the public service employees. We all have that concern for their continuing welfare. Here we are dealing with an act that has to do with providing probation services for young offenders. In my book, our first respon-

sibility and our major concern must be to the children of the province who are going to be handled in the facility set up by this act. That is my first responsibility.

I have talked to a number of people who are in the service and a number of people in social work. I have found that it is not uncommon and that in certain cases it is found to be advisable to have a probation officer appointed who has a particular quality or training.

I talked to the family counselling services in my own municipality today. They said that on at least two occasions recently they are aware of one of the counsellors was appointed as a probation officer for a child because this person had been dealing previously with the child and with the child's family. There were certain areas that this person was very conversant with in which he could be of greater help.

We are not saying we do not support the appointment of probation officers from the public service under the Public Service Act. That is natural. But, as the minister has pointed out, there are certain times and certain locations where it would not only be helpful but wise to appoint someone outside the public service who is particularly able to assist in this counselling as a probation officer.

I have been assured by the minister that this is not any great plan to usurp the duties of the probation officers of Ontario, hired under the Public Service Act, but it gives the flexibility he needs to handle, as well as can be handled, the various eventualities that may turn up in probation services in Ontario. Therefore, I will support the inclusion of section 2(2).

Mr. Martel: Mr. Chairman, I am really surprised at what is going on tonight.

Mr. Conway: No!

Mr. Martel: I listened last Thursday—

Mr. Haggerty: Were you here last Thursday?

Mr. Martel: —as my friend to the right said, "We want a bill but we can't have it so we'll let it go." Blackmail, I think, was the term they were trying to use. Tonight we have the same proposition being put to us.

Mr. Conway: Never has the truth been so blatantly abused.

Mr. Martel: Sean, you would well know it.

Mr. Breagh: It's not your turn to speak yet, Sean. Wait until it is.

Mr. Conway: Having watched you, Elie, for these few years—

Mr. Martel: I want to go back, Mr. Chairman, if I might. Back in 1971, 1972, 1973,

1974, 1975, as a critic of this particular ministry, it became obvious to me that the number of people employed in northern Ontario to meet the needs of those in northern Ontario with problems, the case workers had far larger case loads than anyone in southern Ontario had. Not only did they have bigger case loads, I say to the minister, they also had greater distances to travel.

The minister gets up tonight and says, "I need this flexibility because there aren't enough qualified people," or, "I need this flexibility because there aren't enough cases maybe for a full-time probation officer to be held in full-time work." If he wants them, based on the fact we have officers across the north with bigger case loads, then he might have a case worker doing some probation work and easing the burden for those people who are full-time rehabilitation officers with bigger case loads than in Metro Toronto, where there are opportunities for jobs. If you check the statistics, you'll find I'm right. I think they were almost double.

Hon. Mr. Norton: This may well allow us to do that.

Mr. Martel: No, this might not, because you will end up getting people who are unskilled.

The minister himself is a lovely fellow. He's just a lovely fellow.

Hon. Mr. Norton: Aw, thanks.

Mr. Kennedy: Are you feeling okay, Elie?

Mr. Martel: I know from my past experience, having dealt with this ministry, that all the ministers haven't been lovely fellows who deal with people who are in need. I remind you of the former minister who wanted to get at the mothers. He was the fellow who said all women who were on welfare wanted to send their kids out at 9 in the morning and then go back to bed. Can you imagine an individual like that having the power—

Hon. Mr. Norton: Have you never gone back to bed, Elie?

Mr. Martel: —having the power to appoint every Tory flunky in northern Ontario to a job? It boggles the mind. It really does.

Mr. Conway: I wouldn't even give that power to Cardinal Drea.

Mr. Martel: Then you're voting for it tonight.

Mr. Conway: Oh, no.

Mr. Martel: In fact, that's what you're doing.

Mr. Conway: No, no, Elie.

Mr. Martel: That's in fact what you're doing.

Mr. Makarchuk: We haven't even got Cardinal Drea yet.

Mr. Martel: You are going to—

Mr. Conway: Finish appointing those enumerators in York North, then talk to us about it.

Mr. Ruston: Then you make them pay back—

An hon. member: Cardinal Drea. Nice.

Mr. Martel: I want to tell you, Mr. Chairman, I listened very carefully to my friends the Liberals, who said—

Mr. Conway: Having once been one.

Mr. Martel:—"We don't agree with it, but we'll vote for it anyway."

Mr. Conway: Now, now.

Mr. Martel: What a lot of nonsense. If you don't agree with it you don't support it. Surely it's as simple as that.

Mr. Conway: Oh, now Elie.

Mr. Stong: Don't twist the truth. Give all the facts.

Mr. McClellan: It's almost as simple as they are.

Mr. Martel: I tried to put it in the proper dimension for my friends to understand.

Mr. Conway: You have no friends here, Elie.

Mr. Martel: You're right.

Mr. Conway: You left this party 15 years ago.

Mr. Martel: I use the word loosely.

Mr. Conway: Too loosely.

An hon. member: My loose friends.

Mr. Conway: The question is how many friends are seated to your immediate behind?

Mr. McClellan: Lots.

Mr. Martel: Mr. Chairman, I want the minister to tell us what the case loads are for probation officers in northern Ontario—

Mr. McClellan: Or anywhere else.

Mr. Martel:—as opposed to Metro Toronto. Then I want him to tell me what the distances are that these probation officers have to cover. In fact, probation officers or rehabilitation officers who are under the rehab section of your ministry have had double the case work in the north. Rather than that we should probably have had half. You have to take into consideration the great distances—there are areas where it could well be that a case worker has 1,200, 1,400 or 3,500 square miles to cover—even more. Yet they're expected to have the same case load

or greater, unless things have changed dramatically since 1975. I suspect they haven't because money has been tight since then.

So the case workers and probation officers in the north—because of distances, because of climatic factors in winter—should have a reduced number of people under their care than would be the case in southern Ontario. The minister has to document statistically for me what those case loads are and the areas that those probation officers have to cover before I'm even prepared to listen to his other nonsensical arguments about flexibility. I wrote the word down.

He put it in reverse, a thing he does well: "If I wanted a specialist to deal with children"—

Hon. Mr. Norton: Nice guys never put things in reverse. You have got to be consistent.

Mr. Martel: You lost your nice guy image when you came to this point.

Hon. Mr. Norton: You are the one who changed his mind.

Mr. Martel: No, no, you said if a child needs special care then we should have that child obtaining the special care, and you needed that flexibility to ensure that. Surely, it takes a full-time probation officer who has some training to determine whether that child needs special care. That probation officer then, in his wisdom, says: "I need someone else to assist. I need someone who has more expertise in the field, or in the field that the child needs, in order to look after the child."

How do you know what the child needs? How do you know the child needs help right away, unless you have a skilled person working with the child? Don't tell me that a part-time probation officer will be able to determine that. In fact, as a teacher, one of the complaints I've always had about teacher training is that there has never been enough training in dealing with the psychological aspect of children. There's very little.

You tell me how you're going to get some part-time probation officer to understand the complexity of children and determine that some child needs some special assistance. I would ask my friends to my right to vote this down—

Mr. Makarchuk: How right?

Mr. Martel:—because what you're condemning us to is part-time probation officers who don't have the skills necessary to detect the things a child might need.

I don't really want to get into the argument about whether some other minister

takes this minister's place, because that's really irrelevant—except if you have another Taylor, with his attitudes; that could be most detrimental because he can go out and pick anyone he wants. The act really gives him that discretion. You might not use it, but there is someone down the road who might. I really believe the minister on his own, has to withdraw that.

[9:00]

The minister can't tell me that part-time probation officers, without proper training, without proper courses, can in fact determine those things a child might need. They don't have the skills; they don't do it on a full-time basis. I am sure they won't be brought to Toronto and to other areas where one might want them to take the upgrading courses that constantly go on in this sort of endeavour.

Again I implore the Liberals to alter their position, not to allow part-time probation officers.

You might well say, "It is better than nothing." I suggest to you it would be more detrimental. It would be more detrimental because we have to force the government to hire the necessary people to meet the needs of these people. We will not meet it with part-time people, we simply won't.

All kidding aside, I am asking the Liberals to support us. Kill this thing, so this minister in fact has to hire the necessary personnel. He reduces the caseload in northern Ontario to fit in with the climatic conditions, to fit in with distances, to make sure we have trained personnel to do the job.

I say to the minister, I ask the minister on his own to withdraw this sector. As well meaning as he might be, I ask the minister not to get involved with hiring part-time people. If you want someone who has the flexibility to determine whether a child needs special help, it should be the probation officer who says—and he does it in that order—"I need the assistance of a psychologist in this case" maybe; or "I need the assistance of a psychiatrist in this case. I can't handle it on my own. Maybe I need someone from Big Brother to give me a hand to look after this child." if it is a boy, "to give him a part-time Big Brother to do things that boys need assistance on."

I just say to you, Mr. Minister, that if you carry this, or attempt to carry it, you are inviting disaster. You really and truly are.

I understand what you are attempting to do. I have worked with children as long as you, my friend, in fact probably longer.

Hon. Mr. Norton: Probably longer. You are older than I am.

Mr. Martel: Well not that much, and I also have four of my own.

Mrs. Campbell: Compete with that.

Hon. Mr. Norton: I am not going to respond to that one.

Mr. Martel: I say to the minister, having dealt with children as a teacher, I know full well the difficulty of detecting problems; you can't do it on an ad hoc basis, you can't get untrained, unskilled people to do it, and with this sort of thing that will happen. Maybe not under your jurisdiction but somewhere down the road.

If it is an economic measure, you didn't put them in place when you had the bundle in 1971 to 1975, in northern Ontario. If you check back in the record—and my friend the member for St. George recalls when I documented the number—the minister of the day was from northern Ontario—and we documented that the rehabilitation officers in Toronto and in southern Ontario had far less arduous caseloads than those in northern Ontario, despite the fact that in northern Ontario they had distance to contend with and they had less opportunities to place people for rehabilitation than was the case here.

Even though the minister was from northern Ontario, he couldn't get an adequate staff, even to be on an equal footing with what the caseload was in southern Ontario; when it should have been reversed, it should have been less because of the other factors.

You try travelling the 300 miles from Sudbury to Chapleau in winter which is the distance my colleague the member for Nickel Belt (Mr. Laughren) travels regularly. That's typical of the expanse of territory one has to get across. That is never taken into consideration by your ministry. You send rehab officers from Sudbury to Chapleau in the field of rehabilitation, and yet they have a bigger caseload than in southern Ontario. I believe the last time I checked with them they had an average of 90 cases each.

Hon. Mr. Norton: Both rehab?

Mr. Martel: Yes, rehab. It is really ridiculous. I am saying to you, it should have been reversed. They should have had the smaller caseload because of distances, climatic conditions and the lack of opportunities to place those they are assisting.

That didn't apply and it should have. It should in this bill, Mr. Minister, that's why I say it to you. Give me the statistics. Tell me what the caseloads are in northern Ontario for a probation officer as opposed to in the south. I suspect they are greater and I believe it should be reversed. It should be less and

you would have the type of staff you need to do the job we want.

I say to you, as I stand here, we will come down if you go through with this. My friends over here do not support me. We in fact will have case after case, in the long run, where children or people with problems will not get the proper supervision. The proper assistance will not be called in because the people will not have the skills necessary to make that determination. I ask the minister himself to withdraw that section, Mr. Chairman.

Mr. Stong: I would like to share with my colleagues in the House some experience I have had with respect to the employment of voluntary probation officers. Prior to becoming a member of the Legislative Assembly, in my own practice as a criminal lawyer, I worked fairly closely with the probation officers in York county in setting up a system of voluntary probation officers. I must say one of the reasons the program came about arose out of the very fact there were insufficient probation officers to carry the caseload in this area. I was very impressed, and I am continually impressed, Mr. Chairman, with the calibre of individual who takes up the responsibility to look after a probationer, especially those who come from families, family people who are involved not only with their own children but have decided to accept responsibility toward other people in society, and particularly those who are less fortunate and do not come from strong family backgrounds.

I might say, Mr. Chairman, in speaking to this point, I found out all about it the year before I got elected. I had 287 brand new cases of juvenile delinquency come across my desk. Of that total, 285 of those young people ended up in my office, and subsequently before the court systems, without the benefit of a father. There was no father in sight coming with those children for interviews in my office to defend them, or subsequently in court before the court.

Now those statistics don't mean very much except it did point out to me that juvenile delinquents are perhaps the result of the broken home in more cases than we are willing to admit. The volunteer probation officer is a person who is basically and genuinely interested in the individual who is his or her charge. I am very impressed with their ability. They may not have the training in psychology, but they have got training in family background. They have an interest, and that's first and foremost in my mind, their interest in their fellow human beings, and particularly the young.

As I listen to this debate tonight, Mr. Chairman, I am impressed with one thing, and that is, as has been pointed out, that the volunteer probation officers, although they are not trained the same as a probation officer who would be designated under the act, perhaps the problem could be best solved by having written into legislation the requirement that our volunteer probation officers be subject to and under the supervision and guidance of the regular probation officer. Perhaps that would satisfy the inquiries and the concerns that are raised by the members of the third party who have spoken to this bill.

I am not concerned with the calibre of the individual who volunteers his or her service, or their interest. It's there; it's genuine and it's important. They are willing to make a one-to-one contact the basis in their relationships, which is most important. I am also impressed with our own project and our own experiment in York county, the regional municipality of York as it's called now, wherein this program is working very successfully. The volunteer probation officers are in very close association with the regular probation officers and lift the load.

Perhaps the problem could very well be resolved if it were written into legislation, as I indicated earlier, that the volunteer probation officer be subject to the constant supervision, and answerable to and accountable to a regular probation officer. If we could have that written into this legislation perhaps we could meet all of the concerns expressed by the party on my left.

Hon. Mr. Norton: I won't yield to the temptation, especially since a number of the previous speakers have now seen fit to leave the House, I would not have tried to participate in the baiting that has been going on across the House, but I can't miss at least commenting on the hounding of the member for Scarborough-Ellesmere (Mr. Warner), who is no longer here, who was suggesting that members of the Liberal caucus were perhaps speaking out of some kind of political—

Mr. Sweeney: I think he resigned.

Hon. Mr. Norton: Yes, perhaps he resigned tonight, I am not sure.

He implied some kind of political motivation while they were making reference to the primacy of the concern for the child in the system; and at the same time the member for Scarborough-Ellesmere was making reference principally to the protection of the public service.

I am not drawing any invidious comparison there, but as the member for Scarborough-Ellesmere was suggesting that to make reference to the public service—

Mr. McClellan: You should have a little more respect for your own staff.

Hon. Mr. Norton: I have great respect for my staff.

Mr. McClellan: You show it all the time.

Hon. Mr. Norton: I am just suggesting I do not see, in that kind of situation that it is necessarily more charitable and higher minded to be talking in terms of concern for the protection of the public service than it is to be talking about the concern for the primacy of children. I am sure, though, that was the case, certainly with the member for Sudbury East (Mr. Martel)—

Mr. McClellan: You should go up north sometime, you might learn something.

Hon. Mr. Norton: —who referred to his concern about children. I think we all recognize it is really what we are most centrally concerned about; not that we are not concerned about the excellence of the public service that we have in this province.

I think it is important to remember that in dealing with children and children's probation, we are not dealing with quite the same situation as we are with adults. We are dealing with a situation where the needs are often quite different. The kinds of service that must be delivered to the children in these situations, given in some cases the greater tenderness of their years and the fact that they are in need of highly specialized care for a short period of time, are not necessarily at this point in time provided within the probation service itself.

Mr. Martel: I didn't say that.

Hon. Mr. Norton: I know you didn't say that. I am not specifically responding to your remarks at this point. But recognizing that, I think it is not an unreasonable extension to recognize that we really must have some flexibility in this area.

I guess it was the member for York Centre (Mr. Stong) who suggested it was important there be an assurance of supervision. I noted earlier in the evening, but did not have occasion to mention when I rose to respond, one of the reasons for the designation provision is to ensure a chain of accountability; to ensure that in those specific cases where there is a contractual relationship there is accountability and supervision.

We seem to be focusing almost exclusively on northern Ontario this evening; but that's not the only situation, as we discussed earlier, in which this might be applicable.

Mr. Martel: That is what you were using to hang your hat on.

Hon. Mr. Norton: Sure I used it.

Mr. Martel: You hung your case on it.

Hon. Mr. Norton: Not entirely. I made reference to other circumstances which perhaps will be more relevant when we get talking about section 3.

Mr. Martel: I want to talk about section 2—caseloads.

Hon. Mr. Norton: In those communities where a person might well be designated, while he would be under the supervision of a full-time probation officer in areas where services would be delivered, it would not be possible in some cases for a person to be constantly under supervision if it were a remote community.

[9:15]

One of the honourable members opposite made reference to the fact that in remote communities they would be treated as second class citizens in terms of the level of service they would be receiving. I don't accept that argument and I don't think if they think about it for a moment the honourable members opposite would either.

It is highly preferable that a young person have regular and ongoing supervision rather than intermittent supervision. In terms of appointing a full-time public servant as was suggested by one of the honourable members, with an adjustment for something less than a full caseload, it might well work in some communities. But you must remember there are still other communities where the numbers of young people requiring probation supervision—

Mr. Martel: That was the argument today.

Hon. Mr. Norton: —may at times be none at all in a remote community. At other times there may be a requirement for supervision of one or two or three children in that community. I don't know how you're going to get a full-time public servant with no caseload at times to function in that kind of community. I just don't think that is a reasonable expectation. I don't have the data the member for Sudbury East requested with me this evening but I will undertake to get that data and review it with him personally.

Mr. McClellan: Your staff do not have the data with them?

Hon. Mr. Norton: They do not have the particular breakdown the honourable member was requesting.

Mr. Martel: We can't vote on the bill then.

Hon. Mr. Norton: That's quite understandable that they might not.

Mr. McClellan: You have half the ministry here. Don't they have any information?

Hon. Mr. Norton: No, not half the ministry—we'll actually thank you very much, I know we do have a very modestly staffed ministry, but they're very competent people. There are three or four of them here tonight, if you think that's half—

Mr. Martel: No one disputes that. I don't know how they stay working for that ministry in the conditions under which they work.

Hon. Mr. Norton: Most members accuse us of having too many members of staff.

Hon. Mr. Drea: The rest are mine.

Mr. M. N. Davison: Are they all with you, Keith?

Hon. Mr. Norton: They're all contract staff, yes.

Hon. Mr. Drea: The big, heavy set ones are mine.

Hon. Mr. Norton: In any event, perhaps in conclusion I could reiterate that surely in looking at this aspect of services to children in this province, our primary concern must be to provide a reasonable level of service to children in all communities of the province; including, in some cases, the special services that might be required by young people in more heavily populated areas of southern Ontario.

It's a responsibility that I and the staff of the ministry take very seriously; and in order to do that, I really must have the support of the members of this House to allow us the flexibility necessary to adapt the service we deliver to the children whom we serve, regardless of the geographical location of the community in which they may live and regardless of the kinds of specific needs they may have and that we have a responsibility to meet.

I thought the member was finished.

Mr. Martel: No, I wasn't, being the minister provoked me.

Hon. Mr. Norton: There is one more section.

Mr. Martel: I'm not worried about the next section, I'm worried about this one. I'm worried that the minister can stand in his place and suggest to us we should vote on this, because he hung his case on northern Ontario.

Mr. Warner: Yes; yes, you did.

Mr. Martel: When I entered the chamber and as I listened on the squawk box up-

stairs, you in fact hung your case on the necessity to have flexibility and in communities where you didn't have a big enough caseload you couldn't have a full-time worker.

Hon. Mr. Norton: That was the example I used and the honourable member for St. George used the other example.

Mr. Martel: You in fact were attempting to make the case for contracting out on that particular angle, and you can't weasel out of it.

Hon. Mr. Norton: It is not contracting out, it is bringing in needed services.

Mr. Martel: If you want to bring in needed services—

Mr. Warner: Darcy McKeough wrote this, Darcy wrote this section.

Mr. Martel: If you want to do that—

Mr. Bradley: He's the boss.

Mr. Martel:—then you hire the personnel you need to do the job.

Mr. Warner: He's in charge.

Mr. Bradley: He's the real Premier.

Mr. Martel: Because the costs will be greater two years down the road, if people don't have the proper care now, than it would be to meet the present needs.

Hon. Mr. Norton: I agree.

Mr. Martel: That's right.

Mr. M. N. Davison: When are you going to quit being Darcy's boy?

Mr. Deputy Chairman: Order.

Mr. Martel: I think what you have to do before we vote on this section, before we pass this section is give me some comparison of what the caseloads are. Don't ask me in blind faith to support this.

Hon. Mr. Norton: How would it affect your vote?

Mr. Martel: Probably not at all, probably not at all—

Hon. Mr. Norton: What's the cutoff point?

Mr. Deputy Chairman: Would the honourable minister refrain from interjecting?

Mr. Martel:—probably not. I'll speak to you, Mr. Chairman.

Mr. Deputy Chairman: Please, would you just address the chair and address the clause in question.

Mr. Martel: My friend the minister hung his case on needing this because in northern Ontario there were communities where there were insufficient numbers of cases to have a full-time probation officer. He then hung it

on the necessity to have flexibility. You would have to send children out, or if it be young people they would have to go to someone other than a probation officer to get the treatment they needed.

Hon. Mr. Norton: You have tunnel vision.

Mr. Martel: I turned it around. I said that surely it's a case of a probation officer who is meeting with the child on a regular basis who detects what the child needs in the form of assistance. The probation officer in fact then makes the recommendation on the type of personnel that should be called in.

Hon. Mr. Norton: Tell him how many times it is the probation officer has to fly into the reservation.

Mr. Martel: I'm saying an untrained person—and you haven't answered this—I'm saying an untrained person will not have the skills to detect that in many instances.

Mr. Cooke: They've got to know what they're doing.

Mr. Martel: Look, I have seen it. My friend shakes his head.

Mr. Warner: That's only because he's dozing off.

Hon. Mr. Norton: They're not assessors.

Mr. Cooke: They don't do anything and that's the problem.

Hon. Mr. Norton: You don't have to be a psychologist to help a person.

Mr. Martel: I'm saying that in many instances one doesn't know that the child is having a problem.

Hon. Mr. Norton: You're saying our probation officers don't do anything.

Mr. Cooke: With caseloads so huge, they can't.

Mr. Martel: One doesn't always know. Having taught a good number of years, I recognize that. I'm sure your colleagues who are teachers would admit you can't always determine what the child's needs are, and you're trained to some degree to do that.

Mr. Stong: They can provide that.

Mr. Martel: Do you want to tell me you can bring someone in off the street who has had no training and that individual is going to tell you what kind of assistance a child needs?

Come on, what are you trying to do, con the troops? Don't tell me that type of individual whom you call in on a case once in a while will be able to determine what type of assistance a child needs. Part-time probation officers, who have no training—

Mr. Stong: Have you scrapped common sense?

Hon. Mr. Kerr: It could be fathers or mothers.

Mr. Deputy Chairman: Order. Would the members please refrain from interjecting and allow the member for Sudbury East to complete his remarks?

Mr. Martel: I say to my friend—

Mr. Stong: He's not making sense.

Mr. Martel:—it isn't just a case of common sense, and if he knew anything about children he wouldn't make that statement.

Mrs. Campbell: He has enough of his own.

Mr. Martel: He wouldn't make that statement, because there are many instances—

Mr. Ashe: Got 33.

Mr. Martel: If one looks at the whole realm of children with learning disabilities, one of the problems is that teachers can't detect it in many instances.

Mr. Stong: That's right.

Mr. Martel: Those are the very people, if you read the book put out by the federal government called, *Those Poor Kids*; those, in fact, are the kids in many instances who end up in our institutions.

Mr. Stong: That's right, that's right.

Mr. Martel: Teachers can't detect they have a learning disability. Tell me how you're going to get someone who has no skill, no training whatsoever, to detect it—

Mr. Stong: Why don't you support what we're doing?

Mr. Martel: That's where your argument falls flat on its face, because teachers can't detect it.

Mr. Stong: Nonsense.

An hon. member: If you want a Big Brother, why don't you say it?

Mr. Deputy Chairman: Order.

Mr. Martel: The report put out by the federal government—and I suggest you read it, it is only about 50 pages long and called *Those Poor Kids*—says that the majority of people who are in our institutions are kids with learning disabilities or low IQs. Yet you want unskilled, untrained people to detect what their problems are. It just doesn't wash. If my friend protests from now until doomsday he can't convince anyone who's been in the teaching profession that you can detect it all.

An hon. member: You want to appoint Big Brother.

Mr. Martel: In fact that's one of our problems, we can't detect it. We don't have the training and the skill, even as teachers, to do it.

Mr. M. N. Davison: This makes as much sense as a Liberal government.

Mr. Martel: That's why we need more psychologists in the school system, rather than cutting them back as we're doing at the present time. For my friend to sit in his place and say, "It just takes common sense," well, that's crap.

Mr. Stong: It takes interest too, and concern.

Mr. Deputy Chairman: Order.

Mr. Martel: No, it isn't just interest. Someone might have all the concern in the world but if they don't understand what they're looking for or don't know what they're looking for—

Hon. Mr. Norton: A little love goes a long way.

Mr. Stong: So you're against the volunteer probation officers.

Mr. Deputy Chairman: Will the member for York Centre refrain from interjecting please?

Mr. M. N. Davison: Will you throw him out?

Mr. Martel: No, he is actually helping me.

Mr. Deputy Chairman: The member for Hamilton Centre will also refrain.

Mr. Martel: He shows me how little he really knows about it.

Mr. Warner: What about?

Mr. Stong: To the guys who went to school.

Mr. McClellan: What about abolishing lawyers?

Mr. Cooke: Let's have volunteer lawyers.

Mr. Martel: Now there's an area. In fact it might help Ontario if we abolished all lawyers for five years. The Minister of Correctional Services agrees with me. If we got rid of the lawyers for five years, Frank, we might be better off.

Hon. Mr. Drea: That might be a good idea.

Mr. Martel: There would be a lot of guys on welfare.

Mr. Cooke: Do I hear any volunteers?

Mr. Martel: The minister in his reply also said that—

Interjections.

Mr. Deputy Chairman: Order.

Mr. Martel: The minister also said you couldn't divide the work and have someone act part time as a probation officer and maybe do something else as well. I will take my chances on a probation officer who is

trained doing something else rather than the reverse. I will take my chances on getting a probation officer who has no skills.

Hon. Mr. Norton: What specific training do you recommend?

Mr. Martel: What are the qualifications they must have now in order to look after the needs?

Hon. Mr. Norton: I am asking you.

Mr. Martel: What about the ongoing courses they can take? You are saying to me accept somebody off the street, virtually, and I say to you that is total nonsense. I prefer that we take our chances with someone whose main role is as a probation officer. If he has to pick up a little extra work within the ministry in some other jurisdiction you should give that individual some extra work there rather than try to bring someone in.

Can you imagine someone in—how do you pronounce that—Attawapiskat, looking after a child's needs away up there?

Hon. Mr. Drea: My guys do it.

Mr. Martel: Your guy is up there? I trust him because you are in charge of him.

Mr. McClellan: You don't need this extra power, do you, Frank?

Mr. Martel: You wouldn't want to be appointing people part-time?

Hon. Mr. Drea: He is a part-time man there.

An hon. member: That will fix you. Go get him, Elie.

Mr. Deputy Chairman: Order: Would the member for Sudbury East stick to the bill and the Minister of Correctional Services refrain from interjecting?

Mr. Martel: As I said earlier, I would prefer the minister to do it in reverse. If you can't get a full-time probation officer because there isn't a sufficient caseload you find something else for him to do in the ministry to fill up his spare time.

I suggest that with the statistics, though we could indicate to you that in the north—because of distance, because of climatic factors—the work load has to be that much less in order to get around to visit with the people under their charge. You can't convince me that you can take someone off the street, without the skills necessary—at the tender age, I believe the minister said, where it is more necessary.

Hon. Mr. Norton: We do not take them off the street.

Mr. Martel: No, you can't take someone off the street and have them looking after

children. In the minister's own words—at that tender age, I think he said—where they need extra loving care you are going to haul somebody off the street to do it part-time. I want to tell you that is a lot of nonsense.

I hope the member for St. George gets back into this battle. Maybe she will bring some sense to her colleague from York Centre. The former member from there had more sense than the present member. I would urge the member for St. George to get involved.

My friend the minister doesn't want to put statistics on caseload on the record tonight. He says he hasn't got them. There is a whole staff there to deal with this sort of thing and he can't tell us what the caseloads are.

Mr. McClellan: They don't know. There is no use asking them. I put a question on the order paper.

Mr. Warner: Please don't put a question on the order paper, a question of the minister.

[9:30]

Mr. Martel: I find that difficult to believe, that you have a bill dealing with something like this and the minister and his staff can't tell me what the caseloads are. That is really stretching the point.

I hope the member for St. George has been able to convince her colleagues to change their minds. Maybe in the interim my friend from York Centre could go up and read the book entitled *Those Poor Kids* and come back a little more enlightened.

Mrs. Campbell: Mr. Chairman, in view of the discussions that have gone on this evening, and in view of the fact that the minister has said, although it is not a part of the bill, that anyone appointed under this section would be under the supervision of a trained probation officer—

Mr. Martel: In Attawapiskat.

Mrs. Campbell: —and I would assume, and I hope correctly, that this would indicate a full-time trained probation officer—

Mr. McClellan: There's no requirement.

Mrs. Campbell: —would the minister accept the amendment put by my colleague from York Centre or, in the alternative, agree to stand this subsection down so that we might incorporate within this bill the position which the minister has taken in this debate?

I believe the minister means exactly what he says. If he means what he says, it seems to me there is no harm, from his point of

view, in incorporating within the bill the very statements that he made to this House tonight. It would give me a greater sense of the importance in his mind of the welfare of the children in the north, because I am not familiar with the situation in the north, even though I have sat on this committee now for some years.

If we assured ourselves that any person designated for a specific purpose would only function under the aegis of a trained full-time probation officer, as my colleague suggests, that should give assurance to the member for Sudbury East and others that the minister means what he says in providing the proper probation services in the north.

I would suggest that either we accept that amendment this evening or the minister gives his consent to standing down this section so that we can all look at an appropriate amendment to incorporate within the legislation the statement which the minister has made and which, properly, in my view—and I hope the minister agrees—ought to be incorporated when we look at the Hansard report of tonight's debate.

Mr. McClellan: We seem to be getting somewhere. We seem to be making some progress here tonight. I would like to make a suggestion to my colleague in the Liberal Party. The logical way to proceed is to support my amendment to have section 2(2)—

Interjection.

Mr. McClellan: Let me finish. Let me make this point before the member judges. The logical way is to support my amendment that section 2(2) be deleted and to add their amendment to section 3 so that persons with whom the minister enters into agreements to provide probation services will act under the supervision of a probation officer, properly appointed. I don't have any particular objections to section 3, except if section 2(2) is allowed to stand and the minister retains—

Mr. Stong: Section 2(2) is required.

Mr. McClellan: No, it's not required.

Mr. Stong: Yes, to designate. That's the life-giving section.

Mr. McClellan: With respect, it's not required because section 3 empowers the minister to enter into an agreement with respect to the provision of probation services. The concern is that probation services be provided by competent, qualified probation officers who are properly appointed and who have the opportunity for career service. You don't

develop quality services on a contract basis. You simply don't.

You don't develop a cadre of highly competent, trained, qualified people who are doing an arduous, difficult job, one of the most difficult jobs that our society asks anybody to do, on an interim basis, on an ad hoc basis without opportunities for career advancement, without job security and without full protection of career status.

Mr. Stong: Don't give me that stuff.

Mr. McClellan: It happens to be true. If you don't provide the normal decencies to people who are doing the most difficult human service jobs in this society, you run into enormous morale problems. You run into enormous problems of turnover of staff. The quality of the service suffers. People can sneer all they want, but it happens to be the truth. Those who scoff at it and those who say that the job of providing human services on a one-to-one basis with people in the society who are troubled or disturbed or who have enormous difficulties can be farmed out—

Mr. Martel: On a part-time basis.

Mr. McClellan: —on a part-time basis or an ad hoc basis or an interim basis or a volunteer basis are wrong.

Mr. Stong: Define "part-time basis."

Hon. Mr. Norton: You people would like to destroy volunteerism.

Mr. McClellan: Don't you lecture me about the volunteer sector. I spent my entire life working in the volunteer sector. I know the volunteer sector.

Mr. Stong: Did you do any good?

Mr. McClellan: I'll be going back to the volunteer sector at some point in my career. I don't need any lectures from you about what the volunteer sector is all about because I know.

Mr. Stong: Did you do any good as a volunteer?

Hon. Mr. Norton: The member for St. George made a most eloquent speech on the value of volunteerism tonight and you shoot it down.

Mr. Deputy Chairman: Order. May I ask the members not to interject? Would the member for Bellwoods proceed and speak to the section before us?

Mr. Warner: Would you ask the barrack room lawyers to keep out of it?

Mr. Mackenzie: Will you ask them to leave the red herrings alone?

Mr. McClellan: I don't intend to belabour the point. I had thought we had reached the point where some accommodation could be

made. I still believe that to be true. I've listened very carefully to the debate, particularly to the people who have spoken on this side of the House from the two opposition parties. I think there is ground for an accommodation.

I would hope we could reach it.

I think that the basis for the accommodation is to proceed as I have suggested and not to give the power to the minister to appoint probation officers on a personal basis, on a contract-out basis, but rather to retain the wording of the original Probation Act which is good enough for the Minister of Correctional Services under his new act. It gives him the powers that he needs to be flexible. Let's give the same powers to the Minister of Community and Social Services. Let's not give him additional powers.

Let us add the amendment that the member for St. George and the member for York Centre are suggesting to section 3 that would provide the flexibility to ensure probation services to isolated communities, but would ensure that those services are properly supervised. That's the concern. We want to ensure quality service.

Mr. Stong: You weren't here when I made my speech.

Mr. McClellan: The way you ensure quality service is to make sure that if you don't have fully qualified staff on your front line, you have fully qualified staff in supervisory positions.

Mr. Stong: We'd have support over there.

Mr. McClellan: I'd be interested in hearing from the member for St. George as to whether she would be prepared to move in that direction. I would also be interested in hearing from the minister whether that makes sense to him.

Hon. Mr. Norton: I happen to be a member of one of three parties who is interested in this and I do have something I would like to say at this point, if I may. Perhaps the most reasonable suggestion that has been made in the course of the debate is that of the member for St. George. I concur with her suggestion that section 2(2) might be more explicit. I am not sure of the best wording at this point, but section 2(2), which says "the minister may designate any person, other than a person who is appointed a probation officer under subsection 1, as a probation officer" might be made more explicit with some wording such as "to carry out duties under the supervision of a probation officer appointed under section 1 for the purposes of this act." Wording such as that would be quite adequate. I believe that

would meet her concern, and would still allow for the kind of flexibility that I am concerned about in a situation in a remote community that we have been talking about tonight—

Mr. Martel: Attawapiskat with kids.

Hon. Mr. Norton:—where the regular visits of a full-time probation officer might be separated by several weeks because of distances that have to be flown in small aircraft and so on, using that as an example. Then someone in that community—if it were a native community, it might well be a native person—could act in this capacity, under the supervision of and accounting to a full-time probation officer who would then pay them and the probationer a regular visit; but there would be someone there on an ongoing basis.

Likewise, in the case of the special services that the honourable member referred to earlier in her remarks, presumably it would not be a cumbersome thing for someone who may be with a professional family counselling service, for example, to relate—

Interjection.

Mr. Deputy Chairman: Order.

Hon. Mr. Norton:—to accountability, if they were so designated in a specific case, with a full-time probation officer who would act as a supervisor in that case. I could accept that quite readily, I believe. I think I have some proposed wording here from my staff, but I will just have a look at it.

Mr. Deputy Chairman: Does the minister have a proposed amendment?

Hon. Mr. Norton: Perhaps we could hear the honourable member, Mr. Chairman, as I haven't had a chance to really look at it.

Mr. Deputy Chairman: All right.

Mr. Sweeney: While the minister is doing that, Mr. Chairman, I was just going to make the observation that if the probation person—and I will use those words—under section 2 is going to be accountable to a probation officer as defined under subsection 1, perhaps it would be more appropriate to call such a person an acting probation officer or some other designation. Otherwise I can see great difficulty in distinguishing between the person that the minister appoints under subsection 2, compared with the person he appoints under subsection 1. I think there needs to be a change in designation there.

Hon. Mr. Norton: Mr. Chairman, my only concern there would be that I am not sure there is any such legal status as that of acting probation officer. One of the reasons

I think the designation is important as well is that in a situation where that relationship of probation officer and probationer exists, there may well be times when that person would have to act in the interests of the child, perhaps to apprehend the child if there had been a serious breach or the threat of a serious breach. If they did not have the authority of a probation officer—and I don't know of any legal entity as an acting probation officer—it would be questionable in my mind, and before this evening's discussion I checked with my legal staff, who concur that we know of no legal authority they might have to apprehend and bring the child before the court or take what other measures might be necessary.

[9:45]

If the member envisages a situation where this person under the supervision of a full-time probation officer might be in a more or less remote community without the full-time probation officer immediately on site, they might have to act in their absence at some time to bring the child or the juvenile before the court. If they didn't have the full legal status of a probation officer as a result of the designation, I think they might well be subject to civil action if they were to interfere or to take a child before the court.

I think that it's important that they have this legal status in order to be able to act in those kinds of emergency situations.

Mr. Deputy Chairman: Does the minister have a suggested amendment that he wishes to put?

Hon. Mr. Norton: Yes, I have, Mr. Chairman. I would move that subsection 2 of section 2 of the Act be amended by adding at the end thereof "that every such designated probation officer shall exercise the powers and perform the duties assigned to the probation officer under the supervision and the direction of a probation officer appointed under subsection 1."

Mrs. Campbell: Does that mean a full-time probation officer?

Hon. Mr. Norton: Yes, it would be someone appointed under the Public Service Act. That is the amendment I would propose, Mr. Chairman.

Mr. Stong: We could support that.

Mr. Martel: That is lovely.

Hon. Mr. Norton: You are kidding.

An hon. member: No, my friends to the left have seen the light of the night.

Mr. Deputy Chairman: I would ask the member for Bellwoods, in light of the amendment by the minister, would he withdraw his amendment to delete the subsection?

Mr. Stong: Yes, be a man.

Mr. Warner: We rescued you.

Mr. McClellan: I am quite pleased with the course of this evening's debate and I think—

Mr. Deputy Chairman: I would ask the member—I am not giving you the floor; I simply ask you yes or no.

Mr. McClellan: I can do it in my own way in my own time, Mr. Chairman.

Hon. Mr. Norton: He is telling you the state of his mind.

Mr. McClellan: We have debated for—

Hon. Mr. Drea: Too long.

Mr. McClellan: —a long time and it's been very fruitful. We have reached an accommodation and I will withdraw—

An hon. member: He's really trying to take credit. He can't do it.

Mr. McClellan: —my amendment on section 2(2) and I withdraw my amendment on section 3.

It's clear that our amendments would not carry and that the amendment that the minister has proposed—

Mr. Warner: Talk about reasonable.

Mr. Cooke: He cracked under pressure.

Mr. McClellan: —is useful because it has served to move the Liberal Party away from their intransigent—

An hon. member: That's right.

Mr. McClellan: —and slavish support of the minister.

Mrs. Campbell: Now you are trying to make me mad.

Mr. McClellan: The process of debate on legislation in this House is always a fascinating thing to behold and it justifies itself. It is really worth while putting up speaker after speaker to batter away at foolish laws and foolish measures because in the process laws are changed and laws are improved so I withdraw my amendment and am pleased to support the amendment proposed by the minister.

Mr. Deputy Chairman: Order. Mr. Norton has moved that subsection 2 of section 2 of the Act be amended by adding at the end thereof " that every such designated probation officer shall exercise the powers and perform the duties assigned to the probation officer under the supervision and direction of

a probation officer appointed under subsection 1."

Motion agreed to.

Mr. Deputy Chairman: Shall the balance of the bill carry?

Mr. McClellan: I have a question, not an amendment. I did want to make sure that—

An hon. member: The miracle of minority government.

Mr. McClellan: —I understood the act really well before it carries. I want to ask the minister whether there are any changes in the duties of a probation officer between the original Probation Act and the duties of a probation officer as spelled out in section 5 of Bill 95.

In other words, has Bill 95 changed the duties or the function of a juvenile probation officer in any way? Or do you know?

Mr. Deputy Chairman: Mr. Minister, do you have an answer to the question?

Hon. Mr. Norton: Yes, Mr. Chairman. There is some abbreviation from the previous Probation Act—

Mr. Martel: The answer is on your arm. That is how you passed exams.

Hon. Mr. Norton: Basically, those provisions which related primarily and more clearly to adult probationers have been removed since this is applicable only to juveniles. Would you like me to read to you the portions which do not—

Mr. McClellan: I have all the sections here. I want—

Hon. Mr. Norton: I mean of the previous act?

Mr. McClellan: I have that too.

Hon. Mr. Norton: You have that too. Then presumably you know the answer to the question.

Mr. McClellan: No. That was not a trick question.

Mr. Martel: No. He didn't ask you if you would agree.

Mr. McClellan: I'll phrase it another way—

Mr. Deputy Chairman: Order.

Mr. McClellan: —just so that I may try to understand. It remains the function of a probation officer under the new bill to make a report after a conviction has been made. Is that correct? But not before a conviction has been made.

Mrs. Campbell: The equivalent of a conviction.

Mr. McClellan: Right. The equivalent of a conviction.

Mrs. Campbell: A finding.

Mr. McClellan: A finding has been made by the court. But there is no intention of a report to be made by the probation officer until a finding has been made by the court. Is that a correct understanding?

Hon. Mr. Norton: There would be no role that I know of for the involvement of a probation officer until such time as there had been a finding. That is, unless it happened to be in a situation where there might be a charge resulting from a breach of the probation. In that case there may well be some role—but only of an evidentiary nature, surely, going to some finding by the judge. Otherwise the probation officer's role would effectively materialize at the time of a finding.

Bill 95, as amended, reported.

MINISTRY OF CORRECTIONAL SERVICES ACT

Consideration of Bill 85, An Act to revise the Ministry of Correctional Services Act.

Sections 1 to 3, inclusive, agreed to.

On section 4:

Mr. Ziembra: This section outlines all the functions of the ministry and the rights of inmates. I wonder whether the minister is prepared somewhere in this section to bring in either an amendment or provide a regulation regarding the right to vote for inmates who are on remand or are awaiting trial, and who in fact are innocent. That provision doesn't exist now. I wonder whether the minister has thought about that at all.

Hon. Mr. Drea: This was first proposed, rather a short form of it, by the Ombudsman. I support the concept of inmates in the provincial system being allowed to vote provincially, that's what he asked. Municipally, it would be very difficult because of address.

It is not within my power. It has to come within another act. But I have supported it publicly and not just for remand inmates. Actually, with a remand inmate it is a double standard, because one may be charged and remanded outside of custody and the person is perfectly free to vote. But if a person is remanded in custody, the only thing preventing that person from voting is the fact that the person can't be enumerated or visit a poll.

There is also a double standard with the intermittent person because he only serves Friday night, Saturday and Sunday and is usually available at home to be enumerated. Since provincial elections are on Thursdays, he does have the right to vote, notwithstanding the fact that he is under sentence. While I support it and I have been urging my

cabinet colleagues to move in that direction, it is beyond my authority within either legislation or in a regulatory way to amend the particular provincial status covering elections.

Section 4 agreed to.

Sections 5 to 8, inclusive, agreed to.

On section 9:

Mr. Bradley: The minister has had representations made to him, as have the opposition critics, concerning the worries of the John Howard Society and the Elizabeth Fry Society particularly, as two groups working with people within our institutions, about serving under the direction of an employee of the ministry.

I think they are hopeful that perhaps an amendment of some sort could be brought forward, recognizing that the ministry probably does not see either of these organizations as being a problem in this area, but may see other problems. I would ask the minister to comment on that.

Hon. Mr. Drea: I understand the John Howard Society has been in touch with our solicitor. They have not been in touch with me and neither has the Elizabeth Fry Society, notwithstanding the fact that I was with the Elizabeth Fry Society as late as late last week. The difficulty is almost the same as was expressed in the debate on the previous bill. It is a matter of supervision.

There is no quarrel or no question about volunteers. One of the reasons I was late tonight was that I was honouring volunteers. We depend upon volunteers and also on private social agencies for a great deal of our work. There is an overriding matter of security. The security arrangements mean supervision inside, although you're quite right with organizations such as that it is so nominal that it really isn't apparent sometimes. Nonetheless, the aspect of security is one concern.

Also, from time to time groups come in for a particular reason, not as all-encompassing as the John Howard or the Elizabeth Fry, or Fortune or the Salvation Army. They come in for a specific purpose. What we are saying in essence in this is that we want them to be under the supervision of the person in charge of the institution at that time. If it's at night time, generally it's not the superintendent.

It would be very difficult to set up a scale of certain organizations which were not under the supervision. Another group I should mention too is Alcoholics Anonymous. I'm not talking about them as being in a very narrow area; they're in a very broad area. It would

be very difficult to set up a sliding scale that some have qualified and that others hadn't. Frankly, I think their concerns are not warranted. The fact of the matter is that both are signing contracts with us to run CRCs when they are under specific direction of the superintendent of the institution to which they are attached.

When we're dealing with sentenced inmates, I don't think we would want to be in a position where we were delegating our total authority to groups which were not within the ministry. Then we'd be beginning to come perilously close to altering the particular sentence of the court. It's one thing to have them doing 99.9 per cent of our work, if we can still argue legally that we have retained effective control of the particular sentenced inmate. On those grounds it would be extremely difficult. I don't think any minister and I don't think any ministry has ever met as much in the past few months with volunteer groups, and we have set up very specific lines of communication.

[10:00]

If there is a particular difficulty or some kind of impediment we can get it straightened out very rapidly. That certainly has been very fruitful. I think that at the moment is a much more practical way of approaching it than trying to get into a sliding scale of who needs supervision and who doesn't.

Mr. Ziemba: I would like to amend section 9 by adding at the end, "non-governmental agencies shall direct and be accountable for persons serving as volunteers with them in programs in partnership with the ministry"; and further, "MPPs continue to enjoy unlimited access to all provincial detention centres."

I don't see that spelled out anywhere in the bill, and I may as well put that in there now that we have the opportunity. I think the amendment speaks for itself.

Mr. Chairman: Would the honourable member send a copy to the chair?

Mr. Ziemba: There's no one here. I don't see why the ministry should have total control over inmates. The people like the John Howard Society and the Elizabeth Fry Society have a very credible record in dealing with—

Mr. Ruston: On a point of order, I wonder if the member could supply a copy of his amendment, please.

Mr. Ziemba: I'm sorry.

Mr. Haggerty: Within 24 hours.

Mr. Chairman: I will read the amendment.

An hon. member: Do you have any more copies?

Mr. Ziemba: Mr. Chairman, I had assumed the minister was going to move that amendment. That was the information I had received, and I was disappointed—

Hon. Mr. Drea: Not from me, you didn't.

Mr. Ziemba: No, not from you, but I am disappointed that you didn't introduce this—because certainly we have to have confidence in these two very progressive organizations, Elizabeth Fry and John Howard.

Hon. Mr. Drea: What are you going to do with the Salvation Army?

Mr. Chairman: Order, please. I think it might be helpful, and could I make this suggestion to the committee, that we stand this section down for a few moments and have copies made?

Mr. Ziemba: Certainly, Mr. Chairman.

Hon. Mr. Drea: May I say before you stand that down, it was in the time of Mr. Grossman as minister that the extension was given that all MPPs could visit institutions at any time. That has never been changed. I don't think anybody's ever going to change it. I'm perfectly willing to put it in the act, but I would prefer it to be a privilege of the House and to leave it out of there. It's just automatically a privilege of being an elected member of the House that you automatically have the right to visit an institution at any time.

Mr. Warner: Spell it out.

Mr. M. Davidson: Let's enshrine it in the legislation.

Hon. Mr. Drea: It's enshrined in the tradition of the House by now. I would prefer to leave it there. If you're so worried about it, I mean, you've never tried to visit an institution. You never asked me. Nobody ever bothers. Mr. Ziemba and Mr. Bradley and a couple of others are the only people who ever go. I don't know why you want it in here.

Mr. Makarchuk: Mr. Ziemba's was involuntary confinement.

Hon. Mr. Drea: Mr. Ziemba's a professional.

Mr. Chairman: I see there are copies arriving. Would the members of the committee still wish to have a little time to consider it?

Mr. Stong: I don't think it is necessary.

Mr. Chairman: All right, just for the information of the committee, Mr. Ziemba moves that the following be added to section

9: the words, "non-governmental agencies shall direct and be accountable for persons serving as volunteers with them in programs in partnership with the ministry"; and further, "MPPs continue to enjoy unlimited access to all provincial detention centres."

Mr. Ziemba: I have one more question of the minister. That's the business of receiving mail from inmates. A number of us—

Hon. Mr. Drea: That is not in the amendment.

Mr. Ziemba: I'm sorry?

Hon. Mr. Drea: Do you want to stay with the amendment?

Mr. Chairman: I placed the amendment. The hon. member should speak to the amendment.

Mr. Ziemba: I was wondering whether I should expand on the amendment to cover the opening of mail that MPPs receive.

Mr. Stong: What does that have to do with volunteering?

Mr. Ziemba: Seeing as we are on that one point, Mr. Chairman, would that be in order?

Mr. Chairman: That matter really isn't before the committee nor is it in the amendment. I would ask the hon. member to speak to his amendment.

Mr. Ziemba: I think the amendment speaks for itself. It establishes and suggests confidence in the John Howard Society and Elizabeth Fry Society. It suggests that we should continue our relationship with them and trust them to serve the needs of inmates and not to be answerable to or under the control of some official.

Mr. Germa: I am interested in the access to jails and institutions by MPPs. I fully concur that every elected member should have the right at his will to go in and take a look at these institutions. To this point in time, I certainly have not had any trouble gaining access, but I was a little perturbed by the minister's statement that no one had approached him and asked for permission. I don't think that as elected members of the House we should have to go to the minister prior to our visit and seek his permission to gain access. If that is what he is implying—

Hon. Mr. Drea: No, I'm not.

Mr. Germa: —that we have to do, then it is important that it is enshrined in legislation. I am going to ask the minister to get up on his back legs again and say it as he means it, that we have absolute access to these institutions without reference to the minister at any point in time that we see fit to enter into

those places. I don't know whether the minister meant to say that.

Hon. Mr. Drea: I didn't say it and you know it. You are just being the usual wise guy again.

Mr. Germa: You did imply that no one had made a complaint to you. I certainly have not made a complaint to you because I have had access. I am perturbed by your statement.

Hon. Mr. Drea: First of all, members don't have to come to me to go in.

Mr. Foulds: You don't interrupt the speaker while he is speaking.

Hon. Mr. Drea: I said that. The reason I raised the point was that it seemed to me there was no need to put it into words in legislation since there was no problem. Nobody had ever talked to me about it or asked my permission or anything else.

Mr. Samis: Why should they have to?

Hon. Mr. Drea: They shouldn't have to. The only reason I raised it was to show that no one had any difficulty. Since the member for Sudbury wants to be a little bit aggressive tonight, the only time I know you have ever been denied anything is when you made a phone call and they said they wanted to see you in person. That was reported to me by you. I accept that as a reasonable security precaution by the staff there. They don't recognize your voice. They will recognize your face.

Mr. Ashe: Heaven forbid.

Mr. M. N. Davison: I have a question of the minister also involving this amendment and this general field. I am especially concerned about the minister's comments. I am not sure if I have an exact quote from the minister, but I think he used a phrase such as the traditional privileges of members of the House in regard to the amendment by the member for High Park-Swansea as to the right of members to enter these institutions. Then he touched by way of tangent on the question of mail coming to MPPs from people who are incarcerated. Are you considering that that falls in the same category in terms of traditional privilege of members of the House that we MPPs should receive our mail in an unopened state from inmates?

Hon. Mr. Drea: No, I don't even receive mail that is unopened nor is what I send back unopened. It is not a traditional thing in the House. As a matter of fact, it is so untraditional that when the Ombudsman Act was written, that was specifically put into the Ombudsman Act, both the coming out and the going in.

If you want it, I am perfectly prepared to introduce an amendment myself. This one is faulty in its language. I know the member didn't mean to make it faulty, but it says "unlimited access to all provincial detention centres." I think the member would want "provincial correctional centres"; I think the member wants all of them, and not just the number designated as DCs. If it is the will of the House, certainly I am willing to put it in here.

My only problem is that I don't like to put into a specific piece of ministry legislation what is a tradition—mind you, the tradition isn't that old; I guess 15 years. Nonetheless, it is a tradition and it's a member's privilege. I would far rather, as a member, have it reside automatically with the privileges of members of the House, without even having to be written into legislation. I feel it's stronger when it has that automatic connotation by virtue of the office the member holds rather than specifically putting it into this act. However, I'll be guided by the House if the members want that. Frankly, I think it should be in another section.

I would also like to talk to this amendment. This amendment would be extremely difficult for us; as a matter of fact, it would be impossible. It says "nongovernmental agencies"—that means everybody; anybody can have an agency—"shall direct and be accountable for persons serving as volunteers with them in programs in partnership with the ministry." They're talking about a lot of people; for instance, the John Howard and Elizabeth Fry societies, the Salvation Army, the Fortune Society, the St. Leonard's Society. There are some rather obscure groups that may not be household names, because they happen to be in a particular geographic area or a particular religious denomination, or an offshoot. For instance, do we put in the Church Army? It's very difficult.

At the other extreme, in terms of nongovernmental agencies, four people can start one up tonight and come down very calmly and say, "We've got two volunteers. We want to come in. We will direct and be responsible." With a sentenced inmate, there is no partnership with the ministry. We fund, in a block manner, the John Howard and Elizabeth Fry societies and the other organizations for their institutional work, exactly the same as does the federal government. It's just a catch-all term, "institutional work." Whether it's the Salvation Army, which encompasses both pastoral and temporal care and social work, or the John Howard Society, which isn't in the pastoral field, it allows them a great deal of flexibility.

They're not in partnership with us. Where we have a specific written agreement or a contract in the CRC or for a particular social work program, specifically in that contract is the designation and delineation that in the CRC, for instance, the superintendent is in charge. He has to be, because they're sentenced inmates. They're not on parole. They're still sentenced. They're still in jail, even though the jail is physically separated and doesn't have bars.

Also, if they really thought about some of the implications of taking full responsibility for a volunteer—if they happened to get a volunteer who wasn't up to scratch, which happens from time to time, or if somebody under pressure or, for very obscure reasons, did something—frankly, I wouldn't want to be able to not only pass the buck but probably to get somebody involved in a great deal of proceedings on the basis that they were totally accountable.

The protection is that once we let them in, since they are operating under our direction, the social agency isn't going to incur any liability and isn't going to get into any difficulty. If something happens inside, they are not going to be in a position where an inmate might choose to enter into litigation against one of their people. The buck stops here. We have authorized the agency and its people. Indeed, what do we do with an ad hoc group that only exists because it has a partial board but it wants to do some work and very good work? I think it's much better for them to accept the titular direction and supervision from us and then we are responsible for the whole proceedings.

[10:15]

As a matter of fact, one of the things we have now is an indoctrination or a breaking-in course for new volunteers, regardless of who they are affiliated with, because of the fact that people who aren't familiar with correctional institutions quite often don't understand many of the restrictions which are based upon security. Quite frankly, to a layman, sometimes they appear to be very obtuse restrictions.

When they go through an indoctrination course and so on, all of the reasons these restrictions are there become very clear to them and they're able to plan their particular program and so forth around it. So, on the basis that this is so all-encompassing we don't have any partnerships for many of these things, we would virtually have to let everybody in; and at that point everybody would take responsibility for themselves.

If this was restricted to parole or to outside, after you have ceased being an offender and you have become an ex-offender, then I wouldn't see too much wrong with it. But when you are a sentenced inmate, bear in mind that we have an obligation to the court. They have imposed the sentence; you are still under that sentence. You haven't been released from it even partially. Therefore, whatever program we get you into, whether it's run by government or not, or in conjunction or what have you, we must accept responsibility for it in the same way as we accept responsibility for institutions.

The reason the superintendent of the institution to which the CRC is connected is responsible is how could we allow a sentenced inmate out to a private group? You can't release a sentenced inmate under the care and custody of somebody. The superintendent has to be responsible until the person passes the legal demarcation line from offender to ex-offender.

Mr. M. N. Davison: Mr. Chairman, I'm not exactly sure that I got the answer I was looking for from the minister. I was hoping that he might expand a bit more on the particular question I was interested in—

Hon. Mr. Drea: The mail?

Mr. M. N. Davison: —which is the mail. Could you expand, Mr. Minister, in this field?

First of all, do you think it would be a good idea if we members of the provincial parliament were able to receive unopened mail from inmates within your jurisdiction?

Second, I was a bit puzzled about a letter I received from your ministry a short time ago, which was a letter written to me from a former constituent who was currently within your broader constituency. He was writing about something that had nothing to do with the reason for his being in jail. He was writing to express a concern about a community problem.

I opened the letter from your ministry, in your ministry's envelope, and on a piece of ministerial stationery was an explanation as to why this poor soul happened to be incarcerated. Then there was the opened envelope that the inmate sent to me with his little note on the community concern he had raised. I really had a lot of trouble, frankly, connecting the two: Why the ministry would tell me why this person happened to be in jail. Frankly, I am not all sure that I really liked the idea of that mail coming to me in that fashion at all.

Hon. Mr. Drea: First of all, the second one was in error. I had asked for some

documents and part of what was to come to me went to you in error.

Mr. M. N. Davison: Oh, you are familiar with the particulars?

Hon. Mr. Drea: Yes, I get these. I read every one of them.

Mr. M. N. Davison: Oh, so it was simply an error?

Hon. Mr. Drea: Yes, oh yes.

Mr. M. N. Davison: That answers the second question.

Hon. Mr. Drea: Now, the reason for the mail being opened, mail going both ways with the exception of the Ombudsman's, is the question of contraband; it's a question of security. Who knows where an envelope bearing either the signature or the letterhead of an MPP came from? Quite frankly, it's opened—not for reading, nobody cares about the reading—they are glanced at from time to time; just a glance to make sure that it really is from an MPP.

Mr. M. N. Davison: I am concerned the other way around.

Hon. Mr. Drea: The other way around is to make sure that there isn't contraband coming out.

Mr. M. N. Davison: To the MPP?

Hon. Mr. Drea: It may very well be that they're writing to an MPP and there's another envelope inside, et cetera, that contains contraband. The letter to the MPP says: "Would you please forward this letter to so and so?" Even the letters that come to me are opened—I shouldn't say opened, they are pre-censored or whatever you want to call it; however, they are read. It is a question of security and a question of contraband. The inmate is made aware of that.

The general practice, if you want to get into looking at mail from a sentenced inmate, is that once you get on the list and they know your wife's name or they know to whom you are writing, after you have written them a couple of times, they just look at the letter to make sure there is nothing in the envelope that shouldn't be there and let it go ahead. When another name comes on, they want to establish who it is. It is a security measure that I am not prepared to take off.

They write to me and there is no question that they have every right in the world to write to me. I read it and I write them back. At both ends, it is read before it goes out, or at least the envelope is opened and maybe the letter is scanned. That doesn't bother me one whit. It didn't bother me one whit when I was a private member.

The Legislature and the inmates are fully aware of it. The Legislature has said there is a special category that even the bounds of security don't touch, that is, the Ombudsman. I agree with it. If they want to write a letter of complaint, quite frankly, I would rather they write to the Ombudsman than to me. I eminently prefer they go to the Ombudsman. Then it is totally impartial and they are satisfied in their own minds. I think that is very important. The Ombudsman does an excellent job with those letters.

When it goes to him, they are handed the paper and the envelope. The envelope is sealed and is delivered to the Ombudsman untouched. When the Ombudsman sends back a reply, it is delivered to the inmate untouched.

In terms of the security arrangement for letters to MPPs, I wouldn't be prepared to alter things. I know to an MPP this seems an infringement. We have a number of people on the inside who are remarkably clever about how they get out particular types of communications. They are not complaints about conditions, they are not complaints about the system, they are generally setting up what is tomorrow's score and telling you where to be on certain occasions. We are going to continue to do it in the name of security.

Mr. Warner: On complaints about the minister.

Mr. M. N. Davison: I just have a final comment, if I may. I understand what the minister is saying. I think he has a reasonable point, although personally, as an individual member of this House, I disagree with him quite strongly on that point. I suspect, however, I am in a minority or that would not be.

Mr. MacBeth: You sure are.

Mr. Ashe: Hopefully.

Mr. M. N. Davison: Fair enough. I find it an abuse of my privileges, if only a mild one, that any of my mail is opened. I accept being in a minority on that and I accept the will of the majority.

Mr. MacBeth: You should think less of your privileges and a little more of your responsibilities over there.

Mr. M. N. Davison: Did you have a liquid supper tonight?

Mr. Warner: When you wake him up he gets grouchy.

Mr. M. N. Davison: I understand the minister's sensitivity on the issue and I thank him for his careful response to my concern.

Hon. Mr. Drea: I just want to make it very clear that there is no question about

trusting you. I trust you; I just don't trust the other end. Also, I will be honest with you. If we didn't have the Ombudsman and the Ombudsman legislation, I think I might be prepared to take another look at it. That is there and I think that is the proper vehicle for the inmate to use rather than the members of this House.

First of all, the Ombudsman has a full-time correctional staff. They investigate most fully and most promptly. The situation in Ottawa, for instance, was settled to everybody's satisfaction. Those charges were not true. If we were still on the old system, it probably would have taken us many months with a great deal of impact upon the community. I think, through Mr. Patterson in the Ombudsman's office and his correctional investigators right across the province, that the present system works very well.

Mr. Ziemia: I am not prepared to surrender my authority to the Ombudsman. I haven't had mail opened. I assumed that whenever an inmate wrote to me that it would come sealed, that this was the normal course of events. I know for a fact it is the case with federal institutions. Why should your officials be opening our mail? Surely to God prisoners can confide in their MPPs. That's what we are here for. I am not prepared to surrender that authority to the Ombudsman. If we have to put that into an amendment, we darn well will, but I don't believe the member for—where are you from?—

Mr. M. N. Davison: Hamilton Centre.

An hon. member: From nowhere.

Mr. Ziemia:—Hamilton Centre is in a minority at all. I think I speak for all members on this side of this House when it comes to our mail privileges. We don't want our mail opened and we are not afraid of receiving contraband from prisoners; but we are interested in their comments on the institutions and any complaints they might have.

Mr. Ashe: Did you write when you were on the other side?

Hon. Mr. Drea: I don't find it offensive. I want to make it very clear the letter isn't stopped. In many cases the letter is just scanned and the envelope goes out. I am going to state my case that I regard it as very fundamental to the security in our institutions.

Interjection.

Hon. Mr. Drea: I don't care two whits what the federal government does. They run a second-class system as far as I am concerned. It's going to remain, I want to put it to you, on the basis of security.

An hon. member: A cheap shot, Frank.

Hon. Mr. Drea: It is needed.

An hon. member: You have enough trouble with the Attorney General (Mr. McMurtry) now.

Mr. Germa: Mr. Chairman, I am a little reluctant to rise to my feet again after the rebuff I got from the minister on my first presentation when he charged me with being aggressive. Little does he know—

An hon. member: Never.

Mr. Germa: —that I am one of his greatest supporters. I don't know how many times I have—

An hon. member: You are in trouble, Frank.

Mr. Chairman: Order.

Mr. Foulds: There goes his credibility with the rest of his colleagues in the cabinet, right down the drain.

Mr. Germa: This is right from the heart. I don't know how many times I have supported this minister in his recent activities since he has taken over this very important portfolio.

An hon. member: He's trying to think of one.

Mr. Germa: All of those progressive things he's done—they know that in my riding of Sudbury.

Hon. Mr. Drea: I'll never be able to do another one.

Mr. Germa: Yes. The guys come to me and say that Frank Drea is really doing good. I say "yes, sir; that's one of the best ministers we have in Ontario." Then for him to attack me and accuse me of being aggressive—

Mr. Bounsall: He doesn't read your press releases.

Hon. Mr. Grossman: He is going to lose his nomination if you keep this up.

Mr. Germa: —I just can't understand it.

Mr. Chairman: Order, please.

Mr. Germa: As long as we have this minister in Correctional Services I can accept his word that precedent will prevail and we will have access to institutions. But is it written any place in his manual of administration or his manual of operation, so that when we lose this very good minister, this 100 per cent minister, and we get some other irrational person in his portfolio—

Hon. Mr. Grossman: For example, a new government.

Mr. Germa: —is our access going to be denied?

Let me tell you how some other ministers operate. The Burwash Correctional Institution,

which closed down some three and a half years ago—I had been used to going through that gate when—

Mr. Stong: Every day or on the weekends?

Mr. Germa: Not every day. When that institution was—

Mr. Stong: It was called intermittent serving of sentence.

Mr. Germa: —under Correctional Services there was no problem. I used to go in and out of that place, and then they closed it down—

Mr. Walker: Probably had a day pass.

Mr. Germa: —and it fell into the control of the Ministry of Government Services. You know who it was at that time, eh? It was the member for St. David (Mrs. Scrivener).

Mr. Samis: Oh, oh.

Mr. Germa: So here is this deserted institution—35,000 acres of empty land. I had reason again to go into the institution. By one means or another I had got through the gate and the word got back to Toronto here to the member for St. David's, who was the Minister of Government Services—

Mr. Rotenberg: There isn't a St. David's in this House.

[10:30]

Mr. Germa: She found out half an hour after I had entered the property that I was on her property and she made a public statement she's going to charge me with trespass; and the place is empty.

You see, we can't depend on ministerial words. I have no doubt that, as long as this minister is in that post, I will have unrestricted access.

Mr. Stong: To Burwash.

Mr. Samis: And there could be another Scrv!

Mr. Germa: I know the minister is an honourable man; I agree with him and I believe him; but what I am afraid of is that at some point in time we might get another minister like the one we had in the member for St. David (Mrs. Scrivener), and I might go into the Sudbury jail and be a trespasser—

Mr. Foulds: And he would be incarcerated and watched by the member for St. David.

Mr. Germa: Is it written in regulations, in operations, or where is it?

Hon. Mr. Drea: I understand that it is now in our manual of administration, which is binding upon superintendents. It has been there for some time. I would be very glad to file that with the Clerk of the House. That might take care of it.

However, as I said before—and we will obviously be coming back on this—if it is the feeling of the honourable members that they would prefer to see it in the ministry act, it will probably be the simplest amendment we will ever have put through. I can understand the feelings of the member for Sudbury—not completely, but I can understand his concerns.

Mr. Bounsall: He wants to be your friend.

Mr. Germa: I want to be your friend.

Hon. Mr. Drea: Oddly enough—and I know we're late—I thought it was in legislation myself until I found out it was strictly an order by Mr. Allan Grossman when he was the minister and it had carried on. So it is

up to the member. It is filed in the manual of administration, which is binding upon superintendents. We would be prepared to file a copy with the Clerk of the House; that might satisfy everybody.

Mr. Chairman: I would remind the committee, it is now past 10:30 p.m. Will there be further comments on this amendment?

Some hon. members: Yes.

On motion by Hon. Mr. Welch, the committee of the whole House reported one bill with amendment, and reported progress on two others.

On motion by Hon. Mr. Welch, the House adjourned at 10:33 p.m.

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Thursday, June 8, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 8, 1978

The House met at 2 p.m.

Prayers.

MEMBER'S ANNIVERSARY

Mr. Conway: Mr. Speaker, before the proceedings this afternoon, I'd like to draw to all honourable members' attention something I don't think should go unnoticed, that is, that yesterday was the 30th anniversary of the election to this assembly of the very distinguished and hard-working member for Stormont-Dundas-Glengarry (Mr. Villeneuve). I think we should take due note of that this afternoon and congratulate him for that.

Mr. Martel: He must be due for pension.

STATEMENTS BY THE MINISTRY

CHILDREN'S SERVICES

Hon. Mr. Norton: Mr. Speaker, I have a rather lengthy statement today. Since my statement was prepared, I understand there are a number of other statements from ministries as well. I shall attempt to abbreviate my oral statement, assuring members that there will be copies of it available to every member of the House as well as the members of the press gallery.

Later today, I will be introducing for first reading a set of amendments to reform nine acts dealing with children's services in the province of Ontario.

These proposed changes result from the Consultation Paper on Short-Term Legislative Amendments, which was released last December, and the province-wide consultation process which followed.

The amendments demonstrate my determination to honour a commitment made to this House last year when a wide range of services to children were transferred into the children's services division of my ministry, effective July 1. At that time I stated that the long-term task of the ministry, to develop an integrated and co-ordinated approach to the delivery of services to children and families, would not be done at the expense of those pressing issues which must be faced in the interim.

Mrs. Campbell: On a point of order, Mr. Speaker: We can't hear what the minister is saying. Could we turn up the volume?

An hon. member: All he does is mumble. He should speak up.

Hon. Mr. Norton: I'm sorry, Mr. Speaker; I normally don't have that problem in the House. I don't know whether it's some faulty electronic equipment or not.

Mr. Warner: There's nothing wrong with the sound system. It's a faulty minister.

Mr. T. P. Reid: We always have trouble understanding the minister.

Hon. Mr. Norton: That's not uncommon.

An hon. member: When you have nothing to say, it's hard to be heard.

Mr. Speaker: Perhaps the console operator could turn on another microphone.

Hon. Mr. Norton: I now have two microphones on, Mr. Speaker; perhaps that's better.

Mr. Nixon: It makes it twice as sensible.

Hon. Mr. Norton: Thank you very much.

In a number of areas, such as child abuse, training school closures and program priorities, those interim issues are now being addressed.

The legislative changes contained in the bills I will introduce today indicate our continuing commitment to change, when and where it is required.

The acts to be affected by the amendments are the Child Welfare Act; the Day Nurseries Act; the Children's Boarding Homes Act, to be renamed the Children's Residential Services Act; the Children's Institutions Act; the Training Schools Act; the Provincial Courts Act; the Unified Family Court Act; the Children's Mental Health Centres Act and the Children's Mental Hospitals Act, the last two to be renamed the Children's Mental Health Services Act.

The most extensive legislative amendments relate to the field of child welfare and involve a substantial redrafting of the Child Welfare Act.

Mr. Martel: Why don't you write a new one?

Hon. Mr. Norton: Mr. Speaker—

Mr. Foulds: Have you lost the place?

Hon. Mr. Norton: No, I haven't; I have got it. I am just trying to relieve members from about 10 pages of statement.

A summary of the full package has been prepared and is part of the background documentation which will be tabled in the House and delivered to all members of the House.

Some additional points should be made. First, the ministry's commitment to public consultation on proposed changes has proved to be very valuable. Not only was the response to the green paper extensive and wide-ranging—we received 226 written submissions and ministry staff held 40 meetings with interested groups across the province—but it also had a clear effect on the policy decisions that were made within the ministry.

Included in the background documentation is a paper discussing the changes that were made as a result of the consultation process.

In addition, I would like to advise that a great deal of work is proceeding within the ministry to complement the changes contained in the legislation introduced today.

In the area of children's rights, a paper on advocacy is to be released which will deal with such issues as a child's rights in residential care, outside the parental home.

Regulations, rules of practice and procedure, and program guidelines are now being prepared to enable implementation of both the legislative changes and their underlying principles.

Residential care standards are also being developed which will set standards for the organization, management, funding, programs and the facilities' responsibility to the community. These proposed standards will be released later this summer.

Finally, work has begun on omnibus legislation which will bring together all the laws relating to children's services and will establish one co-ordinated approach to the provision of assistance to children and families with special needs.

I am asking for the co-operation of the members of this House to agree to have these bills receive second reading before the House rises for the summer recess. I do this so that these important bills may be referred to the standing committee on social development for members' scrutiny before the House reconvenes in the fall. It is my hope that these bills will receive third reading during the early part of the fall session.

In conclusion, I would like to acknowledge the tremendous amount of work that has gone into the preparation of this legislation over the last eight months or so on the part both of my ministry staff and the legislative counsel. It represents many months of long

days of work. On many occasions staff literally worked throughout the night in order to meet deadlines we had established. I would like to acknowledge the tremendous effort they put into it to make it possible for me to meet the commitment I made to this House to bring in the legislation during this session.

Mr. Nixon: It should have been in by May 1.

DISCRIMINATORY BUSINESS PRACTICES BILL

Hon. Mr. Davis: Last fall I introduced into this House An Act to prohibit Discrimination in Business Relationships. This legislation, as you will recall, Mr. Speaker, was intended to "make it clear, in so far as Ontario was concerned, economic boycotts which prejudiced citizens of this province by virtue of their ethnic background, religious affiliation or freely expressed views will not be tolerated by this Legislature and the people of Ontario." Today I wish to reintroduce that bill in a slightly amended form.

Mr. Roy: I thought that had been vetoed.

Hon. Mr. Davis: While it is not necessary for me to repeat all I said upon introduction of the bill on the previous occasion, I do believe there are two major points that could stand repetition for purposes of emphasis.

First, there is no question that the desired objectives of this bill would be more directly attained by legislation aimed at trade and commerce, foreign trade, shipping, money and banking or criminal law. These areas are, however, within the competence of the government of Canada, and it is only at that level that legislation in this form could emanate. Since, however, the federal government does not seem willing to undertake a legislative approach to the issue and since this House may deal with matters of property and civil rights, we have attempted to address the problem from that particular point of view.

Secondly, I indicated at the time of original introduction that the legislation such as has been introduced would have impact upon and create concern within the business community. It is for that reason we tabled the bill, prior to the House proroguing, so as to give members of the business world and others who might be interested ample time to put forward constructive suggestions.

With the passage of time and the opportunity to reflect upon the comments we have received, I am again introducing this legislation in a form very similar to that which you saw last fall, Mr. Speaker, but with a number of changes that reflect the discussions that

have been held and the opinions that have been forthcoming. In saying that, however, I do not want to deceive anyone in this Legislature into believing that the concerns of the business community have been answered or even diminished.

Many people see the expansion of wealth and the demands of goods and services in the Middle East as creating a large potential market for Canadian industry which may be adversely affected by legislation of this kind. We are fully aware of these circumstances. Nevertheless, it is my belief that Ontario cannot allow fears of this kind to stand in the way of our offering a clear indication of our abhorrence of discriminatory practices in business that are related to the ethnic origins or religious affiliations or particular views of people who live and work within our province.

In fairness to the business community, however, it is my belief that those who have concerns should have an opportunity to discuss them with members of this Legislature before any legislation is finally approved. For this reason I would suggest that when this bill is given second reading, going back to the observations made by the members opposite at that time, on the assumption that it is approved by this House, I think this bill should be referred to a committee of the Legislature where an adequate exchange of views and a full hearing of concerns can be conducted.

Finally, despite what I regard as a sound and appropriate effort by this province, to deal directly with this situation, it must surely be obvious to all concerned that the matter would be more properly and more adequately handled if the federal government were to follow our lead and introduce legislation that would apply on a national scale.

The Prime Minister and other members of his cabinet have already indicated their concern about discriminatory business practices of the kind we are trying to overcome. I have no reason to doubt the sincerity of their convictions. On the other hand, the measures they have taken to date which fall short of the introduction of legislation, are clearly not satisfactory to those who wish Canada to take a firm stand on this position. I would, therefore, once again commend to the Prime Minister and the government of Canada the notion that federal legislation would be a much better approach if Canadians are to show a truly national concern in regard to this matter.

Last fall when I brought forward the original bill, I said I was proud of what it

represented and of the leadership by this province that it reflected. I remain of that mind, and I trust that that feeling is shared by all members and all parties in this House. [2:15]

HEAVY WATER PRODUCTION

Mr. Conway: Here it is.

Mr. Bradley: Here it is.

Hon. Mr. Baetz: Mr. Speaker, I hope the members of the opposition have received a copy of this statement. I know there was a last-minute delay because of a typographical error which has been corrected. I gather the members have received a copy.

Mr. Deans: It just arrived.

An hon. member: You made a ministerial error.

Hon. Mr. Baetz: Later today, in accordance with my promise to the Legislature, I will be tabling a statement on heavy water production and marketing and the urgent need for a national heavy water policy.

Mr. Bradley: Passing the buck.

Hon. Mr. Baetz: I would, however, in the interests of brevity, mention the key points of this statement now to the Legislature. The essential facts are these:

1. Ontario Hydro's forecast of demand for heavy water is based upon its forecast of the growth in demand for electricity. Hydro's annual electricity demand forecasts were reviewed and accepted by the Ontario Energy Board in 1974 and by the select committee and the Legislature in 1976.

2. Up to the end of 1977, Ontario Hydro's annual reviews of its demand for heavy water confirmed the necessity of the Bruce heavy water plants now owned or under construction by Ontario Hydro and, until 1976, of one additional heavy water plant. This fourth plant, known as Bruce heavy water plant C, was cancelled when the Treasurer's (Mr. McKeough) capital constraint program in January 1976 led to a reduced need for heavy water for Ontario Hydro.

Mr. Conway: That's an interesting statement.

Hon. Mr. Baetz: 3. There has been an unexpected sharp reduction in the forecast growth in demand for electricity in Ontario for the period 1978 to the end of the century which has implications for Ontario Hydro's own demand for heavy water and its ability to sell heavy water to the rest of Canada and abroad.

4. In January 1978, the federal government announced it was proceeding with the

construction of the Atomic Energy of Canada Limited La Prade heavy water plant to meet Quebec and export market requirements.

5. Ontario Hydro advised me in April of this year that its sharply lower load forecast for electricity would involve considerable revision to the amount of heavy water Hydro would require. Even though Hydro's analysis of the implications was not complete and Hydro had not made any recommendations to me, I immediately initiated a review of the implications of the lower load forecast and the reduced need for heavy water. I felt this was particularly important in light of the federal government's decision to continue the construction of the La Prade heavy water plant.

6. My ministry's preliminary—and I should stress "preliminary"—assessment suggests that Canada has committed heavy water plant capacity which exceeds the current domestic and export forecast demand.

7. The Ontario Hydro Bruce heavy water plant D will be able to meet all of the demand that the La Prade plant is designed to supply and will do it more reliably and at a much lower cost.

8. The AECL La Prade plant is estimated to cost \$1.5 billion, which is more than twice as much as the Bruce heavy water plant D even though the La Prade plant has an expected capacity of 22 per cent less than Bruce D. The D plant is expected to cost \$650 million, as compared with \$1.5 billion for La Prade.

An hon. member: What's that got to do with it?

Hon. Mr. Baetz: 9. I have on several occasions discussed this matter with the federal Minister of Energy, Mines and Resources.

Mr. Conway: This is the domino theory.

Hon. Mr. Baetz: I also wrote a letter to him on May 29 calling for a comprehensive, integrated federal-provincial program for the future production and marketing of heavy water.

Mr. Bolan: Trouble, Reuben.

Hon. Mr. Baetz: In summary, I have urged the federal government:—

Mr. Bradley: You're the greatest buck-passer when you don't know.

Mr. Mancini: Same old line.

Hon. Mr. Baetz: —1. that there is a clear and urgent need for a comprehensive, integrated federal-provincial program for the future production and marketing of heavy water;—

Mr. Bolan: Why do you have to run to them to bail you out?

Mr. Kerrio: Your country cousins.

Hon. Mr. Baetz: —2. that an early start be made by federal and Ontario officials to verify the status of the heavy water supply/demand situation;

3. that the federal government, on an urgent basis, reconsider its decision to proceed with the construction of La Prade, since Bruce D will be able to meet all of the demand that La Prade could satisfy and will do so more reliably and at much lower cost;

4. that in any event the considerably cheaper heavy water expected to be produced by Ontario Hydro should not be excluded from either domestic or export markets as a result of a monopoly supply situation which might be assumed by AECL or conferred on it by the federal government.

The federal minister has not yet responded officially to my May 29 letter. But he has indicated to me informally at least, as late as of last Saturday, that he agrees that our officials should get together as quickly as possible to co-ordinate heavy water production and marketing in Canada. I intend vigorously to follow up this matter with him.

This change in Ontario Hydro's heavy water supply situation, given the very attractive cost advantages which Ontario Hydro has over AECL plants provides it with an opportunity to market any surplus production it may have, thus providing a savings to the Ontario electrical consumer. Also, to the extent that this cheaper cost will lower the selling price of the Candu reactor in the export market and thereby enhance its sales potential, it will benefit all Canadians.

I should also like to assure this House and the public generally that our government has no intention of allowing the federal government's decision to continue with respect to the construction of its expensive La Prade heavy water plant to jeopardize not only the more than 4,000 man years of employment involved in the construction of heavy water plant D at Bruce but also to jeopardize Ontario's heavy water industry.

We will not rest until this country embarks upon a sound, rational federal-provincial program encompassing the production—

An hon. member: You will be resting after the next election.

Hon. Mr. Baetz: —and marketing of heavy water in Canada and abroad.

Mr. Nixon: Even though you are the one who overbuilt.

Hon. Mr. Baetz: And if the result is a choice between cancelling Bruce D or La Prade, we believe it will be in the best interest of all Canadians to continue Bruce D.

Mr. Nixon: The attitude of this statement is certainly designed to get agreement.

Mr. T. P. Reid: The minister must be gratified with the letter to the editor in the Star today.

Hon. Mr. Baetz: I would anticipate, and do urge, that on this position we stand as one in this House.

Mr. Breithaupt: You have given them 10 days to clean it up. You are very good.

Hon. Mr. Baetz: By the time the select committee begins its hearings this July, I would expect that Ontario Hydro's analysis will be complete, that the Hydro board will have considered this matter—

An hon. member: Same old story.

Mr. Nixon: Your great planning of the last decade.

Hon. Mr. Baetz: —and will have advised me of its views, and that further discussions will have been held with the federal government.

Mr. Foulds: We will fight them on the beaches. We will fight them in the heavy water.

Mr. Nixon: Monumental debacle of Ontario Hydro.

Hon. Mr. Baetz: In the meantime, I shall advise the House of any significant developments as they occur.

Mr. Lewis: What an unnecessarily belligerent statement this is.

Mr. Nixon: What a paper tiger the minister is.

Mr. Foulds: Why is he so full of bombast?

Mr. Nixon: The minister is a phoney.

Mr. Speaker: Order.

An hon. member: Must be private members' afternoon.

Mr. Lewis: How can you get a promise with a statement like this?

Mr. Foulds: And you wrote the letter only seven days ago. You don't even answer your letters in seven days.

An hon. member: We've got a jerk for a minister.

YOUTH EMPLOYMENT PROGRAM

Hon. Mr. McKeough: Mr. Speaker, last Thursday I made a statement in the Legislature concerning the extensive participation by employers in the 1978 Ontario Youth

Employment Program. A projection of the number of participants and jobs was also provided and the cost in 1978-79, if the program remained open-ended, was estimated to amount to \$55 million, some \$38 million over the 1978 budget figure. Reluctantly, I announced that the government could not afford this large increase and, therefore, was placing a lid on the OYEP funding by establishing that applications postmarked after midnight that day, June 1, would not be processed.

It has been brought to our attention that the enforcement of this immediate cutoff date would deprive unfairly a number of employers of participation in the program who had requested application forms, particularly during the latter part of May. To alleviate this unfavourable situation I am pleased to advise that the government has decided to change the June 1 deadline date as follows:

An hon. member: A flip-flop.

Hon. Mr. McKeough: First, for those employers—approximately 3,500—who in the latter part of May had officially requested application forms but had not been sent them, such forms will be forwarded by mail on or before next Monday.

An hon. member: That's a great come around.

Hon. Mr. McKeough: Completed applications in this group which are received by the ministry or postmarked on or before June 26 will be scrutinized and if approved, funds will be committed.

Second, for all other employers, and in particular to accommodate those to whom applications were forwarded in the latter part of May but would have had no reasonable time to complete and mail them by the cutoff date of June 1, the deadline has been extended three more days. Applications from employers in these categories received in the ministry or postmarked June 4 or prior will be scrutinized and, if approved, funds will be committed.

We believe this will provide an opportunity for participation to those who have indicated a sincere desire to take advantage of this program to provide meaningful jobs for our youth but through unfortunate time constraints were deprived of this opportunity. The estimated additional funding requirements to accommodate these changes will be approximately \$5 million.

Full implementation of the Ontario Youth Employment Program will now cost approximately \$25 million and will create well over 40,000 new jobs, an increase of more than

10,000 over what was originally planned for in my budget of March 7.

PROPERTY TAXATION

Hon. Mr. McKeough: Mr. Speaker, members will recall that in January of this year I laid out a series of proposals for reforms of the property tax system to take effect with the introduction of market value assessments.

These proposals were subsequently reviewed by a committee of local government elected officials which reported in mid-April. The committee recommended implementation of market value assessment and property tax reform, along substantially the same lines as proposed in January, to take effect in 1979.

The government has now reviewed the committee's report, as well as the public response to both the report and the January proposals. After due consideration of all the issues involved, the government has decided not to present tax reform legislation to this House in the current session. This means that property tax—

Mr. Laughren: Darcy backs off again.

Mr. Swart: The fourth postponement.

Mr. Conway: Is your name Jarvis?

Hon. Mr. McKeough:—this means that property tax reform will not be implemented in 1979.

Mr. Breaugh: Twice in one session. Three times in one session.

Mr. Laughren: California scaring you? Did California spook you, Darcy?

Mr. Speaker: Order. Honourable members are just wasting time by interjecting.

Hon. Mr. McKeough: In coming to this decision, the government has taken three factors in particular into consideration.

First, notwithstanding extensive documentation of the gross inequities of the existing property tax system, support for tax reform has been less than overwhelming. The 15 elected local government representatives who reported to cabinet in April—

Hon. Mr. Davis: Including you people.

Hon. Mr. McKeough:—produced between them not only a consensus report but also 10 dissenting opinions. While many local governments and local government associations have supported reform, others have been opposed.

A large number of school boards, as well as some municipalities, are calling for more data and analysis before any changes are made.

Mr. Bradley: What we need is another committee.

Hon. Mr. McKeough: In Metropolitan Toronto a number of boroughs have requested new data, while the city has gone on record as opposing market value assessment. In light of the substantial amount of data and analyses generated, and particularly that supplied to Metro municipalities, I cannot agree more analyses are needed. Instead, I believe many local politicians have not yet realized the need for moving on reform. For them, tax equity may be something devoutly to be wished for, but perhaps not worthwhile if the cost is decreased grants, or an increased portion of shared costs, or incurring the wrath of those taxpayers who are presently paying less than their fair share in taxes.

While local governments have been ambivalent in their reaction to tax reform, very few taxpayers have made their response to the January proposals known.

Mr. S. Smith: Government has come to a halt.

Hon. Mr. McKeough: Doubtless this reflects in part the complexity of the property tax system. But even allowing for that factor, I am left with the impression that many taxpayers are more concerned about the possible impact of reform than they are about existing inequities.

Mr. Laughren: You don't have the courage, Darcy.

Hon. Mr. McKeough: The second factor in the government's consideration of the committee's report was the number of areas in which more work is required before a fully equitable system can be implemented.

Mr. Laughren: Ten years isn't enough.

Mr. Swart: Paper tiger.

Mr. Martel: How long, O Lord, how long?

Hon. Mr. McKeough: I would like to take this opportunity to compliment the local government politicians who reviewed the January proposals on doing a very good job within the time available. Having said that, I must also note that they left some of the more difficult problems to be resolved by the province. I am referring to the impact of reform on vacant land, on small businesses and on land-intensive recreational properties. The committee was not able to come up with complete answers in these areas, and neither have we in the time since the committee reported.

[2:30]

I must also say I do not find the committee's proposed treatment of Metro Toronto entirely satisfactory. A phase-in of up to 10 years appears inordinately long—

Mr. Martel: It is going to take three more decades, Bill, three more decades.

Hon. Mr. McKeough:—and the proposed treatment of commercial properties could add to the current uncertain business outlook. This is therefore another area in which more work is required.

Mr. Cassidy: That's a flip-flop. You promised to protect the property taxpayers.

Hon. Mr. McKeough: The third reason I am not prepared to proceed with property tax reform legislation at this time, is simply because the province cannot afford it on the terms suggested by some people. Under the committee's proposals, the province would pay an additional \$330 million in payments in lieu of property taxes at 1977 mill rates.

The committee did not support the idea of a dollar for dollar reduction in grants to finance this increase; although it agreed with budget paper B which outlined additional tax credit relief for senior citizens for 1979. Moreover, the committee called for additional provincial outlays for tax credits for businesses and in respect of land-intensive property. The overall 1979 cost of reform to the province would therefore be over \$400 million if there were no reduction in grants. Given the goal of a balanced provincial budget by 1981—

Interjections.

An hon. member: Dream on, dream on; it's getting closer.

Mr. Laughren: You are being provocative again.

Mr. Breithaupt: 1984 is more like it.

Hon. Mr. McKeough:—I could not support such an outlay of over and above our normal transfers to local government unless there was a more solid commitment to reform. This is especially the case since the very process of reform could conceivably weaken business and investor confidence in Ontario.

Interjections.

Mr. Nixon: You won't be here then, Darcy.

Hon. Mr. McKeough: While I do not intend to introduce property tax legislation in this session—

Mr. Laughren: No courage Darcy.

Hon. Mr. McKeough:—my ministry will continue to work on the issues I have referred to today.

Mr. Cassidy: You are the Howard Jarvis of Ontario.

Hon. Mr. McKeough: Specifically, we will be trying to find solutions to the most critical

property tax inequities in a number of municipalities.

LOCAL GOVERNMENT REVIEWS

Hon. Mr. McKeough: Upon releasing the government's white paper on the review of local government in Metropolitan Toronto, I invited all councils and interested persons to submit their response by the end of May. While there was a limited time to examine and comment, the issues and proposals in the white paper were not new and had been debated many times previously.

I felt then, as well as now, that something could be done to provide necessary reform to the system of local government in Metropolitan Toronto, particularly to improve the system of representation and accountability in time for the elections this November.

Mr. S. Smith: You need help from Joe Clark.

Hon. Mr. McKeough: It will be of interest to the members opposite that the reactions to both the Roberts report and the white paper indicate a much larger consensus exists in favour of direct election to Metro council than I expected there would be.

It is obvious, however, that the municipalities wish more time to study the proposals and their implications.

Mr. Nixon: We are not going to do anything about that either.

Hon. Mr. McKeough: In fact, only two municipalities have thus far advised me that they have entertained the possibility of providing for new wards and electoral arrangements for use this fall. I might add that my hope that reforms to the representation system could be done now was confirmed at least by the borough of Etobicoke, which sent me last week a number of alternate ward revisions under consideration by the council.

Nevertheless, the government will not be introducing legislation to provide for these changes at this time. We are proposing instead to extend the deadline for submitting comments on the white paper to December 31, after the municipal elections this fall. After that time, we will undertake to discuss the proposals and the municipal reactions with each of the councils before proceeding with the appropriate legislation.

Mr. Laughren: On a point of order, Mr. Speaker: The Treasurer, when he made his announcement, did not send copies to this party. We would appreciate that.

Mr. Speaker: Can that be attended to in keeping with the provisional orders?

Mr. Martel: Is it the Treasurer's intention to send copies of his statements to this side of the House so that we can see what's in them in the event we want to ask a question?

Hon. Mr. McKeough: I apologize that they were not sent. I believe they are being sent now and the members will have them in about 30 seconds. The attention paid by the members in not listening to the statements indicated to me their high degree of interest.

Mr. Martel: Maybe the Treasurer would like us to reply verbatim to what he said in his statement.

Mr. Hennessy: Good idea.

Mr. Martel: We were listening as he opted for his second decade in bringing in tax reform.

Mr. Mackenzie: The Treasurer is brave only with the wisecracks.

Mr. Speaker: The Minister of Education.

Mr. Warner: More delaying tactics.

METRO SCHOOL BOARD

Hon. Mr. Wells: Mr. Speaker, coincident with the release of the government's white paper on local government in Metropolitan Toronto in early May, to which the Treasurer has just referred, there was also released a second white paper dealing specifically with matters related to the structure and organization of education systems within Metro.

Members will recall that the essential thrust of this paper was that a two-tier system ought to be retained, consisting of six area school boards and the Metropolitan Toronto School Board. In addition, there were proposals intended to strengthen the powers and authority of the Metro board.

As I said at the time, there is no doubt that the Metropolitan Toronto School Board has served education extremely well over the past 25 years. It has ensured Metro-wide equity in taxation for education, and it has ensured equality of educational opportunity throughout the Metropolitan Toronto area.

There have been some concerns expressed that the Metro school board is rather remote from the citizens of the Metro area. However, while I do not doubt the sincerity of those expressing such views, and while I fully acknowledge that certain steps could possibly be taken to make the board somewhat more directly accountable to taxpayers, my own view is that the two-tier system represents the best structure upon which to build improvements.

Mr. McClellan: You're wrong.

Hon. Mr. Wells: We originally asked for reaction to the white paper to be in our hands

by the end of May. But clearly there is a need for an extension of this deadline. To date we have received briefs from only two area boards, while several others have requested that they be given more time to respond to our proposals.

Mr. Warner: You knew that was going to happen.

Mr. Foulds: How about December 31?

Hon. Mr. Wells: Similarly, while we have heard from some of the teacher organizations, others have yet to submit their reaction.

The government will not be introducing any legislative changes at this time. This means that the election of school trustees will proceed in November on precisely the same basis as in the past, and the Metro school board will continue to exist in its present form.

We are extending the deadline for submitting comments on the education white paper to December 31, 1978. This will allow us to have the full views of elected school trustees, including those who may be newly elected in November, as well as teachers, interested parents' groups and other citizens who may have views to present.

Mr. Speaker: The Minister of Consumer and Commercial Relations.

Mr. Conway: It being 6 o'clock—

Mr. Breaugh: Thursday again!

LIQUOR LEGISLATION

Hon. Mr. Grossman: Mr. Speaker, since the announcement two weeks ago about raising the drinking age to 19, I have had an opportunity to receive extensive input from educators, parents and students. These responses, though generally supportive, have had one constant theme; that is, concern about the effective date of September 1, 1978.

Mr. Conway: Clean up the high schools.

Hon. Mr. Grossman: It has been pointed out that the key date for school—

Mr. Conway: You didn't know that before, eh?

Hon. Mr. Grossman: —enrolment is December 31 each year the object being that all children born in the same year would pass through the school system as a group. A September 1 date then would have the effect of splitting and dividing the group of students born in 1960 into two categories, although they generally as a group have gone through the system together and are for the most part in the same grade.

Upon reflection, we think this point is well taken and in order to accommodate a

reasonable and sensible phase-in of the change in the drinking age, I would like to inform the House that I will be moving an amendment to section 2 of Bill 96 to change the effective date of the new legislation for drinking age purposes to December 31, 1978.

All persons aged 18 on or before December 31, 1978, will maintain their right to consume alcohol. Those turning 18 in 1979 will not.

ORAL QUESTIONS

HEAVY WATER PRODUCTION

Mr. S. Smith: A question for the Minister of Energy: Accepting the fact that it would make common sense for the federal government not to proceed with the La Prade matter at this time—and we can support the minister in that—let's look at the matter of how we ended up with this so-called unforeseen surplus of heavy water in Ontario.

First of all, can the minister back up his statement—number four of his key points—which suggests that a sharp reduction in the forecast growth in demand for electricity is the reason for the diminution in the demand for heavy water. Surely the minister must realize that the diminution in growth and demand can only result in a need for less heavy water if fewer nuclear reactors are to be built. The need is per reactor.

That being the case, will the minister, realizing there has not been a single nuclear reactor cancelled since the plan of 1975-76, explain to us why it wasn't perfectly obvious then that we would have a surplus of heavy water now? Why did it take until 1978 for him to be able to find out that we have too much heavy water—

Mr. Speaker: The question has been asked.

Mr. S. Smith: —coming on stream for the number of nuclear reactors that we have?

Hon. Mr. Baetz: Thank you very much for the speech.

Mr. Roy: Oh God forbid; don't give us one back.

Hon. Mr. Baetz: As I indicated in my statement, I made it clear that Ontario Hydro, in its submission of April 12, in its letter to us at that time, simply stated there were likely implications for the use and future use of heavy water in light of the revised forecasts. Ontario Hydro, at that time, did not make specific recommendations. They are now undertaking a detailed study of this. We will, in due course, be having the results of that study, and I suspect of the recommendations. This is not the time to get in-

involved in the nitty-gritty details of hair-splitting.

Interjections.

Mr. S. Smith: Three quarters of a billion dollars?

Mr. Nixon: It's not a detail.

Hon. Mr. Baetz: We have acted—

Mr. T. P. Reid: What's a billion dollars?

Hon. Mr. Baetz: Do members want me to answer this?

Mr. Riddell: Not unless you are doing better than you are now.

Mr. Martel: The Premier should replace some of those fellows. They're getting him in trouble.

Hon. Mr. Baetz: We have acted in a prudent fashion—

Mr. Breithaupt: Poppycock.

Hon. Mr. Baetz: —on the basis of the possible implications coming out of that realized forecast.

Mr. Nixon: Thoroughly incompetent.

Hon. Mr. Baetz: We do not, and you do not, have the details of that forecast, and therefore there is no argument on it at this particular point.

Interjections.

Hon. Mr. Baetz: We have simply taken some necessary, prudent steps—

Mr. Roy: You make statements, then studies.

Hon. Mr. Baetz: —for the future production and the future use of heavy water both in Ontario and abroad. That's all we can do at this particular time. We cannot become engaged here in a detailed argument on data which is, as yet, nonexistent. Members don't have it. I don't have it.

Interjections.

Mr. S. Smith: By way of supplementary: Does the minister not recognize there are two basic matters that are at question here, apart from federal government policy, that have to do with the planning that has gone on in the offices of Ontario Hydro?

The first question, by way of supplementary, is this: Is the minister prepared to recognize that the need for heavy water is directly proportionate to the number of reactors planned between now and, let's say 1990? Is he prepared to accept that, since that number has not changed, in point of fact the imminent surplus must have been known to officials at Hydro, or should have been known to them, as far back as 1975-76? That being the case, will the minister explain to us by what reasoning he is able to accept

that the surplus was unknown until just this past April?

The second point is, does the minister not recognize that the agreement between Hydro and AECL is absolutely crucial to these matters? Would he, therefore table this agreement; and would he confirm the fact that getting out of the pool arrangement was a mutual decision of Hydro and AECL; and would he table the reasons Hydro recently got out of that pool arrangement?

Hon. Mr. Baetz: To answer the second question first: The reason Ontario Hydro was in agreement to have the pooled agreement terminated at the end of December was that under that agreement both the cost and the price of heavy water production and marketing here in this country was pooled. Ontario Hydro was able to produce heavy water on a far more economical basis than the other partners—

Mr. Nixon: You wanted out when it was to your advantage.

[2:45]

Hon. Mr. Baetz: I'll just give you a record of some bummers. The AECL Glace Bay heavy water plant was originally designed to have 54 kilograms of heavy water per hour. Glace Bay has never produced at more than 11 per cent of its capacity over all the years.

Mr. Nixon: You are blaming Trudeau for that.

Hon. Mr. Baetz: In 1977 it produced 14 per cent. In other words the cost of heavy water produced by Glace Bay is very expensive in comparison to the cost of the heavy water produced by Ontario Hydro.

Mr. S. Smith: Tell us all about the problems at Glace Bay.

Hon. Mr. Baetz: For example the Port Hawkesbury heavy water plant—another bumper—in 1971 produced at 15 per cent of its capacity; in 1976 it produced at 26 per cent.

Mr. Bradley: Is that parliamentary language?

Hon. Mr. Baetz: If members compare these figures of production percentage of capacity with Ontario Hydro we are a winner here. We were very efficient, very efficient in spite of all—

Mr. S. Smith: The government is jeopardizing a \$600 million plant.

Hon. Mr. Baetz: —the ridicule members try to heap on Ontario Hydro. We have in this country the finest, most efficient heavy water plant in the world. Why aren't members proud of it for a change?

Mr. Laughren: Masters of propaganda.

Hon. Mr. Baetz: So there was no point at all for Ontario Hydro to continue in a situation where it was a partner with two losers.

Mr. Roy: It's the minister who is incompetent.

Ms. Gigantes: There isn't any heavy water at the AECL plant.

Hon. Mr. Baetz: It was for their own benefit that on December 30, 1977, they terminated this agreement. But we're saying that's the past, let look at the future and develop an integrated, comprehensive federal-provincial heavy water program. That's what we're doing; we're being positive here, looking forward, not carping about the past.

Mr. S. Smith: What about the first part of the question?

Mr. Cassidy: Supplementary: Would the Minister of Energy not agree that what Ontario Hydro may be winning on the drafting table with its engineering, it is losing on the negotiating table? Can he explain why it is that he is making this statement today, five months after the AECL decided to resume work on the La Prade plant; and why Ontario was not making these representations to the federal government in view of the fact that the surplus capacity for heavy water would and should have been anticipated long before that decision to recommission the La Prade plant?

Mr. S. Smith: Two and a half years ago.

Mr. Breithaupt: Not 10 days ago.

Hon. Mr. Baetz: We were not advised by Ontario Hydro there were possible implications for heavy water production until April 12, not December 31.

Mr. Gaunt: They've done it to you too.

Hon. Mr. Baetz: The decision by the federal government to embark and to continue, or resume or whatever you want to call it, at the La Prade plant—

Mr. Warner: Why don't you bring Ontario Hydro under public control?

Hon. Mr. Baetz: —was a unilateral decision taken by the federal government. They did not come to us and ask us about what we were doing here in the way of heavy water in Ontario.

Mr. Lewis: How can you accept that behaviour from Ontario Hydro?

Hon. Mr. Baetz: No consultation; they simply go ahead spending \$1.5 billion of Canadian taxpayers' dollars to build a plant we are convinced is not necessary.

Mr. S. Smith: Of course it's not necessary, that's not the question.

Hon. Mr. Baetz: There was no consultation; it was only after we had heard and only after we knew there were some implications for this that we took the steps required, and that's what we're doing today.

Mr. Cassidy: There's sure a lot of sawdust down at Ontario Hydro.

Mr. Warner: Who's in charge over there?

Mr. Kennedy: Go ask Trudeau.

Mr. Speaker: Order. Before I recognize the member for Halton-Burlington (Mr. J. Reed) with a supplementary, surely when you take the time of the House to put a question to a minister, you should be courteous enough to allow him to reply. You may disagree with it and you can express that disagreement when you next get the floor, but to continually barrack and interrupt while he's trying to make a statement and give a response to a legitimate question is an abuse of the question period, and it's a waste of time.

Mr. Warner: Listen to that; listen to that over there.

Mr. J. Reed: Supplementary: I wonder if the minister could tell us how his ministry could be so irretrievably incompetent—

Mr. Nixon: Nice phrase.

Mr. J. Reed: —as to allow a totally uncoordinated building program to take place between reactors committed and heavy water plants committed?

Mr. S. Smith: He doesn't even know what you mean.

Hon. Mr. Baetz: Mr. Speaker, may I first of all thank you, sir, for asking for some—

Mr. S. Smith: Protection.

Hon. Mr. Baetz: —sanity and just a little decorum.

Mr. Warner: Answer the question. Quit trying to be so provocative.

Hon. Mr. Baetz: There they go again, you see.

Interjections.

Hon. Mr. Baetz: First of all, I do not accept the fact we were—irretrievably, I believe was the suggestion—incompetent. We were totally competent. We have done exactly—

Mr. S. Smith: It may yet be retrievable.

Hon. Mr. Baetz: —what we set out to do. As soon as we had the slightest indication there might be a surplus of heavy water we did the prudent thing, we began negotiations

with the federal government. We have done all we can until we get the final statistics from Ontario Hydro; then we shall see, and the select committee can see. The statistics will all be available to you when the select committee meets this summer.

In the meantime, what we have tried to do is at least get on course a rational plan, a federal-provincial plan, for heavy water marketing and production both in Canada and abroad. That is what we think we have to do and that is what we are doing. I realize that perhaps the Leader of the Opposition is more interested in casting scorn here. I wish he would support us in our approach to the federal government. Will he do that?

An hon. member: Did you ever talk to Trudeau?

Mr. S. Smith: Oh come on. You are so incompetent.

An hon. member: You blew your cool.

Hon. Mr. Baetz: We are doing what we have to do; we have taken the prudent step.

Mr. Lewis: Get rid of him, bring Elgie in. Try another, give us a shift.

Hon. Mr. Davis: In response to that interjection from the member for Scarborough West, I would only say that you people made a change and look where it has led you.

Mr. Lewis: That finishes the member for York East. I was afraid he would get into the cabinet.

Mr. Martel: We didn't have enough money to lead in 115 ridings, Bill. We didn't have enough money. You spent \$50,000 per riding.

Mr. Speaker: Order.

Mr. Deans: I would like to ask the minister a supplementary question too, if I may. I don't want to dwell on the incompetence of the minister or of Hydro. I have thought they were incompetent for years. I want to ask something else.

Mr. Peterson: There is the whole matter right there.

Mr. Lewis: That's right.

Hon. Mr. Davis: You ask one, Stephen.

Mr. Deans: Since Hydro obviously knew enough to get out of the pool in 1977 surely it must have become clear to the minister in the interim, between I think February of 1977 and this date, that there was going to be overproduction of heavy water. What does the minister propose to do now aside from bleating at the federal government? What does he propose to do now with the \$409 million additional dollars, at least—

Mr. Bolan: Join Jim Taylor.

Mr. Deans: —that he intends to spend completing a project for which there is no need, neither now nor in the projected future? Does he not believe that in Ontario there are other projects which are much more worthwhile and which would create an answer to many social needs? Perhaps, he could talk to the Minister of Consumer and Commercial Relations (Mr. Grossman) about housing and find that \$409 million used on that would be a better expenditure.

Hon. Mr. Baetz: Mr. Speaker, the honourable member is making the same mistake that has been made about three or four times across the road. He is making assumptions that there is data available. This is not yet the case.

Mr. MacDonald: Sure it is.

Hon. Mr. Baetz: The studies, the analyses have not yet been completed by Hydro. I have said this three or four times, we are waiting.

Mr. S. Smith: How can you be so stupid?

Mr. Deans: I don't believe that.

Hon. Mr. Baetz: The member may not believe it, but he must—

Mr. Deans: Hydro hasn't told the truth in years.

Hon. Mr. Baetz: —at least wait until the data has come and then we can debate that.

Interjection.

Mr. Speaker: Order, the member for Wentworth doesn't have the floor.

Hon. Mr. Baetz: Until such time, there is no way members can make any conclusions, they can only do what we have done so far—

Mr. Lewis: Sure, and look where it leads you.

Hon. Mr. Baetz: —and that is to begin our negotiations with the federal government. That's a reply to one other aspect of the member's question, which is simply what are we going to do with the heavy water.

Mr. Foulds: Why didn't you start those earlier?

Hon. Mr. Baetz: We are being positive on this side of the House. We are saying there is an export market, and we want it on the export market; but that side is so defeatist.

Mr. Deans: There is not an export market.

Hon. Mr. Baetz: Members opposite say there is no market at all for heavy water. Why not try to export some heavy water? That is what we think we can do. There is an export market, and we are saying here

in Ontario we want Bruce D to participate in the export of heavy water.

Mr. Deans: What are you going to use it for—irrigation in Saudi Arabia?

Hon. Mr. Baetz: We don't want La Prade to corner the market on heavy water going out of this country, can't members see that?

Mr. Deans: No.

Hon. Mr. Baetz: No; they don't want to see it, that's why. Why don't they turn their guns; why don't they support us in going to the federal government instead of harping here all afternoon?

Interjections.

Mr. Speaker: Final supplementary; the Leader of the Opposition.

Mr. S. Smith: A two-part supplementary; and would the minister please try to respond to it.

First of all, will the minister table the agreement between AECL and Hydro? Would he table, in writing, any of the reasons the pool agreement has been terminated and any documents and correspondence related thereto? That is the first part; will the minister table the agreement and the subsequent correspondence? Has he got that now? Okay.

Hon. Mr. Baetz: I don't need the member to turn on the sarcasm.

Mr. S. Smith: The second part: Since the minister missed it before, I'll take him through this one slowly. Since he knows there have been no reactors subtracted from the plan since 1976—

Hon. Mr. Baetz: The Leader of the Opposition doesn't have to adopt that manner. Get off his sarcasm.

Mr. S. Smith: Since the minister knows there are the same number of reactors anticipated now as there were in 1976, on what new information does he imagine Hydro was able to calculate a reduced need for heavy water now? And on what information that was not available to them two years ago does the minister think they could have done that? What conceivable information could they have now, in 1978, that they didn't have in 1976? Has the minister called them on the carpet to find out why they didn't tell the ministry this at the proper time, two years ago?

Mr. Deans: They are incompetent.

Hon. Mr. Baetz: In response to the first question—are we ready to table the agreement—of course we are prepared to table the agreement any time the member wants it, he was after it last night.

Mr. Nixon: Why couldn't we get it then?

Hon. Mr. Baetz: The Leader of the Opposition and his supporters tried to filch it out of Hydro last night in a clandestine manner.

Mr. Nixon: The minister wouldn't give it to us last night.

Mr. J. Reed: We couldn't get it.

Hon. Mr. Baetz: Members opposite can have it; there is nothing in the agreement that is secret.

The other part as to why we allowed an agreement to terminate, if the Leader of the Opposition had only been listening instead of talking—he should listen with his ears instead of his mouth—

Mrs. Campbell: Answer the question.

Hon. Mr. Baetz: If he had only been listening, I told him before why it was in the best interest of Hydro to allow that agreement to terminate.

Mr. Warner: They should export you.

Hon. Mr. Baetz: They were in with people who could not produce heavy water as efficiently as Hydro could, that was the simple reason for it.

Mr. S. Smith: What new information could Hydro possibly have had in 1978 they didn't have in 1976; that is the second part.

Hon. Mr. Baetz: Has the member forgotten that in 1978 Hydro came up with the revised long range forecast? Has he forgotten that simple fact? That is what started this whole thing.

Mr. Wildman: You are in heavy water over your head.

Hon. Mr. Baetz: That's when we took the action, that is what we are basing our action on.

Mr. S. Smith: But no nuclear reactors were cancelled; it was a thermal plant in Wesleyville, no nuclear plant has been cancelled.

Mr. Speaker: Order. This exchange is getting nowhere. The Leader of the Opposition with his second question.

Mr. Lewis: Keep after that scoundrel.

Mr. S. Smith: I will switch ministers for the benefit of the House and my own health.

Mr. Lewis: Oh don't do that.

Mr. S. Smith: My blood pressure can stand just so much; you understand, Mr. Speaker.

Hon. Mr. Baetz: The Leader of the Opposition needs rest, that's all.

DOW CHEMICAL

Mr. S. Smith: I'll direct a question to that far more competent minister, a man with whom I am very friendly, the Attorney General.

Mr. Speaker: Question.

Mr. S. Smith: Fresh from his most recent victory against Dow Chemical, can the Attorney General tell this House how he could conceivably settle a so-called \$35 million suit against Dow Chemical for a so-called \$250,000, which averages out to \$5,000 a year for every year these fishermen were out of business? How could he settle for that?

What were the legal costs of pursuing that particular suit to that marvellous outcome, and how can he face the fishermen? What is he going to do for them now, since it was this government that persuaded them to go in with the government on this famous polluter-must-pay lawsuit.

Mr. Peterson: You sold them out.

Mr. Nixon: And what to do you think about the Solicitor General (Mr. Kerr)?

Hon. Mr. McMurtry: Mr. Speaker, I shall be making a complete statement tomorrow morning.

Mr. Nixon: That sounds like last Thursday. [3:00]

Mr. S. Smith: We look forward to the statement, of course.

By way of supplementary, can the Attorney General tell us if it is a fact that these fishermen now have no other recourse; and also if the government is prepared to do anything to help support these fishermen whose source of livelihood has obviously been destroyed by the mercury dumped into Lake St. Clair, since the settlement itself obviously comes nowhere close to providing a reasonable compensation for what happened to them?

Hon. Mr. McMurtry: As I said a moment ago, I'll be making a complete statement tomorrow morning. Perhaps, as a result, the Leader of the Opposition will learn something. I appreciate this is a very difficult process for him, but perhaps it will occur.

Interjections.

Mr. Speaker: Order.

Mr. T. P. Reid: You certainly learn by your mistakes, Roy.

Mr. Speaker: Order. Does the member for Lakeshore have a supplementary? Final supplementary.

Mr. Lewis: Not a final supplementary.

Mr. Lawlor: As part of the minister's statement tomorrow morning, is it his intention to

table for the perusal of this House the memorandum of settlement involved here?

Hon. Mr. McMurtry: I have nothing to add to what I have already said here this afternoon.

Interjections.

Mr. T. P. Reid: At least you admit you don't know.

Mr. Lewis: Supplementary, Mr. Speaker: Why not? It relates to his intended statement.

Mr. Roy: Will the Attorney General not undertake in his statement tomorrow to respond to the questions of my leader and the member for Lakeshore?

Mr. Eaton: You won't be here tomorrow, will you, Albert?

Mr. Roy: Sure, I will.

Hon. Mr. Davis: He'll be here on a Friday? That's wonderful, wonderful.

Hon. Mr. Grossman: What happened?

Mr. Roy: I'll be making notes of his statement.

Hon. Mr. Grossman: The courts are closed tomorrow.

Hon. Mr. Davis: Is there a holiday in Ottawa tomorrow?

Hon. Mr. Grossman: We sit at 10 o'clock on Fridays.

Hon. Mr. McMurtry: I expect that my statement tomorrow will be an adequate response to any of the questions that have been asked here.

Mr. S. Smith: The polluter must pay.

Mr. Nixon: The Solicitor General will resign.

NORTH BAY PSYCHIATRIC HOSPITAL

Mr. Cassidy: Mr. Speaker, I have a question of the Minister of Health. Can the Minister of Health make a statement on what happened at the North Bay psychiatric hospital on Tuesday night? One of the attendants has subsequently died as a result of an attack on attendants by a patient who had previously been at Penetanguishene.

Hon. Mr. Timbrell: Mr. Speaker, an investigation is under way under the auspices of the administrator of North Bay's psychiatric hospital. I can only tell the member that the patient in question had previously been a patient at Penetanguishene and had been—as far as I know, and this will be confirmed by the full report I will get—sent to North Bay on a loosened warrant. That day, in fact, he had been reviewed by the review board which had decided to send him back to Penetanguishene. Before that could be carried out,

he had, as it were, absconded from the building, and in the attempt to recover him, so to speak, two attendants were injured, one very seriously.

I was not aware at the time I came into the House today that he had passed away. If that is the case, it grieves me very, very much. Once I have a complete report from the administrator, Mr. MacLean, I will report back to the House.

Mr. Bounsall: Would the minister speak to his colleagues, and in particular the Minister of Labour (B. Stephenson), and urge them and her to bring Bill 70 into this House so that our civil servants in Ontario can be protected by that health and safety legislation?

Mr. Pope: That is nonsense, utter nonsense.

Mr. Bounsall: Will he also urge the Minister of Labour to immediately appoint, under Bill 139, in existence since 1976, health and safety committees in our psychiatric hospitals and correctional institutions in this province?

Hon. Mr. Timbrell: I know full well the views of that member and that party on that particular subject. May I say it strikes me as something a little beneath the dignity of this House to try to ride such an issue on the back of a gentleman who just passed away in the service of the province.

Mr. Pope: It sure is, it's sickening.

Mr. Laughren: That is what you are doing.

Mr. Mackenzie: What do you want, another death?

Mr. McClellan: How many deaths do you want?

Mr. Mackenzie: You ought to be ashamed.

Mr. Laughren: Pretty cheap shot, Dennis.

Mr. Mackenzie: Damn cheap.

Mr. Cooke: We're interested in prevention.

Mr. Pope: You ought to be ashamed of yourselves.

Hon. Mr. Timbrell: The question of the safety of employees in psychiatric hospitals is one which pervades all elements of the psychiatric hospitals' branch in the ministry. It is something which is drilled into staff all the time in terms of procedures to be followed. It is something which is emphasized regularly and thoroughly.

Mr. Warner: What about the one I gave you—Scarborough Centenary? You never solved that one.

Hon. Mr. Timbrell: These incidents are not only regrettable but sometimes very tragic.

Mr. Swart: Perhaps preventable.

Hon. Mr. Timbrell: I think it would be a gross distortion to try to suggest to this House, and through this House to the public, that any particular bill or any particular procedure will ensure that there will never be any incidents.

Mr. Laughren: It might help.

Hon. Mr. Timbrell: In fact, the rate of incidents is very low. We try to ensure that every possible procedure is taken to ensure we keep the incident rate as low as possible.

Mr. Mackenzie: Employees keep asking for it. Doesn't the minister consider them?

Hon. Mr. Timbrell: As I said in answering the original question, when I've got a complete report I'll report back to the members.

Mr. Bolan: Supplementary, Mr. Speaker: Is the minister aware of the fact that this particular patient had been a patient at the Penetanguishene maximum security institution on a Lieutenant Governor's warrant for some period of time? When he is conducting his investigation into this matter, will he look into the question of why he was released from Penetanguishene and transferred to North Bay as well as what procedure and what steps are involved?

When he is looking at the question, and whether or not a person is on a Lieutenant Governor's warrant, which as he knows is issued when somebody either has committed a crime or is awaiting a charge, will the minister say what the person was doing being transferred to a loose security hospital like North Bay? In fact, on that particular day in question he had been given a pass to go downtown in North Bay. Can he investigate that as well?

Hon. Mr. Timbrell: In my answer to the original question, I already acknowledged that the person in question here is, in fact, a Lieutenant Governor's warrant patient. Once one becomes a Lieutenant Governor's warrant patient, though, that does not mean one is locked away for life in Penetanguishene. It is possible, depending upon the progress in treatment, to have one's warrant loosened in various ways, even to the extent of being in and living in the community under regular surveillance and keeping contact with a psychiatric unit or with a physician. All of these things will be taken into account in compiling information about this most unfortunate incident.

Mr. Cassidy: A supplementary, Mr. Speaker: Would the minister not agree that the cut-backs taking place in the ministry now are having the effect of ensuring that maximum security patients are being transferred from

Penetanguishene to psychiatric hospitals across the province and that facilities like the forensic ward at the Hamilton Psychiatric Hospital are having to be closed, so that the maximum security patients are being scattered around the rest of the institutions; and that is, therefore, putting attendants and staff who work there at very substantial risk for reasons of cost cutbacks and not for therapeutic reasons?

Hon. Mr. Timbrell: No, I wouldn't agree. In fact, we've added, I think, seven psychiatric nurses to Penetanguishene in the last few months; we have not cut back. In the case of the Hamilton Psychiatric Hospital, the member is quite right in saying that the forensic unit was distributed through the hospital but in a manner that was consistent with our standards of safety and quality of the program.

Mr. Mackenzie: That's not what the employees say.

[Later]

Mr. Cassidy: On a matter of privilege, Mr. Speaker: I regret that the information I gave to the Legislature about the death of one of the attendants at the North Bay Psychiatric Hospital was in error. Fortunately, the attendant was not killed although he is in critical condition. I don't believe that fact, which we welcome, changes the very serious nature of the situation which was raised previously in the question period.

RENT REVIEW

Mr. Cassidy: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Now that it is clear the general government committee will be recommending an extension of the current rent review program for at least two years, and in view of the fact that there has been no concrete alternative put forward by the ministry as an interim measure since this question was asked in the House about two weeks ago, will the minister now undertake to introduce as an interim measure a one-line or short bill that can be adopted before June 23 which would provide for the period of interim extension needed into 1979 in order that we not have chaos for landlords and tenants in the fall because of the gap which the ministry now proposes to leave before rent review is continued?

Mr. Conway: How are the roller skates, Mike?

Hon. Mr. Grossman: I will wait until I receive the report of the standing committee that is studying the matter.

Mr. Cassidy: A supplementary, Mr. Speaker: Will the minister undertake to introduce that kind of legislation, which can, and I want to assure him will, be adopted on an interim basis very quickly after June 15, in order that the recommendations of the committee can then be considered and implemented in full in the fall? Will he bring in a one-line or short bill now, as soon as the committee reports, given the way in which it intends to report?

Hon. Mr. Grossman: I can only repeat that, unlike now both opposition parties, I refuse to undermine the work of the committee. I will wait until the committee reports.

Mr. Breithaupt: We waited until the facts were in.

Hon. Mr. Davis: We are suspicious that their federal colleagues brought a little pressure on the Liberal members.

Mr. Lewis: The Premier's level of self-righteousness rises as he declines.

Mrs. Campbell: Would the minister at least give this sort of undertaking to the House, that he will, should that report indicate that extension, in view of the time constraints between June 15 and June 23, introduce that legislation before the House rises should the committee so report?

Hon. Mr. Grossman: Notwithstanding the way the member has asked that question, she still hasn't frightened me into changing the answer I have already given.

Mr. Mackenzie: It's not fright; it's common sense.

Mr. Warner: Thank you, Mr. Speaker; I would like to know if the minister understands yet the particular legal problem which will face both landlords and tenants as of September 30 of this year if there is not an interim measure put into place before the new program comes into effect? What does he propose to do, should we rise on June 23 and not sit until October, to handle that serious legal problem which will arise for landlords and tenants as of September 30?

Mr. Mackenzie: You are going to be forced to call the House back in the middle of August.

Hon. Mr. Grossman: Of course I find it really quite interesting that the member's party really wasn't complaining about the lack of notice period until now.

Mr. Martel: Answer the bloody question for a change. What are you going to do, silly boy?

Hon. Mr. Grossman: I want to explain to

members and to tell them I am not going to play the politics on this issue, so if they will sit quiet, I will tell them about it.

Mr. Cassidy: Take some action.

An hon. member: Bring Drea in there.

Mr. Lewis: Politics are in your genes, young fellow.

Hon. Mr. Grossman: I left them at home.

I will understand the legal problems we are facing. My point was that last fall when we reduced the guideline figure from eight per cent to six per cent—

Mr. Breagh: We did that last year.

An hon. member: You did it?

Hon. Mr. Grossman:—there were thousands of people, all landlords, who were stuck without notice, who didn't have any mechanism to—

Mr. Breagh: Bill, let's go again.

Hon. Mr. Grossman:—adjust their notice period. I didn't hear the slightest bit of squawk from either—

Mr. Warner: That wasn't my question.

Hon. Mr. Grossman:—opposition party with regard to exactly the same question, the notice period given the change in the rules.

Mr. Warner: So you are not going to do anything.

Hon. Mr. Grossman: Now as I said last week, there are inequities that will fall upon either landlords or tenants, and depending upon the solution sometimes upon both. In trying to now decide how we solve that problem I do wish to make one point very clear.

Mr. Warner: You are not going to do anything.

Hon. Mr. Grossman: If members will just be quiet, I will make one point clear.

A landlord who is facing a situation in September of having to give a notice of a rental increase—

Mr. Breagh: Now how do you feel about consumer affairs?

Hon. Mr. Grossman:—for January 1, can do this in September.

Mr. McClellan: There is quite a choice open to you.

Hon. Mr. Grossman: The landlord can say: "I will wait and see what the assembly does in October or November—"

Mr. Martel: You better call another election, Bill.

Hon. Mr. Grossman:—and leave my tenants at exactly the same rent as they are

currently paying for another two or three months."

An hon. member: No guarantee.

Hon. Mr. Grossman: Nothing stops the landlord from doing that. And equally, the landlord could gamble a little bit and serve a rental notice increase which may not work or be effective at all—

Mr. Breithaupt: Why are you putting people through this charade?

Hon. Mr. Grossman:—depending upon what the assembly does in the fall.

Mr. McClellan: This is absolute nonsense.

Mr. Samis: Why don't we go to Las Vegas?

Hon. Mr. Grossman: In essence it is a better position than moving right now to add and extend a rent control scheme into January and February, if in the long run we are not going to have that scheme continued.

Mr. Lewis: The entire government is grinding down, minister by minister. It's never been this bad. You are in a state of terminal affliction.

Hon. Mr. Grossman: So I prefer, really, to wait and see what scheme we are likely to have next year—

Mr. McClellan: Why don't you buy a crystal ball? Maybe you could guess.

Hon. Mr. Grossman:—before we decide whether it is appropriate—

Mr. Lewis: I am glad I left in time to watch it from a distance.

Hon. Mr. Grossman:—whether it is appropriate to bring in legislation to extend it. If members will just listen to the final line, they may even be interested in it.

Mr. Martel: Some of you won't have to resign. You will be fired by the boss.

Hon. Mr. Grossman: The important thing is this. If, in fact, the committee reports that the rent review scheme ought to be continued intact for another two years; and if in fact the government—

Mr. Martel: The first person I have seen who has survived an autopsy.

Hon. Mr. Grossman:—is going to do that, then of course the circumstances change and we might as well do something now rather than have the uncertainty.

[3:15]

Mr. Lewis: What is this?

Mr. Martel: Methinks you protest too much. Is his mainspring winding down at all?

Mr. Lewis: I think you have food poisoning.

Mr. Speaker: The question has been answered. Sit down. The honourable member for Simcoe Centre has a new question.

Hon. Mr. Grossman: We are going to wait for the committee's report.

Mr. Foulds: This virginal, virtuous verbose-ness of yours must be catching.

Mr. Lewis: There should be a cabinet shuffle if there was anyone left.

STORE HOURS BYLAW

Mr. G. Taylor: A question of the Solicitor General: In view of the fact that July 1, Dominion Day—or whatever other name it has—falls on a Saturday this year, will the government make any provision for stores to open in tourist areas to enable tourists in those areas to buy supplies as a usual practice?

Hon. Mr. Kerr: There is a provision in the legislation—

Mr. McClellan: Send him a copy of the bill.

Hon. Mr. Kerr:—that in tourist areas the municipality can pass a bylaw which, in the interest of the tourist industry, exempts certain stores from the provisions of the bylaw requiring them to close.

Mr. Bolan: Check the act.

Mr. Roy: Give us your polluters-will-pay speech, George.

Mr. G. Taylor: Supplementary to that, will the minister make any statement on this for the benefit of those in the tourist area?

Hon. Mr. Kerr: No. All I would do is refer to the act itself. As I mentioned, the act provides for exemptions in tourist areas in the event the municipality passes a bylaw. I don't think there is any reason for a general exemption of the law as it applies to holidays because July 1 falls on Saturday.

Mr. Bolan: Get your act together over there.

Mr. Bounsall: Just tell him to read the bill.

Mr. Foulds: Bob Welch leaves for a day and the place just falls apart.

Hon. Mr. Grossman: Like when Stephen leaves for a day.

Mr. Lewis: I think you're all suffering from drowsy.

D.E.S LEVELS IN BEEF

Hon. W. Newman: I promised members I would comment on the DES issue raised by CBC last Thursday. As members are aware, the CBC reported on the Radio Noon program that they had sent 10 beef livers, five of US origin and five of Canadian, to Alpha

Laboratories, a private laboratory in Don Mills, for DES testing. The laboratory reported high levels in all but one sample.

Frankly, the reported levels of DES were so high that the results were questionable. My staff immediately contacted the CBC for further information. They also contacted the federal Department of Health and Welfare, and Agriculture Canada. They obtained samples of the liver used by the CBC and had tests run on these animals at their pathological labs in Guelph. These tests showed no detectable levels of DES in any one of the 10 livers.

I should point out that the test for DES residue is not a routine procedure in most private labs. Interpretation of results requires considerable experience and expertise. Agriculture Canada, responsible for enforcing the DES ban, has tested 400 samples of beef liver in the last two years.

I am deeply distressed that CBC caused consumers to worry unnecessarily about the quality of their food. I am very pleased, however, that Ontario's beef producers' high reputation has been reinstated.

I would also like to point out that within the last few hours, I believe, the CBC has apologized; I think that should go on the record too.

Mr. Bolan: Let's go, Reuben.

HEAVY WATER PRODUCTION

Mr. J. Reed: I have a question of the Minister of Energy. This is in the nature of a very straightforward request.

Mr. Martel: Has anybody got ear plugs?

Mr. Mackenzie: There goes the rest of the question period.

Mr. J. Reed: So the opposition may properly consider support of the minister's request today, I wonder if the minister would be good enough to table, as soon as possible, the opinions given to the then minister when the building of heavy water plant D was considered; the Ontario Energy Board report of the day which weighed the pros and cons; what the cost overruns on D are projected to be upon completion; and, finally, if he would also let us know the production-consumption figures from the beginning of the heavy water era right through to 1995, so that we can see very clearly—

Mr. Speaker: Surely that question should be put on the order paper.

Mr. J. Reed: The urgency of the question, Mr. Speaker is that the minister is asking us to stand by his government and support him on this issue. I think he understands

that we really need to have this kind of information in order to make a valid judgement.

Hon. Mr. Baetz: I must say I'm very much encouraged to finally hear from across the floor that on this matter of Ontario Hydro's role in the export of heavy water, we will get the support of at least one party.

Mr. Breithaupt: No. We want facts for a change, facts first.

Hon. Mr. Baetz: I haven't heard it from over here yet, but I hope it's there.

Mr. Lewis: You certainly haven't.

Hon. Mr. Baetz: We have it? Thank you very much. But that we will in fact—

Ms. Gigantes: No you haven't.

Mr. Lewis: I said you certainly have not.

Hon. Mr. Baetz: We have not?

Mr. Lewis: You certainly have not.

Mr. Speaker: Order. That wasn't the question.

Mr. Foulds: Have not. You have not. Why don't you just answer the question?

Hon. Mr. Baetz: Certainly, we will be pleased to collect and to table whatever relevant data is required. I don't know if I can meet all of the member's requests, but certainly we will try to meet as many of the requests as we possibly can.

Mr. J. Reed: By way of supplementary: In order to clear the air, I'm sure the minister understands we may either support him or condemn him, as a result of that information.

Mr. Lewis: Since we may be on the verge of committing ourselves to another wasted expenditure of over \$400 million additional, does the minister not think it's time to take a closer look at the information which is being fed to his ministry from Ontario Hydro; and therefore to the premises on which this additional \$400 million expenditure is based, since—and he can then answer me—it may well be that Ontario Hydro suppressed important information which should have been brought to the attention of the House, the public, and the ministry more than two and a half years ago, until April 1978?

Hon. Mr. Baetz: I can give the honourable member opposite a generic response to that: I certainly will, when the information we're expecting comes, which has been based on all their detailed analyses. We will certainly examine it very critically and very closely. We will do this.

I can also assure the member opposite that if it is my opinion that Ontario Hydro is suppressing information that this ministry should have, there will be the very devil to pay. That is one thing I will not tolerate.

Mr. Lewis: There'd better be. We have heard that before.

Hon. Mr. Baetz: That's my promise to the member.

Ms. Gigantes: We had that promise before.

Hon. Mr. Baetz: That's the promise to this House.

Ms. Gigantes: We had that promise from Taylor before.

Hon. Mr. Baetz: We will be very, very critical.

Mr. Lewis: Don't spend another \$400 million before you know.

Hon. Mr. Baetz: We are not committing ourselves to \$400 million before we know, that's the whole purpose of this exercise.

Ms. Gigantes: Are you stopping it now?

Mr. Lewis: Are you stopping Bruce D?

Hon. Mr. Baetz: We are not stopping Bruce D because we don't have the information that we need before we can make any final decision. That's all.

Mr. MacDonald: You are committing then?

OTTAWA HOUSING AUTHORITY

Ms. Gigantes: I'd like to ask a question of the Premier.

Would he ask the Minister of Housing (Mr. Bennett) to show cause why he should not be required by the Premier to set up an independent public investigation of his veto of the municipal nomination of Aline Akeson to the board of directors of the Ottawa Housing Authority; considering his previous allegations that Ms. Akeson had misrepresented her income in reports to OHA, considering also that her income had been reported to OHA last fall by her solicitor at that time. Mr. Gary Guzzo: and that neither the OHA board nor the Ministry of Housing saw any problem with Mr. Guzzo's appointment to the same OHA board in December 1977?

Hon. Mr. Davis: I'm not sure I heard the first part of the question exactly. If I heard it correctly, the answer to that is no.

Ms. Gigantes: Supplementary: If the answer to the question is no, what does the Premier propose to do about a minister who makes such spurious allegations, affecting both the personal reputation and the professional contribution that a person such as Ms. Akeson could make to a municipality like the city of Ottawa in the role she could play on the Ottawa Housing Authority board of directors? Doesn't that concern the Premier?

Hon. Mr. Davis: I have found most people in public life, particularly those with whom I'm associated, if they have made a mistake—and I can't comment on the facts of the situation at all—they are quite prepared to acknowledge it.

Mr. Roy: Could I ask a brief supplementary, Mr. Speaker. I wonder if the Premier might relay this question to the Minister of Housing. Could that minister advise if, prior to making his statement in the House last week, he checked with the solicitor for Ms. Akeson, Gary Guzzo, with whom I know the Premier is acquainted?

Hon. Mr. Davis: Mr. Speaker, I have no idea with whom the Minister of Housing discussed this matter prior to any observations made in the House. I think if the honourable member wishes to ascertain this, he might ask the Minister of Housing. In fact if he is anxious to get a reply on that matter, he might just see him this weekend in Ottawa and find out.

In fact, he knows Mr. Guzzo better than I do. He might give him a call.

Mr. Speaker: New question.

Mr. Roy: I don't see the Minister of Housing in Ottawa.

Hon. Mr. Davis: He's on public business and the member is in the courts when he is in Ottawa.

Mr. Cassidy: It's a vendetta by the Minister of Housing.

RAYMOND LEE ORGANIZATION

Mr. M. N. Davison: I have a question of the Minister of Consumer and Commercial Relations. In view of the fact the results of a recent Ontario Securities Commission hearing showed they were not actively favourable to the operating procedures of the Raymond Lee Organization, an organization which has ripped off thousands of inventors in North America and in Ontario, and in view of the fact that the OSC has suggested that the Business Practices Act should be used as a tool for investigating this corporation, will the minister undertake to launch an investigation of the practices of the Raymond Lee Organization?

Hon. Mr. Grossman: I'll be pleased to see what action my business practices branch is taking on that matter and report to the House.

AMUSEMENT RIDE SAFETY

Mr. Bradley: I have a question of the Minister of Consumer and Commercial Relations. In light of the fact that several accidents have occurred on amusement rides in the

province in the last several years—the latest in Oshawa, I believe, where six children were treated for injuries; and in view of the fact that the province at the present time does not have an inspection system for these amusement rides; is the minister giving consideration to establishing an inspection system for Ontario—not to ensure that no accidents will take place but to reduce the chances of those accidents taking place?

Hon. Mr. Grossman: Back in 1976, I believe it was, TEIGA developed, in conjunction with my ministry, a draft bylaw for municipalities to implement. That draft bylaw was drawn along the lines of the CSA midway safety code Z726. It was drawn up in a bylaw form and TEIGA in 1976 urged municipalities, which have the licensing authority in this area, to adopt that bylaw.

I can assure the member and the House that TEIGA and ourselves are still urging municipalities, especially the ones that do have these rides, to exercise their authority. We have offered every bit of assistance, back-up material and research to enable them to enforce this type of bylaw.

Mr. Bradley: Supplementary: It's true that this step has taken place and has alleviated the problem to a small extent, at least in some municipalities that have the financial ability to enter into a program of this nature. But for those municipalities that either do not have the expertise and cannot afford to acquire the expertise or devote the time through their engineering department to the inspection services, does the minister not agree that further action would be required? I'm not suggesting necessarily someone hired as a civil servant in the ministry, but someone designated by the ministry to do inspections, perhaps in sections of the province. Many municipalities simply cannot afford to do this and do not have the expertise at the present time.

Hon. Mr. Grossman: The problem here becomes, with the number of operations that are in effect, once the province decides to go into an area which has always been an area of municipal licensing and control, it obviously will require an entire army of investigators and supervisors sent out by us.

[3:30]

A carnival operator or whatever will leave one little town and move to another one 20 miles away. That would require our people to follow them and check that installation. It has always seemed to us that notwithstanding what may appear to some to be too onerous a provision for municipalities, the fact is that most municipalities would find, I think, that

they have one of these things perhaps once a year sometime during the summer and it would probably be a heck of a lot easier, and cost everyone a lot less money, if one or two people who are currently on staff in some of those municipalities were assigned to check into this, to licence the fairs as they arrive and then do the inspections with the education, assistance, material and background we would be happy to provide them. After all, each municipality would have to do that only one or two days a year when the annual carnival or fair arrives. That would seem to me to be a lot more sensible than having a team of people from here chase these people around the province.

Of course the municipalities have some very direct control as to what fairs they are going to let into their municipalities, so if they don't wish to encourage some of these licensing and supervision costs, they can of course choose to not have those fairs in unless the operators can satisfy them they have met certain safety requirements.

Mr. Conway: The man is as circuitous as the old Kingston and Pembroke railway.

Hon. Mr. Grossman: In any event, it is a matter of serious concern. I am not sure we ought to be getting into a large expenditure here, but we think it is very important and therefore more consultation with municipalities will continue.

Mr. Conway: What was Allan like?

Mr. Bradley: Same way.

Mr. Cooke: Supplementary: I wonder if the minister realizes how serious this problem is, in particular the problem we experienced down in the Windsor-Essex area with the Bob-Lo Company, which has had something in the neighbourhood of five or six accidents in the last couple of years causing serious injuries? That municipality has not implemented any kind of bylaws, in fact Bob-Lo follows Michigan laws. Does the minister not feel that the province has a responsibility to protect the citizens of Ontario in this respect?

Hon. Mr. Grossman: I trust the member will ask the same question of his local municipality in Windsor, because they already have all the authority. They have the draft bylaw which we have—

Mr. Cooke: It is a small municipality.

Hon. Mr. Grossman: —developed after extensive work; it really takes very little to pass the bylaw to have the licensing powers. If they have someone they don't like they should not issue them the licence for the very good reasons the member is pointing out.

Mr. Cooke: They haven't done it; the minister should make them.

Mr. B. Newman: Supplementary: I have been after this problem for the last three years and the city of Windsor has taken care of it in their appointment of an inspector who does a very admirable job. Would the minister not consider requiring every carnival ride to have a certificate of mechanical fitness posted in a very prominent position, so that the individual wishing to use that ride will know that it has been inspected recently by a municipality, and has been inspected on an annual basis?

Hon. Mr. Grossman: That's not a bad suggestion at all. I will look into it because we would like to find a way to solve it.

PROPERTY TAXATION

Mr. Laughren: In the absence of the Treasurer (Mr. McKeough), I would like to ask the Premier a question about the Treasurer's statement today on property tax reform. In view of the fact that property tax reform has already had a 10-year gestation period in this province, and during that time there has been ample opportunity for consultation and input; and recognizing the fact there were specific problems with the recommendations by the working committee; does the Premier not think that some of those specific problems, such as vacant land assessment, the particular problems affecting the residential and commercial interests in Metropolitan Toronto, were not insurmountable and that they could have been resolved, and would the Premier relate to the Treasurer that it is time he stopped renegeing on promises to the municipalities in this province?

Hon. Mr. Davis: Mr. Speaker, I am delighted to get those impressions from the member for Nickel Belt and I assume he is speaking for his entire party, that they are totally committed to the principle of tax reform as enunciated by the Treasurer.

Mr. di Santo: Answer the question.

Mr. Swart: He didn't say that.

Hon. Mr. Davis: I had been waiting to hear this for some time. I got some indication of the Liberal Party policy in Metropolitan Toronto when it sent out a pamphlet saying: "Here are all the problems. We're not sure we know what the solutions are."

Mr. Cooke: Answer the question.

Mr. Peterson: The solution is to get rid of you. That's the solution.

Hon. Mr. Davis: So we know what the Liberal position is on real property tax re-

form—like, no position. However, I will convey the member's concerns to the Treasurer.

Mr. Peterson: You are amazing.

Mr. Breithaupt: Don't wait 10 years—

Mr. Laughren: Supplementary, Mr. Speaker: Ignoring the distortions uttered by the Premier, if he is worried about the school boards' comments on property tax reform—and, by the way, I talked about property tax reform, not market value assessment—would the Premier not agree that one way of making property tax reform more acceptable to the people of Ontario would be to progressively reduce the educational component in property tax across this province?

Hon. Mr. Davis: I don't think there is any question about the acceptability of the reduction of educational levy, or actually the reduction of any real property levy, as long as people understand that along with that is an increase in sales tax, income tax—

Mr. Laughren: No, no.

Mr. McClellan: Progressive tax.

Mr. Samis: Not the sales tax.

Hon. Mr. Davis: —or, for that party, corporation tax; as long as there is an awareness that whatever the route that is taken, somebody has to pay for it.

Mr. Warner: Start with your bank account.

Hon. Mr. Davis: I won't argue for a moment that any form of tax change would be more acceptable if people felt they were paying less taxes.

Mr. Laughren: Tell them.

Hon. Mr. Davis: But I would say to the honourable member he has been here long enough to know that, directly or indirectly, there is no such magic formula.

Mr. Laughren: I never said there was.

Mr. McClellan: Don't be silly.

Hon. Mr. Davis: Taxation has to be paid by somebody in some fashion. I am not going to argue that the reduction in educational levy, or even in municipal levy, isn't attractive; it's attractive to all of us. But I would say to the honourable member, he has to look at the alternatives. I know what his is: Tax the corporations out of business. That to us is not a viable alternative.

An hon. member: That's garbage.

TEACHER LAYOFFS

Mr. Nixon: Mr. Speaker: I would like to direct a question to the Minister of Education. With the cutbacks caused by the dropping enrolment in our elementary and secondary

system, and with the layoff of teachers, can the minister assure the House that his review of the situation with the various boards indicates that they are reducing their administrative budget and staff in the same proportion? Or does he buy the argument made by some boards that they have to maintain their administrative staff, or even increase it, because of the complexities of the layoff procedures and the increased amount of administration that is necessary under these difficult circumstances?

Mr. Breithaupt: It's like the British Colonial office: The fewer the colonies, the more staff you have.

Hon. Mr. Davis: How are you so familiar with that?

Mr. T. P. Reid: He was there.

Hon. Mr. Wells: Mr. Speaker, I think my friend knows a fair amount about the school system, and I can't really tell him what boards are doing with their administrative staff. Certainly I don't support any school board that has an unduly heavy administrative staff compared to the services it has to deliver. I don't think anybody would, and I think that boards themselves would feel that there should be cuts in that particular area too.

I would just point out that the actual redundancy in teachers across the province was, as reported in the *Globe and Mail* a couple of days ago, about 1,175 teachers. That is the number who were told they were redundant at the end of May when the deadline had arrived and they had to be told. Some of those teachers, of course, will be available and will get jobs where hiring is going on.

I also would draw to the honourable member's attention that a number of these redundancies occur because of the negotiated class size, pupil-teacher formula, which is provided for under Bill 100 and under the way school boards negotiate now where they negotiate terms and conditions of employment. The ratios are in contracts and the terms of those contracts, when they are put into effect, necessitate certain changes in staffing policies.

Mr. Foulds: Point of privilege, Mr. Speaker: I know you have ruled on this matter on a number of occasions and said that it is not in order for us to suggest a member like the Premier is misleading the House when he distorts questions like that from my colleague, the member for Nickel Belt; could you tell me, is it in order for us to call him the grand distortionist as well as the grand contortionist of politics in Ontario?

An hon. member: That's what he does, as well as not answer the question.

Mr. Speaker: That is not a point of privilege.

Mr. Warner: He can distort all he likes.

PETITION

FRENCH LANGUAGE SERVICES

Mr. Roy: Mr. Speaker, I have a petition on behalf of some students in Toronto who deplore the Premier's decision of last week pertaining to Bill 89, and I'd like to present it to the House.

Je voudrais, M. le Président, de la part des étudiants de Toronto, présenter une pétition qui déplore l'attitude, ou la décision, prise par le Premier ministre la semaine passé au sujet du Bill 89.

REPORTS

STANDING MEMBERS' SERVICES COMMITTEE

Mr. Breithaupt, on behalf of Mrs. Campbell from the standing members' services committee, presented the committee's report which was read as follows, and moved its adoption:

Your committee recommends, as the House on June 5, 1978 approved, that the three policy secretariats and the legislative administration offices located in room 151 be moved from the legislative building no later than August 30, 1978 and the space allocated to Mr. Speaker for reallocation; and that the space when vacated be immediately allocated to the Speaker; and first priority on the allocation of funds of the Ministry of Government Services budget be given for the purpose of renovating the vacated space for members' offices and committee rooms.

Hon. Mr. Grossman moved the adjournment of the debate.

Mr. Breaugh: Point of order, Mr. Speaker: I think you will recall that last week the House leaders met with the procedural affairs committee and a procedure was agreed upon among the three House leaders on the this particular matter. I would request the government respect that agreement at this time. I don't mind them turning over their tricks six months later but they could at least give us a week to try it.

Mr. Martel: Withdraw it, you don't need that motion.

Mr. Rotenberg: What's the agreement? The agreement is to have a debate some time, not now.

Mr. Warner: He's going to defy his government House leader (Mr. Welch).

Mr. McClellan: Where is the House leader? Everything gets all fouled up when he's not here.

Mr. Breugh: To clarify it for all those members of the Speaker's panel who received it last week, and who I hope have discussed it with the government House leader, the agreement was that the chairman of the committee would reserve the right to adjourn the debate. I might point out for the edification of the Minister of Consumer and Commercial Relations that that suggestion was made by his government House leader.

Hon. Mr. Grossman: In the absence of the government House leader, may I say that it is my clear understanding, notwithstanding what the member has suggested, that the procedure we are adopting at this particular time is known to the other House leaders and is in order with the common practice that has been adopted.

Mr. Breugh: No, it is not.

Mr. McClellan: You are wrong.

Mr. Breugh: Quite wrong.

Hon. Mr. Grossman: Mr. Speaker, I have moved adjournment of the debate.

Some hon. members: No. No.

Mr. Nixon: Mr. Speaker, I don't think it is a terribly important matter, however my understanding of the agreement was that the government House leader felt a little sensitive about moving the adjournment each Thursday—

Mr. Breugh: That's right.

Mr. Nixon:—and wanted to be relieved of that responsibility. After getting the acceptance of the government House leader that we would have regular debates on these important reports it was also agreed the chairman of the committee who moved the adoption of the report would then move the adjournment of any debate that might follow and it would be scheduled for a convenient time within a few days.

Mr. Breugh: Absolutely.

Mr. Speaker: I suggest the House leaders get their act together.

Mr. Nixon: We have it together, Mr. Speaker.

Mr. Speaker: No, you haven't got it together. There's a motion on the floor that states Mr. Grossman moves the adjournment of the debate. Shall the motion carry?

Some hon. members: No.

Mr. Speaker: All those in favour of the adjournment of the debate will please say "aye."

Mr. Martel: Mr. Speaker, point of order.

Mr. Foulds: Mr. Speaker, point of order. Is there no debate on that motion?

Mr. Nixon: Not on an adjournment.

Mr. Speaker: For the adjournment of the debate?

Mr. Foulds: Yes.

Mr. Speaker: I have called the question.

Mr. McClellan: You've allowed it before.

Mr. Martel: Mr. Speaker, might I speak before you call the question? No one wants to put you in an embarrassing position by voting against your ruling.

Mr. Speaker: Do members want me to disagree with the rules of the House?

Mr. Martel: No, I want you to—

Mr. Speaker: Order.

[3:45]

Mr. Martel: I would ask the Speaker to listen.

Mr. Speaker: Order. Will the member sit down?

Mr. McClellan: If you want to get your bills through you had better not play these kinds of games.

Mr. Eaton: What a threat.

Mr. McClellan: You are damn right it is.

Mr. Speaker: There is a motion to adjourn the debate. A motion to adjourn the debate or to adjourn the House is not debatable. I have already put the question.

Mr. Martel: But Mr. Speaker, I am going to speak to it for a moment.

Mr. Speaker: What is the honourable member going to speak to? There's nothing to speak to.

Mr. Martel: The government should not have asked for this order, unfortunately. The government House leader, the House leader for the Liberal Party, and I, representing my party had a meeting; we met with the procedural affairs committee—

Mr. Speaker: I'm not party to those agreements.

Mr. Martel: Mr. Speaker—

Mr. Speaker: Order. I am not a party to those agreements.

Mr. Martel: There is no sense talking; you might as well make an ass of yourself.

Mr. Speaker: Order. The honourable member will withdraw that remark.

Mr. Martel: I withdraw the remark, Mr. Speaker, but you know, once in a while you should listen so we can assist here.

Mr. Speaker: I'm not a party to any agreements that any House leaders make. In the absence of it I will abide by the standing orders of this House.

Mr. Nixon: Put the question.

The House divided on the motion to adjourn debate on the report from the members' services committee, which was approved on the following vote:

Ayes 50; nays 21.

Motion agreed to.

STANDING ADMINISTRATION OF JUSTICE COMMITTEE

Mr. Philip from the standing administration of justice committee reported the following resolution:

Resolved: That supply in the following amounts to defray the expenses of the Ministry of the Solicitor General be granted Her Majesty for the fiscal year ending March 31, 1979:

Ministry administration program	\$2,687,000.
Public safety program	\$11,417,000.
Supervision of police forces program	\$6,717,000.
Ontario Provincial Police management support services program	\$27,885,000.
Operations program	\$118,293,000.

STANDING PROCEDURAL AFFAIRS COMMITTEE

Mr. Breaugh from the standing procedural affairs committee presented the committee's report which was read as follows and adopted:

Your committee has carefully examined the following application for a private act and finds the notice, as published, sufficient.

Beezee Foods Limited.

INTRODUCTION OF BILLS

DISCRIMINATORY BUSINESS PRACTICES ACT

Hon. Mr. Davis moved first reading of Bill 112, An Act to prohibit Discrimination in Business Relationships.

Motion agreed to.

Mr. Speaker: The Minister of Community and Social Services I understand has eight bills. I think it has been agreed that he will

move them all at once and the question will be put all at once.

CHILDREN'S SERVICES

Hon. Mr. Norton moved first reading of Bill 120, An Act to revise the Day Nurseries Act; Bill 119, An Act to amend the Provincial Courts Act; Bill 118, An Act to revise the Children's Residential Services Act; Bill 117, An Act to revise the Children's Institutions Act; Bill 116, An Act to amend the Unified Family Court Act, 1976; Bill 115, An Act to revise the Children's Mental Health Centres Act; Bill 114, An Act to revise the Child Welfare Act, and Bill 113, An Act to amend the Training Schools Act.

Motion agreed to.

TOWNSHIP OF PELEE ACT

Hon. Mr. Norton, on behalf of Hon. Mr. Snow, moved first reading of Bill 121, An Act respecting the Township of Pelee.

Motion agreed to.

Hon. Mr. Norton: Mr. Speaker, the act which I have just introduced will provide the township of Pelee with the necessary statutory authority, so far as it lies within provincial jurisdiction, to operate a ferry service between the township of Pelee on Pelee Island, the towns of Leamington and Kingsville on the mainland, and the city of Sandusky in the state of Ohio.

[4:15]

This service has been provided by the federal government for the past 71 years. However, Ottawa announced in 1977 that starting with the 1978 shipping season they would no longer be responsible for the service. They would, however, lease the ferry to a qualified operator. As a result of a federal tender, the township of Pelee has tentatively been awarded a contract to operate the federal vessel and the Pelee Islander, conditional on provincial approval and authority. This act will provide the township of Pelee with that necessary authority.

CITY OF HAMILTON ACT

Mr. Deans moved first reading of Bill 122, An Act respecting the City of Hamilton.

Motion agreed to.

RESPONSES TO PETITIONS

Hon. Mr. Grossman: Before the orders of the day, I wish to table the response to a

petition presented to the Legislature, sessional paper 114, and an interim response to a petition, sessional paper 107. (See appendix, page 3274)

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Grossman: Mr. Speaker, I am tabling the answers to questions 82 and 83 standing on the notice paper. (See appendix, page 3275)

ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS

SUNSET PROVISION FOR GOVERNMENT BODIES

Mr. Walker moved resolution 12:

That in the opinion of this House the government should bring forward legislation to insert a sunset provision (i.e., automatic date of termination) for all government agencies, boards and commissions, to permit meaningful and periodic review of the continuing need for such agencies, boards and commissions.

Mr. Bradley: We already had that.

Mr. Speaker: Mr. Walker moves a resolution standing in his name. The honourable member has up to 20 minutes.

Mr. Bradley: It's a repeat.

Mr. Walker: Mr. Speaker, I will try and limit my comments in view of the brevity of the hour.

I rise in support of the sunset resolution standing in my name, Mr. Speaker. As most of you know by now, sunset means the sun shall set on the various agencies, boards and commissions of government—

Mr. Wildman: That's profound.

Mr. Walker: —at some specified point in time, say after a few years. Agencies will become automatically terminated unless new legislation is introduced to remandate that agency.

Mr. Speaker, the lesson I learned in the 1977 election is the public of Ontario are not entirely happy with the way we in government spend their money.

Mr. Bradley: Your government, right.

Mr. Walker: That applies to federal, provincial and municipal levels of government.

Mr. Wildman: You have been in power for 35 years.

Mr. Walker: Government therefore must respond to this complaint in a way which

satisfies the public. Government does not always do that. Let me cite an example.

Two days ago the voters of California voted in favour of proposition 13.

Mr. Samis: That's not a very good example.

Mr. Walker: Its passage ensures that in the state of California a reduction of property taxes by nearly one half will occur.

Mr. Samis: \$100,000.

Mr. Walker: That was, in effect, Mr. Speaker, a taxpayers' revolt. The political leaders got the message for once, but it took a sledgehammer to get it across. Obviously, there was a feeling in that state that the legislators' demands exceeded what these people were prepared to pay.

Mr. Bradley: Then they find out the services are gone.

Mr. Walker: Proposition 13 is a very blunt instrument and to some extent a very unfortunate one. Here in Ontario there is a similar feeling in the minds of the public that something has to be done to curb the ever-increasing demands on the taxpayer's dollar.

To a large extent the sunset law answers that public demand. Sunset is a refined and sophisticated way for those in legislatures such as ours to regain control over their own government. It does so by inserting an automatic termination date in particular arms of the government; that is, its agencies, boards and commissions.

Mr. Wildman: Why not the whole government?

Mr. Peterson: Why not his head?

Mr. Walker: At a specified point in time these agencies, boards or commissions automatically terminate. That's it, zap, once and for all they are finished.

Mr. Wildman: They are zapped.

Mr. Walker: However, if the agency, board, or commission has merit, then a new piece of legislation is passed and the agency, board or commission is remanded for a further period of time.

Mr. Bradley: What would you do if they removed Tory candidates?

Mr. Walker: When I use the word legislation, I mean in some cases a new regulation, a new order in council of the cabinet, or a new instruction from the body which created it in the first place.

One perfect example of this very process at work is in the area of legislation, the rent control bill. As the members all realize, it automatically terminates December 31 this

year. In fact, it has a sunset provision written right into it. Everyone knows it terminates automatically. If government chooses to do nothing, the program would automatically disappear very effectively and so would the millions of dollars of expense.

Mr. Warner: The problem wouldn't.

Mr. Walker: Knowing fully well that the program would terminate, this Legislature decided there might be value in some form of continuing tenant protection and therefore established a committee to review the matter. That committee is to report to the minister next week.

The government will receive the benefit of an exhaustive review of the whole tenant-owner question and no doubt, as a result of what it has had reviewed, it will introduce some form of continuing tenant protection, likely somewhat modified from the existing situation. Had rent control been imposed without the sunset provision, it would have continued forever, irrespective of whatever inequities there may have been.

Mr. Peterson: Are you in favour of rent control now?

Mr. Walker: Only a public outcry of immense proportions would have caused the bill to be altered because, from a very practical point of view, all members of the Legislature consider future matters, not past concerns. It is the nature of our parliamentary system to do so. To some extent, it is a fatal flaw that we spend our time exclusively on problems of the day, problems of the future—sometimes real and sometimes imaginary—but never really consider what we did last week, last year, or five years ago.

Mr. Peterson: The voters will.

Mr. Walker: However, there are some matters which, once passed, either become redundant down the way a bit or themselves compound the problem for which the law was first passed.

Mr. Wildman: This whole debate is redundant. We had it before.

Mr. Walker: Let me give you two examples: First, a redundant law, the tax discounters' bill, was passed earlier this year in the Legislature. It covered Ontario and prevented an abuse problem that this Legislature considered important. It was assented to on March 10 this year.

Yet, this same year, on April 17, the House of Commons passed Bill C-46, An Act relating to the Discounting of Overpayments of Tax under the Income Tax Act. It does the same thing basically as the Ontario bill; it

puts the discounter out of business. But our Ontario bill is now redundant. I will be introducing a private bill shortly to repeal that piece of legislation.

The Ontario bill would have been a good bill to sunset. It would have made repealing legislation unnecessary.

The second consideration: The age of majority in 1971 was reduced from 21 to 18. Everyone agreed with it at that time.

Mr. Haggerty: Not everyone.

Mr. Walker: Yet six years later it took an immense public outcry to get the legislation changed such that it would prohibit 18-year-old people from legally consuming alcohol. Had 80 per cent of the public not become aroused on the matter, all of us know that government by its very nature would not likely have responded to the movement for an increase in age. Had the reduced age in 1971 been part of a bill with a sunset clause in it, say for five years, then a proper review of drinking at age 18 could have been conducted without such a large public outcry required.

Mr. Bradley: All you need is a responsive government.

Mr. Walker: It would have been a more orderly assessment of the matter, and I think that it would have been a better government in the legislative sense.

Ontario passes as many as 200 bills each year, some filled with hundreds of sections. Our existing laws are contained in five volumes, each over 1,000 pages long. That, incidentally, can be compared to France, where the entire nation's laws are contained in one volume. Along with Ontario's 5,000 to 6,000 pages of law—

Mr. Peterson: Some legal system, eh?

Mr. Walker:—Ontario proliferates regulations by the dozens each month. It would have 6,000 to 8,000 pages of regulations just to complement the law. I ask you how anyone can know what the law is?

Mr. Peterson: Especially you lawyers.

Mr. Walker: The answer is that no one really does. It is just too much for any person to grasp, let alone the general public who are expected to obey it. Why do we have so much law? The answer, to some extent, relates to agencies of government which themselves have become a government. They were probably established in the first place to carry out a small function of government, yet sometimes they have grown into governments by themselves.

Consider the conservation authorities which are governments within governments, gov-

ernments within many, many municipalities. Consider the district health councils.

Mr. Bradley: The Tory sellout.

Mr. Walker: Consider the whole host of alternative governments such as the Ontario Municipal Board, the Ontario Highway Transport Board, the Liquor Licence Board of Ontario, the Workmen's Compensation Board—

Mr. Bradley: You want to abolish the Conservative senate.

Mr. Walker: —the Niagara Escarpment Commission that looks after some two million acres in this province. These alternative governments are not really accountable to the people directly, yet they rule often beyond the control of government itself.

Last year, in speaking to the review motion of the Leader of the Opposition, I indicated there were some 355 agencies, boards or commissions in Ontario to the best that I could determine. I regret to advise the House that I was not accurate in that matter. It would appear there are considerably more, in the range of 750, to which the government of Ontario makes one or more appointments. There are even more than that if you consider bodies to which the government makes no appointments yet, in fact, provides the funding.

Mr. Haggerty: You should have been on the Wiseman committee.

Mr. Walker: My sunset resolution is an attempt to get a handle on these agencies, boards or commissions. It's an attempt to return to the Legislature, to the cabinet, to the minister, to government in general, the control, responsibility and accountability.

What a sunset provision would do is to require these agencies, boards or commissions periodically to justify their existence to those who set them up in the first place. If the agency justifies its work, then it is simple to pass new authority remandating its existence for yet another period of time. If on the other hand modification is appropriate, that too can be easily dealt with.

If, however, the value of the agency does not warrant continued existence then termination automatically occurs without government doing a thing—something, at times, that it is very easy to do. Some agencies will have outlived their usefulness and their demise will be most appropriate.

The sunset law puts the onus of proof on the backers of the agency or the program to prove the value. This is a shift in the onus of proof. Normally, it is up to those in opposition to a program to justify why there

is no value and, quite frankly in this Legislature and in others, I am hard pressed to think of where programs have been axed along that form.

The magic of sunset is that it turns the inertia of government bureaucracy against itself so that it consumes itself, for as we know, it is far too easy for bureaucracy to do simply nothing and thereby be assured that it is immune from positive action against it. Sunset reverses that onus of proof, Mr. Speaker, by assuming that there is no value and requiring the accused to prove its innocence in order to gain the reprieve.

While I have restricted my resolution to agencies, boards and commissions, let me say that it has great application for all government programs, the assumption being that not all government programs should be in place for ever. Like the hundreds and hundreds of agencies, boards and commissions, programs should not be expected to continue for ever without periodic consideration as to their value. As I once said, "Nothing in government is so holy that it deserves to escape periodic reassessment in order to justify its continuation."

If members approve this sunset proposal, it is not the be-all and end-all. It cannot be applied willy-nilly to every agency, board and commission. It must be carefully applied by a proper and well thought-out piece of legislation so that the proper analysis of the worth of the agency, board or commission can be conducted. For example, one could not modify the Workmen's Compensation Board or Ontario Hydro without very carefully analysing the entire operation.

Application of sunset will have to be phased over many years in order properly to assess the need for remandating. I would think every seven years might be appropriate for some agencies, particularly the very complex ones, but others might have sunset applied every two years or so.

Sunset will not automatically save all kinds of money, although there is that very distinct possibility. Sunset will, however, make more alternatives and more accountability for those alternate governments called agencies, boards and commissions.

Sunset will restore responsibility to these agencies of government. Sunset will allow members of the Legislature to keep a rein on these bodies for which we are assumed by the people to be responsible in any case. I urge your support of this resolution which while aptly called "sunset" may be considered the sunrise of accountability.

Mr. Nixon: That is a nicely-turned phrase.

Mr. Deputy Speaker: Does the honourable member wish to reserve the remaining seven minutes?

Mr. Walker: No, Mr. Speaker.

Mr. Peterson: I think that was a very poetic windup to the honourable member's speech. I think it's just depressing that there aren't more of his colleagues to listen to this because we've been talking about this kind of a program for many years—

Mr. Nixon: There's nothing but empty seats.

Mr. Peterson: —and he really should be haranguing his own members on this kind of issue.

Mr. Haggerty: There's nobody to give an account.

[4:30]

Mr. Peterson: Obviously, we have some differences on the implementation of this kind of policy. We're going to support this resolution, but as I stand here, Mr. Speaker, I have a curious sense of *déjà vue*. We went through this entire debate—albeit it was different in some respect—some six months or so ago, when my leader introduced a similar resolution. We had the same debate. As I recall, the ministers and the government caucus, including the member for London South, didn't vote for it. Those people stood up and guillotined that bill and it never did come to a vote. We are going to support this, because we are of the view that once we support one issue, Walker's resolution in this House, then there will be no more need for him here and maybe he can sneak away where he belongs.

Mr. Warner: Sink slowly in the west.

Mr. Peterson: I just have a few minutes and I want to support some of the things that the honourable member said because I think they are so very important. It is very interesting that I put a question on the order paper on February 23 of this year and, as you know, under the standing orders we expect, in most cases at least, an answer within two weeks. In a clear violation of the spirit of those rules, I had an answer to that question back on May 2, some seven weeks later.

Mr. Warner: Shameful.

Mr. Peterson: I want to read that question into the record, Mr. Speaker, because it is important to the debate. The question was: "Inquiry of the ministry: Would the ministry provide an updated list of all boards, agencies and commissions to which the government makes appointments, the administrative costs of the above board, agencies and commissions

including names of commissioners, methods and amount of indemnity, and the amount of funds administered by the said boards, agencies and commissions in the current fiscal year?"

Well, it's obvious at the outset, Mr. Speaker, that they didn't know and they were scurrying about the ministries trying to find out for what, in fact they were responsible. It is an indictment in itself that they did not have that information immediately, on the tip of their pens, as they say. They should have been able to report back quickly and efficiently.

Even when we did get an answer it was the most convoluted, incomplete and disappointing answer to that inquiry at which I wish all members of the House would take a look. I have no idea how the so-called Wiseman committee or even the committee on procedural affairs is going to proceed without at least cataloguing the various sins they have created over the goodly number of years.

We have had a tremendous difference of numbers on this question of boards, agencies and committees. We cast about the number of 344. The member for London South today says it is over 700. I can say, Mr. Speaker, in the ministry's response to my inquiry, they came up with, depending on how one catalogues it, somewhere over 500. Now that figure depends on local boards, and it depends on ad hoc committees. It depends on a myriad of things but it is in the order of 500 at least. Maybe my colleague from London South is aware of the fact that the government has buried another 250 somewhere that they haven't come clean with, at least to us.

Mr. Bradley: What do you think they do with their campaign manager?

Mr. Peterson: I was very disappointed. I was very disappointed when they spent seven pages in the explanation saying why there could be no detailed explanation and why no answer could, in fact be given. They couldn't apportion the amount of money controlled or administered by each board. Really, Mr. Speaker, it wasn't a very constructive contribution to this process about which we have all, at some time or another, registered concern.

Obviously, one of the important issues in this matter is how much money they administer and how much they cost to administer so we can do some kind of reasonable legislative cost-benefit analysis to find out if we are spending money efficiently and well. As the member for London South has frequently pointed out, we create these boards, agencies

and commissions and then we don't know what we have done with them.

I have a copy of the terms of reference from the procedural affairs committee that's looking into this thing. They have various little squibs about what various committees have done. It's interesting, as an example, Mr. Speaker, to show why it's necessary. It says: "As an example from this latter group, the chairman of the plant diseases licence review board." Now, I must confess to you I did not know you had to have a licence for your plant to get a disease in this province. A 1977 survey readily stated: "We were appointed by the Agriculture minister, Bill Stewart, to act as a review board. We were never used." Of course the list goes on and on.

Mr. Nixon: Very disappointing.

Mr. Peterson: I could read through a long list of redundant agencies. One of the problems, of course, with this committee as I understand these terms of reference, is they are only going to be studying the boards that are, in fact necessary and not the ones that are unnecessary. It's interesting to note at this time, Mr. Speaker, after the leadership of my own leader's resolution on this some six months ago, the concern registered by the member for London South. There are at this present time two committees looking into this myriad of boards, agencies and commissions. Now, talk about efficiency in the Legislature. The Premier stands up and appoints the Wiseman committee—

An hon. member: In name only.

Mr. Peterson: —four Tory backbenchers— to look into this whole matter. We are not expecting any concrete results out of them.

At the same time, the committee on procedural affairs under the member for Oshawa will be looking into this matter. They will be running concurrently. They should start by sunseting one of them, at least.

I don't know how you can possibly justify two committees—

Mr. Nixon: Back to the shoestore, Douglas.

Mr. Peterson: —with their members getting \$50 or \$75 a day, sitting all summer, looking through ridiculous things. It is time for some leadership out of that government, and we have seen none—

Mr. Nixon: There's nobody there.

Mr. Peterson: —out of that chair so far.

Mr. Nixon: Trying to get their cigars lit—

Mr. Peterson: I look back to the debate when it was so eloquently expressed by the member for York South (Mr. MacDonald) about the boards, agencies and commissions

being, in effect, "the Ontario senate," the graveyard for every Tory hack in this province, as some kind of appointee to a board, agency or commission.

Mr. Bradley: Campaign manager.

Mr. Peterson: I want the honourable member to know that I reread that speech. It was a first class speech, and I hope he will repeat it today. It is a burial ground for these dead, tired political warhorses, a place for them to retire to in some kind of peace.

Mr. Walker: There is one there for you, David.

Mr. Peterson: Everybody is aware of the abuses of that. The member for York South pointed them out so beautifully in that last debate.

Mr. Nixon: Take their pension and a salary, too.

Mr. Peterson: Obviously we need conflict of interest legislation to protect ourselves from that kind of political abuse of this system.

Mr. Warner: Just because there is no senate in this province.

Mr. Peterson: We can certainly understand with that kind of tenor and flavour—

Mr. Nixon: We need a new government to weed it out.

Mr. Peterson: —why the Premier is so reluctant to change this kind of thing. He expressed his reluctance, in fact, in the kind of committee he appointed, the kind of members he put on that committee. Frankly, I am not very optimistic that much is going to come out of that committee.

I want to take the House back a bit, if I may, to the resolution—

Mr. Bradley: How many Tories?

Mr. Peterson: —we would have preferred which was introduced by the leader of the Liberal Party at that time. Sunset isn't a bad device, but let's not get carried away with it. It's not a panacea for this waste and redundancy in government, but it is one management device. It is one technique that can be used.

We have in the past talked about—and will continue to talk about—other management devices and techniques that should be employed to keep this large bureaucracy under control. We've talked about deregulation on a systematic basis. We have talked about zero-based budgeting. We have talked about analysing the economic impact. And we have talked about sunset. And we support that. I don't want people to get a false impression that this is a universal panacea.

One of the problems with sunset is that it creates an automatic death, but it doesn't automatically create or allow for the consolidation, and the making more efficient, of some of these boards, agencies and commissions. It puts a different kind of onus on that board and it's a good onus. It is well known around here that the members have to justify their existence every once in a while. We've had to do it in the last couple of years and there is a good chance we're going to have to do it again very soon—when we will have no trouble justifying our existence, believe me about that.

Mr. Wiseman: Do you know something?

Mr. Nixon: There is going to be a real harvest this year.

Mr. Riddell: At that time the changes are made, too.

Mr. Peterson: I don't have to apologize for that, I think it is a good thing, a constructive thing in the process. It is time to sit down and rationally get a handle on this. It's not time for just a superficial motion. We should be putting our time into constructive, positive analysis, line-by-line, statute by statute, regulation by regulation, board by board, agency by agency, and commission by commission, to look at if in fact they are fulfilling a role, if they are doing it well, if they are doing it efficiently, if they can be consolidated with another board, agency, or commission, and bring the whole thing to heel. It is not easy. It is going to take a goodly number of years.

The honourable member's resolution says in effect that we should amend some 350 or whatever enabling statutes, putting in an extra clause, giving them an automatic death. What he is talking about, according to legislative counsel, is possible but extraordinarily difficult. We are going to be dealing with sunset amendments because you can't bring in a grandfather act that is going to deal with all of the—

Mr. Deputy Speaker: The honourable member's time has expired.

Mr. Peterson: I think that our suggestion was a constructive one.

Mr. G. Taylor: Sunset on you, Peterson.

Mr. Peterson: We will support this one because it is better to light one candle than to curse the darkness.

Mr. Nixon: Very well put.

Mr. MacDonald: These poetic conclusions to the speeches from the honourable members from London are really challenging.

Mr. Nixon: And from Toronto?

Mr. MacDonald: I do not approach their level of poetry; I may even be a disappointment to them.

Let me say this: The problem which has provoked the introduction of this resolution is, admittedly, a very important one. We have agencies, boards, and commissions that have been sitting around, sometimes, for a couple of generations. Some are redundant. Some are overlapping. We should have some mechanism so we can take a look at this situation instead of letting it just drift on.

There are two things. One is the sunset legislation that this resolution calls for which would trigger that review. But even more important than triggering the review is a mechanism to do the review.

By triggering the review, sure, the act may disappear, but it may be something that should be continued. It may be worthy. The mechanism for a review is very important. I want to suggest that we may be moving toward the development of an effective mechanism for review and in my view, that's far more important than the sunset legislation.

Let me try to explain that because it is the burden of my remarks.

Agencies, boards, and commissions have been set up by governments to do jobs that the government, rightly or wrongly, concluded could be done by some body with a degree of independence. Sometimes this body was an advisory body; sometimes an appeal board; and sometimes it was an operational body like the liquor commission, or Ontario Hydro. This body, established to go out and do a certain job, became an emanation of the crown.

Just as this government should be subjected to the review of the Legislature to see that it is doing its job correctly, so should all those agencies, boards, and commissions.

That is where we have failed. If we have failed. If we have failed here I think it is as well to acknowledge we've failed generally in the parliaments of the western world. We've been seeking ways to do this.

What have we done in the past? We used to have a standing committee on government commissions. Theoretically, this body was going to look at all agencies, boards, and commissions in the normal four-year period between a couple of elections.

Presumably, they would have divided the time so they could review that whole list. It wasn't an effective approach because the committee had no staff; the members didn't have the time to do an effective job; and the

committee wasn't given enough time, even if it had had the staff, because there were 18 or 20 committees in the Legislature at that point.

The result was that once or twice a year we would have meetings in which high-profile commissions, like Hydro, or the liquor licence board or something of that nature, would be brought before the committee, to which members had some objections. We would get an hour's report from Ontario Hydro. We would ask a few questions and then we'd go away. And that was supposed to be a review.

It was ludicrous. It was no review at all. A select committee is having difficulty reviewing Hydro now, after years, literally months in certain years to do that kind of thing.

When we moved into the new structure of omnibus committees dealing with policy fields, this got lost in the shuffle, once again. Only last year did we finally assign to the standing committee on procedural affairs the responsibility for at least looking at a portion of this job; those agencies, boards and commissions which are obligated under their statutes to table a report in this Legislature.

May I suggest that all of them should be tabling a report in this Legislature, not just some. They should do it directly through the ministry under whose operational umbrella they are now being brought, to be part of the ministry's report. Alternatively, the ministry's report should acknowledge that there is a separate report coming in from such and such an agency, board, or commission. They would all be tabled in the Legislature so at least there would be an opportunity for us to have the raw material. We would have the basis for reviewing what these agencies, boards and commissions are doing.

Now we've got a bit of a problem trying to work out an effective mechanism for review. Some part of the job, as I said a moment ago, was handled in the standing committee on procedural affairs.

I implore the member for Simcoe Centre (Mr. G. Taylor) not to say it was given the job a year ago and they haven't done it. That is a very facile and unfair comment. They were given the job a year ago and they had no opportunity to do it.

[4:45]

Mr. G. Taylor: Your member was out campaigning for the leadership.

Mr. MacDonald: They had no opportunity to do it last fall because they had no opportunity to sit and they had no staff. We are only now getting at it. Meanwhile, the government has moved with the establishment

of its own internal committee, the so-called Wiseman committee.

It was reported to the standing committee on procedural affairs this morning that our chairman has met with the Premier, and the Premier has indicated that at the moment that review tends to be an approach to each one of the ministries to get them to clean up their houses, which is a good first step. To what extent the committee will go into an actual review of each of the remaining agencies, boards and commissions is as yet not decided. In any case, the Premier's office has indicated to the standing committee on procedural affairs they will keep us informed which ones the Wiseman committee have reviewed and decided to eliminate, or that the government is giving consideration to eliminating down the road a bit, so we won't be duplicating our work.

The Wiseman group, I suggest to you, Mr. Speaker, has got a sunset provision; it's a short-term group; it is not a continuing group. I come back to my basic point, the continuing review of agencies, boards and commissions should be within this Legislature, through the appropriate committee of the Legislature, which is the standing committee on procedural affairs.

I hope when we sort out the relationship, and the portion of the job that is done by the Wiseman committee and by the standing committee on procedural affairs, we can come up with a process and report back to the House on a process whereby each agency, board and commission will be reviewed over a four-year span, or over each year, whatever is deemed to be necessary.

If that is done, you don't need a sunset law, Mr. Speaker. You don't need a sunset law because then you would have said, "Here's a committee of the Legislature whose job it is to review each of these agencies, boards and commissions." All the government has to do is make it possible for that committee, through the necessary staffing and time allocation, to do the job. The sunset provision is redundant. If they are able to do the job, they will do the job.

Conversely, if we have a sunset provision and the government doesn't set up the mechanism for doing it.

Mr. Speaker, is my time up?

Mr. Deputy Speaker: About two minutes yet.

Mr. MacDonald: Two minutes? Oh, gracious.

Mr. T. P. Reid: It will seem like an eternity.

Mr. Warner: Time for some poetry.

Mr. MacDonald: I suggest to you, Mr. Speaker, that the sunset provision is only a step in the direction of doing the job and it fails to come to grips with the real problem, the real problem of developing a mechanism for the review.

The member for London Centre said he hopes for some leadership over there; I don't want the leadership from the government on this. I want the leadership from everybody in this House to develop it through the combined efforts of the Wiseman group and the standing committee on procedural affairs. When the Wiseman group sunsets itself out of existence, the standing committee on procedural affairs, as a regular committee of this House, becomes the responsible mechanism for the continuing review.

If the government and all of the parties in the House take the necessary steps to make certain that that committee has adequate staff so they can do the research work for the review purposes, and if they have adequate time allocation, whether it be during the time the House is sitting or as a committee operating as a select committee between sittings of the Legislature, then we will have a real mechanism. With that real mechanism we won't need our sunset legislation.

I'm not really in favour of this, because this is only a step in the right direction without coming to grips with the problem.

Mr. G. Taylor: I am pleased to speak on this resolution put forward by my colleague, the member for London South. It has been in some other form before this House before but it is one thing that the House, the precipitator of much of our legislation, should be discussing, because in all respects, we have heard it many times before that we are an over-governed nation. It is the legislative bodies themselves that produce that type of over-government. Sunset legislation provides an automatic termination, in its true sense, of programs and agencies within a given number of years.

This may not be the sole purpose of sunset, but that is one of the true features of sunset. Maybe we do not need entirely that solid, true form of sunset but some form of it. The fact is that we are discussing the matter this afternoon. This resolution in theory is good, in practice even better, should we institute it.

As the member for York South has said, the mechanism is not in this resolution, but this, as with other forms of resolutions before this Legislature, is a prod to bring the government to put forth a statute that may do this. The time, the years, the determination, the dates, are all part of that procedure that may

come forth. Not necessarily do we have to say it must be seven years. There are no magical numbers. There is no magic in certain boards and committees and commissions and agencies that we have. But it is necessary to review those and that is one of the basic issues of sunset: that there is some form of review mechanism.

Then again, do we need to have a look at some of these ABCs, as they are often referred to? Should they be modified, reviewed, eliminated or have they outlived some of their usefulness? In that respect again it is necessary to review these boards, agencies and commissions.

Another feature that goes along with the sunset provision is that of funding. Should we review this? It is necessary to review often the funding of the different boards. Are they worth the economic cost to us? Do we eliminate them because of cost or are we willing to, in the alternative, look forward to providing the money for these? Is the board providing a useful function?

This continuous review mechanism may be, as the member for York South has said, the procedural affairs committee of this Legislature. Maybe that is the one rather than what is referred to as the Wiseman committee. Some form is necessary. Maybe the staffing and time should be set aside for that procedural affairs committee so that it can get under way with the duty of removing the over-government of this province and of this country and of our municipalities.

Sunset has been applied in some cases. As an example, we can put forth the rent review legislation. We can look forward to the homeowners' program and some of the other programs that are started and then have inserted in them cutoff dates. Some are inserted after the program gets under way and then receives some criticism. These should be put forward ahead of time.

Like my Premier, I would not like to be provocative but we do have to be provocative at some times, and maybe my statement might be. It was the Ontario Progressive Conservative Party which overwhelmingly supported sunset legislation in the 1976 campaign. Here is where they will rise on the other side there—

Mr. T. P. Reid: Oh, come on, George

Mr. G. Taylor: —and then interestingly enough, the Liberal Party used it as a plank in one of their campaigns.

Mr. T. P. Reid: How you can make a virtue of the mess you got us into is beyond me.

Mr. G. Taylor: Of course, I might add that the member for London South brought that forward earlier as a Progressive Conservative thought on the subject.

Then of course, we have in there the self-destruct mechanisms. This is a feature that the member for London South has put forward. The self-destruct feature is sometimes worthy of note.

Mr. Samis: You are courting criticism.

Mr. G. Taylor: The rent review legislation was self-destructing, but then it has had this sunrise on it every so often as we feel the need—

Mr. Foulds: If it was such an important platform, why isn't there a bill before the House?

Mr. G. Taylor: —to put that sunrise provision in there. So, the sunset and the self-destruct provisions do provide for that mechanism of review. Of course, we could provide ourselves with lifelong work in that respect in reviewing the landlord and tenant legislation—until we remove landlord and tenant legislation in the future. But this self-destruct mechanism has to be put in there and has to work.

Mr. Foulds: Maybe we should have a sunset law on your speech.

Mr. G. Taylor: It will happen. One might say though, as the member brings that up, one might say that we should have sunset on all speeches rather than just the ones in the private members' hours. Indeed, I heard the member for York South earlier this year saying that we should sit longer and longer and longer. I say, when we sit longer and longer, we produce more and more legislation, with more government involvement in the lives of the citizens of this province, that which we do not need.

Mr. Sterling: And the members opposite are responsible for it.

Mr. Foulds: If the member thinks so little of his job, why doesn't he resign? If he doesn't think he should be a legislator, why doesn't he resign?

Mr. G. Taylor: They want to sit longer to get more legislation. When we put this legislation forward—

Mr. Warner: Go sink slowly in the west.

Mr. G. Taylor: It has been referred to in here that it is a sausage machine that produces legislation, and out it grinds. But it sometimes comes out looking like a wiener. When some hot dogs want to change that wiener—and they relish the thought of

changing it—they might think we are too old to cut the mustard on this side—

Mr. Foulds: That's true.

Mr. G. Taylor: —but when they get that food machine going—

Mr. Warner: These remarks will catch up with you.

Mr. G. Taylor: —that solid smörgasbord of legislation, they amend and amend, and what comes out of the legislation is far from what it intended to be. That's what is happening to some of our agencies, boards and commissions: they get operating, and they do not know what they are operating. They get a mandate and continue on; so that's another reason why they should have the sunset put on them.

How is my time, Mr. Speaker?

An hon. member: A five-minute major.

Mr. G. Taylor: Two minutes? Well, in winding up—and I hope Hansard has been able to get all this; we talk so loudly in here and for the record, as we often hear—I don't know what record they are selling in this House—

Mr. Van Horne: I am going to put it on my dartboard.

Mr. G. Taylor: It has been suggested there are approximately 350 agencies, boards and commissions.

Mr. Hall: Who set them up, George?

Mr. G. Taylor: If we set out today, this very minute, we might not get them reviewed before the next election that the member from London, or one of those territories, says is coming forthrightly, in a short while—

Mr. Samis: Who has been in power for 35 years?

Mr. Foulds: You are striding forcefully into the 17th century.

Mr. G. Taylor: —but the present issue is that we have agencies, boards and commissions, and we must review them, change their attitudes, reduce them and cut them out.

Mr. Speaker, I may have slightly less than a minute left for the member who might want to wind up, the member for London South; if not, I pass to the next speaker. The sunset comes down upon me.

Mr. Peterson: The member for London North deserves a turn.

Mr. Acting Speaker: I would point out to the member for London North there is one minute left for this debate.

Mr. Samis: That's closure; that's unfair.

Mr. Van Horne: Thank you, Mr. Speaker. That obviously cuts out a lot of what I was

going to say. But in reference to the member for Simcoe Centre's remarks about the wieners, I would submit that the part missing was obvious in his presence; that is, the beans.

I am pleased to support this resolution. I would submit, however, that it is only part of what should be a total package that, in my opinion, is long overdue. We have seen umpteen examples in this House during this past brief year, and certainly examples prior to that time, of lack of planning. I would submit that it is time that the government looked at not just sunset and the various agencies, boards and commissions to which it might refer, but that it would look further than that to all the programs and propositions through which it spends money and supervises the spending of money.

It has been a pleasure to have these few moments to speak to this, Mr. Speaker.

Mr. Warner: That was excellent.

Mr. Acting Speaker: The time for debate of this matter has expired.

DISPOSITION OF LOTTERY REVENUE

Mr. Kerrio moved resolution 20:

That in the opinion of this House: 1. all revenue from the Wintario and Provincial lotteries should be deposited in the consolidated revenue fund. 2. a ceiling should be set on the amount of money to be directed to non-profit organizations for fitness, amateur sport, recreational, arts and multicultural activities; 3. the balance of the revenue should be directed to health programs and research and health-related environmental programs; and 4. the revenue from the lotteries should be distributed according to a formula established by the Legislative Assembly and should be reviewed on a yearly basis.

Mr. Acting Speaker: The member for Niagara Falls for up to 20 minutes.

Mr. Kerrio: Mr. Speaker, I am disappointed that the minister isn't here.

An hon. member: He is not here again?

Mr. Warner: He's not disappointed.

Mr. Foulds: He is in Edmonton. He has got an Edmonton commitment.

[5:00]

Mr. Kerrio: I would like to suggest that it is sort of coincidental that he comes from the wine country, because I think the effect of his grapevine is showing in the number of letters I have received from various members of the arts, libraries, and other cultural groups. I'm a little disappointed that they

did not take a bit of time and touch base with my resolution before they took exception to it. Out of respect for them, I would like to say I am most concerned about those groups as they relate to the funding from Wintario.

At the outset, I'd like to reassure those who are concerned about a continuing commitment to sport, recreation, art and multi-cultural activity.

Mr. Warner: Don't worry about it. It's not going to pass.

Mr. Kerrio: I would like to say it is not my intention to propose legislation which would prevent lottery funds from going to these very worthwhile activities. The reason I am tabling this resolution is that I am seriously concerned about priorities at this time. I can't believe any member of this Legislature or any member of the arts, multicultural, sport or recreational groups would object to a fair and equitable distribution of lottery money for very important and worthwhile purposes.

An hon. member: You heard them today.

Mr. Kerrio: Recognizing that culture and recreation are activities deserving support from the lottery, but also recognizing the lotteries have generated much more funds than had ever been anticipated, I am proposing a reconsideration of the way in which lottery funds are disbursed. I had been assumed that all money generated by the lotteries is to be spent on culture and recreation. Since much more money has been generated by lotteries than expected, and since we are in serious economic difficulties, I believe my resolution to change this approach is timely and important.

Two of its provisions are clarifications and extensions of existing policy. The first is the proceeds from the Wintario and Provincial lotteries be deposited in the consolidated revenue fund. That is already being done and it's accepted practice that those moneys would be deposited in that fashion.

Mr. Ruŝton: Darcy uses it. He makes use of it.

Mr. Kerrio: The second is a proportion of this revenue be directed to health programs and research in health-related environmental programs. The fact that so much money has been generated should not in any way take funds from those areas I have addressed myself to. I keep referring to that because it's very important that the people understand my commitment on this bill and the policy of the Liberal Party. We are dedicated and committed to supporting those aspects

of our cultural and recreational areas that are so meaningful to many people in our society.

Mr. Wildman: Did you say you were committed?

Mr. Foulds: Are you for or against this resolution?

Mr. Kerrio: The proportions are to be determined by a formula established annually by the Legislature. In this way, there will be a flexible mechanism to determine how money should be spent in response to changing demands and conditions, rather than the present blanket, indiscriminate approach which is out of touch with the needs and realities of today. When the formula has been determined, a ceiling shall be set on the amount of money to be directed to non-profit cultural and recreational activities and the balance should be spent on health and health-related environmental problems.

At this juncture, I'd like to relate something that happened to me as recently as yesterday. I attended with many other people in the Niagara region, the opening of a \$600,000 addition to the crippled children's facility there. That money was raised by local fund-raisers. These are areas where I think the government has very luckily had the obligation taken from them. There are areas of concern—I'm pleased to see the Minister of Community and Social Services (Mr. Norton) is here. In the Niagara Centre for Youth Care, we are just operating on seed money. The government has not seen fit to make a reasonable contribution to a very much needed facility to take care of disturbed young people in our community. During the debates on the estimates of Culture and Recreation, when I suggested that there had been considerable money extended to some areas of arts and culture I wasn't suggesting that we take those away from those areas, but that there was much more money generated. While they had hoped that Wintario, at its inception, might raise \$20 million to \$25 million, in the very first year we raised some \$42 million. We carried over into 1976-77 \$38 million of the \$42 million and added to that \$76 million more.

Mr. Ruston: I never won a dollar.

Mr. Kerrio: We have accumulated over the years in that short time, nearly \$150 million.

Mr. Hall: That much?

Mr. Kerrio: There is absolutely no way that the government can continue to spend this kind of money without recognizing that it's time we had some priorities. Now we're

faced with a government considering a fourth lottery, believe it or not—a fourth lottery for which you can buy tickets in this province. And the fact of the matter is that particular lottery, which is referred to as the computerized lottery, is, in reality—

Mr. Nixon: That is called the numbers game.

Mr. Kerrio: —and I don't like to use this particular term, but a member of the press used it so I feel I could carry on that way—he referred to it as the numbers game.

Hon. Mr. Norton: You certainly set high standards for yourself.

Mr. Foulds: You are not fussy about where you pick up your ideas, are you?

Mr. Kerrio: The fact of the matter is that it was first brought into being in Chicago by Dutch Schultz, the gangster. I wouldn't like to suggest that this government has anything in common with Dutch Schultz, but the fact is that they are planning this kind of a lottery for the province of Ontario.

Mr. T. P. Reid: He was an amateur compared to this government.

Mr. Ruston: The Chicago gang. The Treasurer used to be called one when he sat in the back row.

Mr. Acting Speaker: Order.

Mr. Kerrio: We are now embarking on a situation in the province of Ontario where you will be able to purchase tickets on four different lotteries—

Mr. Wildman: You would think you would welcome that. I thought that is what you wanted.

Mr. Cunningham: They are going to call the last one "The Regional."

Mr. Kerrio: —despite adding to this particular area of gambling, despite adding to people's ability to perform this particular function and so raise considerable money by gambling, I'm very concerned that the government has not seen fit to deal with the expenditures in a more meaningful way.

Many sectors believe there is potential abuse involving Wintario funds. An independent study on municipalities' use of these funds reveals that some communities know how to shift financial support to desired projects so that Wintario criteria for proven community support appear to be present. That was reported in some of our papers in Toronto and they called this laundering of government funds; in reality, those places were getting a considerable amount of Wintario money put to that kind of use without coming up with private matching funds.

It is also well known that many so-called semi-private clubs get lottery funding when they do not really meet the public accessibility criteria set forth in the principles of Wintario.

We also know of the odd fraud involving recipients of Wintario funds whose expenditures are not and cannot be effectively monitored because Wintario follow-up is spotty and not meant to analyse the value of this very new venture for the Ontario government. That is a grave concern of mine, but the reality of it is that we now have people in the upper income brackets with their hands in the public purse.

Mr. Samis: What's new?

Mr. Foulds: What else is new?

Mr. Warner: It's been going on for years.

Mr. Foulds: Name some names.

Mr. Kerrio: And I have to say, Mr. Speaker, that when it comes to those kinds of expenditures with Wintario money, it's time that the government took a very, very good look at the criteria and the kind of people that get support from Wintario.

I'd also like to suggest that the very fact that matching funds are part of the criteria leads to those areas that have the ability to raise matching funds continuing to get more and more of this Wintario money. However, Mr. Speaker, even though the government has seen fit that one part in two is necessary rather than matching funds, I would like to tell you that where a recreation facility is badly needed in a remote place such as Moosonee, there's just no way the people can raise the kind of matching funds necessary to qualify for Wintario money.

So there are many, many abuses of the system. I am suggesting that the money, in fact excess funds that have been raised are not being put to good use. When it became apparent there was a great deal more money than needed to fund libraries, the arts, culture and fitness, the criteria that suggested "try us," I'm afraid we're pretty loose. In all the time the lottery has been in place, there has not been any movement to make certain those people who avail themselves of Wintario money put it to the kind of use to best serve those municipalities.

Now I would also suggest that we in the government must begin to be responsible as people within their own households are responsible. Along with many of the members here, I have certainly watched many shows where people have won. When interviewed and asked how they would spend their winnings, in nearly every instance they would cite areas of need within the family, and

things they would like to do but couldn't afford to do. I suggest it's time the government was just as responsible with funds raised through the lotteries in the province of Ontario.

Now I suggest that there is another area of grave concern to me in the matter as it relates to the competition we give very worthwhile charities such as those for multiple sclerosis and the mentally retarded. Those organizations now find it more difficult to raise funds because of the competition from Wintario. When you watch those very expensive programs on TV, Mr. Speaker, you can appreciate that those people are certainly at a disadvantage when competing with the government of the province of Ontario to make their case known. I suggest to you we owe it to them to address ourselves to those areas where we have taken away their ability to raise funds for their particular causes.

I raised that question with the Premier on one occasion and he promised to get me an answer. I am not suggesting he didn't give me some kind of an answer because he said they would be willing to help. But I am very concerned as to the help that was given, and I wonder now if such a resolution has taken place.

Mr. Speaker, I would like to reserve five minutes and I would like to know how my time is now.

Mr. Acting Speaker: Just under five minutes left.

Mr. Kerrio: Just under five minutes. Yes, thank you very much Mr. Speaker.

In summing up I would like to set at ease those minds that think this bill would, in any way, affect very worthwhile cultural, art and sports funding.

Mr. Bradley: Somebody has been on the phone.

Mr. Kerrio: I would like to say that I am most concerned about the huge amounts of money that have been raised through this method. I hope the government and the third party will support me in this resolution to see if we can't put it to more meaningful use.

[5:15]

Mr. Grande: We have met with the Liberal critic many times during the estimates, at least for the last couple of years, and let me say at the outset that I am not in agreement with this resolution he has before the House today. I oppose this resolution because I firmly believe it sets very dangerous precedents for the province of Ontario.

Mr. Bradley: Besides, it didn't originate over there.

Mr. Grande: I will get into that in due course, but first, let me suggest that what this resolution indeed does—

Mr. Kerrio: It must be a good resolution.

Mr. Grande: I am convinced that the Liberal critic for Culture and Recreation—as a matter of fact, I am extremely happy that he has converted. In the last few days there has obviously been a conversion on his part. I guess he felt that throughout this province there are many hundreds of groups who do rely upon Wintario assistance and Wintario funding in order to carry on all the worthwhile activities in recreation, multicultural activities, and the arts.

Mr. Bradley: He is not excluding them.

Mr. Grande: I say that I am glad that the Liberal critic has converted—at least he appeared at the beginning to be converted—however what I felt listening to him was that he felt constrained to say what he really wants to say, that is, that he considers most of the activities that are going on across this province to be frills and nothing else. I reject that point of view.

Mr. Bradley: But he didn't say that, though. You're saying he said that.

Mr. Grande: I rejected it at the last two ministry estimates and I will continue to reject it.

Mr. Wildman: He said it in estimates and it's in Hansard.

Mr. B. Newman: That's how I interpreted your comments in the estimates.

Mr. Grande: Mr. Speaker, to me, cultural activities across this province have a value which goes beyond putting a dollars-and-cents value upon them.

Mr. Bradley: You need a lottery to do it though?

Mr. Grande: Well, to respond to that, never in any country in the civilized world have the arts, these kinds of activities, been self-sustaining. The member knows that, and if he doesn't he should do some research.

Mr. Bradley: I feel put down now.

Mr. B. Newman: Did he hurt you?

Mr. Grande: On many occasions, the Liberal critic has stated that part of the Wintario money should be going to other worthwhile activities. At the beginning of this resolution he said—I suppose he did quote it so perhaps there is no point in quoting it again—but he said first, that all revenue from the Wintario and Provincial lotteries should be deposited in the consolidated revenue fund.

The Liberal critic, two and a half years after he became the Liberal critic, does not know that in fact that is exactly what happens, and he has to put it in a resolution before this House. If he had bothered to take a look at the Ontario Lottery Corporation Act, it states very clearly in section 9, "The net profits of the corporation after provision for prices and the payment of expenses of operation, shall be paid into the consolidated revenue fund."

However, what section 9 also does is to earmark these particular funds for specific purposes. It earmarks them to the promotion of development of physical fitness, sports, recreational and cultural activities and facilities therefor. Obviously, the Liberal member is not happy with that and he would like to bring in an amendment and through this resolution change that particular act.

Mr. Wildman: Why doesn't he amend the bill?

Mr. Grande: May I suggest to him that he could. Nobody prevents him. He does not have to bring it in terms of a resolution. There is no expenditure of money in changing that.

The next point that the resolution brings forth is that a ceiling should be set on the amount of money to be directed to non-profit organizations for fitness, amateur sports and recreation and multicultural activities. Clearly, the intention is there to curtail these activities across this province.

I want to go back historically to the point that somehow money raised from Wintario is not used for worthwhile causes. That point, historically, is back in 1976 when the then Minister of Health, the member for Muskoka (Mr. F. S. Miller) went around this province saying to people that he was going to close 10 hospitals across this province. What happened is the so-called angel of death at that particular time, this Legislature, came down pretty firmly and stated categorically, "No way you're going to do that." We won that battle.

I may suggest to the Liberal critic that perhaps the pressure for the priority of what the Ministry of Health does is right here in this Legislature; and it's not a matter of money. There are approximately \$3 billion in that Health budget. Sixty million dollars from Wintario is not going to make a lot of difference.

From there, we went to the other crisis. The other crisis is the coming on the scene of the then Minister of Community and Social Services, the member for Prince Edward-Lennox (Mr. J. A. Taylor) who said,

"From this particular year we're only going to have a 5.5 per cent increase in social services." The Legislature started pressuring that, and started pressuring the Ministry of Community and Social Services and said, "No, you cannot do that." However, I think we lost that battle.

I don't think any portion of Wintario funds that would have gone into social services at that particular time would have changed the position of the government. They would not have spent more money in the social services and not reduced that budget.

Then we went to the other crisis, the unemployment crisis. One of the back-bench members of the Conservative government, a northern member, the member for Fort William (Mr. Hennessy), I think, suggested some of the Wintario money should be used to create employment.

The reason why I'm pointing out in a historical fashion—

Mr. Wildman: Why don't we amend the bill?

Mr. Grande: —what has happened over the past two or three years is that it is the government's responsibility to decide on the priorities so that these kinds of crises do not develop.

There's no point in trying to put in \$50 million or \$10 million or \$12 million from Wintario to alleviate those particular needs because that is not going to make a lot of difference. It is government positions; it is priorities on which we, on this side of the House at least, have opposed the government at every turn regarding the cutbacks.

Then we come to the OHIP situation. Again, from the Liberal Party we hear, "Why don't we put into OHIP some money from Wintario to relieve the 37.5 per cent increase?" Mr. Speaker, you know and everyone in this Legislature knows that \$10 million from Wintario going into OHIP would have not decreased that increase by a tremendous lot.

What we should have done and what we attempted to do, and what we did do is to say to the Treasurer of this province, "That increase is clearly unacceptable."

Mr. Bradley: Run a higher deficit.

Mr. Grande: "You are the ones who govern this province. It's not acceptable to the opposition parties, so therefore you change your mind." Indeed, we won.

Mr. Nixon: Did you vote with us on that?

Mr. Grande: Therefore, I would not want the Liberal critic to think that by putting \$5 million or \$10 million from Wintario into

health, that is going to change the priorities of this government or this government is going to be spending more money on health.

Mr. Kerrio: It's sure moving in the right direction.

Mr. Grande: What in essence would happen if that were to be the case? What would prevent the Treasurer of this province next year, in the Ministry of Health budget or the Community and Social Services budget—

Mr. Acting Speaker: The member's time has expired.

Mr. Grande: I will wind up.

Mr. Bradley: You should have wound up earlier.

Mr. Grande: What would prevent the Treasurer from saying, "Since you've got \$10 million from the Wintario, then the next year you will receive \$10 million less"?

Mr. Acting Speaker: The member's time has expired.

Mr. Grande: The dangerous precedent is that non-tax moneys are going to be used for essential services in this province.

Mr. McCaffrey: I must be candid right at the beginning and say that perhaps more than any other member of the Legislature I was sorry that the minister was not here today to speak to the resolution of the member for Niagara Falls.

Mr. Wildman: Because you didn't want to.

Mr. McCaffrey: I say that because I know that I've heard him in the past speak briefly in committee to the member's comments and I know that he can handle this topic exquisitely well. I felt a little uncomfortable, as I say, because as you know, Mr. Speaker, I'm relatively new to the ministry and I did some rush reading this morning with the assistance of several good people up there to help me a bit.

Mr. Wildman: They're up there now.

Mr. McCaffrey: Frankly, my confusion, if I felt any up until an hour ago it, seems as nothing compared to the legitimate confusion that the member for Niagara Falls reflects.

Mr. M. Davidson: Got to make sure you did a good job.

Mr. McCaffrey: I don't mean to be critical.

Mr. Wildman: They're breathing down your neck.

Mr. McCaffrey: The member for Oakwood, too. It seemed to me that if these are the two most vocal critics of this ministry and this particular program on the other side of the Legislature we have absolutely nothing to be terribly concerned about.

I was particularly struck with the member for Niagara Falls' comment, especially at the beginning where he went out of his way to talk about his continuing commitment—his expression, his “continuing commitment”—to the concept that he was, and he repeated it, dedicated and committed as in fact was his party to this concept of providing moneys for cultural and recreational purposes in the province. No cuts were suggested by him. Heaven forbid. His resolution didn't in any way, shape or form imply that there would be cuts to these very useful dollars—only priorities. It seems to me the most delicate way I've ever heard anyone describe a cut.

In fact, his resolution is very clear. He would cut back substantially on the amount of money that is now being used through Wintario to fund quite exceptional programs throughout the province. But if the member is hiding behind the word “priorities” it leads to a second point, that people in their homes and businesses too, particularly in difficult economic times, have to set priorities and they have to make cuts. The implication there it seemed to me, was that their cuts might be of a recreational or cultural nature and I felt, as the member for Oakwood did, that the member for Niagara Falls was suggesting that many of the programs sponsored by Wintario were merely frivolous.

The second thing that impacted me about his initial opening comments was his pre-occupation with the “huge amounts of money” he said that were coming in—huge amounts of money, much more money than had ever been expected. I think that may well be a legitimate hangover, if I may use that expression, from when the hoped-for target of \$25 million for Wintario in its first year three years ago was exceeded. It seems to me that we are in the process now of having reached, or are close to reaching a plateau. I stand to be corrected, but I think we're looking at an amount of money in the order of something like \$60 million a year that seems to be fairly predictable. That may not be the ceiling, but we are approaching one it would seem. I don't think there are the huge amounts of money floating around in this program that the member's opening comments implied.

If I may just make reference to one of the very fundamental principles which underlies the Wintario program: Wintario funds are intended to enhance our capacity to promote and encourage cultural and recreational objectives and are not intended to replace or relieve the responsibility of ongoing government programs in this field. I wanted to men-

tion that because in the estimates in April the minister and the member for Niagara Falls discussed this in general terms.

I thought one of the sentences that the minister used was quite relevant for this afternoon. He's talking about the balance between the ongoing committed programs, programs that are underwritten by the tax dollars in Culture and Recreation and the Wintario money.

[5:30]

“What I'm saying here,” he says, “is that we have arrived at a nice balance between insuring that the ongoing programs of this ministry are funded in a very open and deliberate way from tax sources and that we have some additional money from the lottery which we can use to do some special things which otherwise might not be done.” It seems to me that is the essence of this program: that all of us here, not just the government, are in a position to do some special things which otherwise might not be done. I say all members of the Legislature because, as the resolution raises, there has been some concern about the question of control.

The Legislature, it seems to me, has this very real control right now. All Wintario funds are now, and have always been, deposited in the consolidated revenue fund. This Legislature votes an amount each year to the Ministry of Culture and Recreation for Wintario grants. Both the member for Oakwood and the member for Niagara Falls are on the standing committee on social development. I read the transcripts this morning. They both actively participated in those discussions. They are on that committee. It reviews the ministry's spending estimates each year, reviewing what the ministry has done with Wintario funds in the previous year and questioning the minister about the use of funds in the upcoming year.

Again, the member for Niagara Falls talks about it being time, given the economic realities of today, given the restraint realities of today, that we should reconsider the ways this money is being spent. It seems to me that is being done. It is being done in this standing committee. It is being done by the member for Niagara Falls himself, the member for Oakwood and others.

The Provincial moneys, the \$5 ticket, are not in the consolidated revenue fund. I think perhaps that is where some confusion has arisen. There is no specific rigid formula for the disbursement of funds. I am not at all convinced—and I am confident the minister would share this—that for the time being a

rigid formula may not be a bigger obstacle than the flexibility that the minister now has.

I was amused when reading earlier today the transcripts when the lottery corporation was set up here in 1975. The member for Kitchener (Mr. Breithaupt) hit it right on the head I think. One of the major problems that he could foresee was, "The major problem, of course, will be the division of the spoils. I would imagine that the minister will require the wisdom of Solomon to try to decide among competing groups, all with very worthwhile projects, just how the money is going to be divided."

I think that was the valid concern then and it probably has continued to be over the three and a half years. But if the Minister of Culture and Recreation has not had the wisdom of Solomon, it seems to me that he must have been awfully close to it because there have not been any major concerns about the distribution of money, the way it has been handled, the openness with which it has been handled. Rather, the concern expressed by most members of the Legislature has been like most members of the community at large. They wish there was more money to fund some of the important special programs that are going on in this province.

We are at a point right now in the Wintario grants program which I think is an important one and where again there has been some confusion—the implication that there is an amount of money just lying around that has not been earmarked. There is now no excess of Wintario money. This money has been spent or committed. I know the minister tried to clarify this in question period recently. Subsequently he wrote a letter to the editor of one of the Toronto newspapers. I would just like to go over that for the record.

Mr. Kerrio: Read Auld's report too.

Mr. McCaffrey: "Because the Ontario Lottery Corporation and the Wintario lottery were in operation several months before the establishment of the Wintario grants program, the government initially experienced an accumulation of revenues in excess of commitments or payments. This accumulation continued for some time in excess of \$20 million and reinforced a commonly-held view that the Wintario coffers were overflowing with greater revenues than the fields of culture and recreation could accommodate."

"After two and a half years of operation, however, the Wintario grants program has developed to the point where this lag be-

tween revenues on the one hand and commitments and expenditures on the other has been completely filled. From May of 1975 to the end of February 1978 the Ontario Lottery Corporation turned over to the province a total of \$181 million as proceeds from the Wintario lottery. During the same period—"

Mr. Speaker: The honourable member has about 30 seconds.

Mr. McCaffrey: Thank you.

"—the Wintario grants program committed a total of \$181.5 million for the successful projects, of which \$94 million has already been paid."

Mr. Wildman: When are we going to install pinball machines in restaurants?

Mr. McCaffrey: In conclusion, I think the controls which the resolution wants are already in place. The excess money which has been referred to is not there. The commitment, which I am delighted the member for Niagara Falls has, is shared by everybody on this side of the Legislature; we just want him and his party to continue to be as dedicated to this as we are.

Mr. Nixon: Mr. Speaker, I am sure you can recall that long before we ever heard the word "Wintario"—and isn't it strange, it is much easier to say now than it was when we first heard it, because of the advertising—and long before we ever heard of the Provincial lottery, when the minister who is in charge of it still considered it sinful, this Legislature, by taxing the citizens of the province and using whatever wisdom is available here in the government and the opposition, was, through the Ontario Council of the Arts, through the Ministry of Education and through a wide variety of grant programs, providing for the cultural and recreational pursuits and requirements of the province.

It might have been inadequate then, and there are many people who are prepared to say it is inadequate now, but certainly those people are wrong who say that any removal of the requirement that the Wintario fund must be dedicated and directed towards specific programs is going to be a hardship on these areas of cultural pursuit and importance in the community.

I have been interested in the number of very strong and heartfelt phone calls and communications I have had, I think almost all from people in the library boards and library offices in my constituency, who are somehow under the impression that the passage of this

resolution in the House is going to cut off funds for libraries.

Nothing could be further from the truth, and the only thing that interests me in this is what enterprising public servant or politician undertook to send the jiggles down the grapevine to these library boards that would persuade them that they had to get in touch with my colleague from Niagara Falls and others, saying: "Good heavens, don't cut off the money for libraries."

As a matter of fact, I can recall the debates in this House when the government was not prepared to support the libraries and when there was a very strong stand by the opposition parties, which really changed the position of the then Minister of Education, to begin the independent support for libraries, historical societies, museums and things like this, which surely are an important part of our community and must be a continuing part.

I had to say that because there is certainly somebody over there assisting the government in some sort of a misrepresentation which, frankly, I for one resent.

I want to also say this: The Ontario Council for the Arts has had substantial sums of money, quite independent of Wintario funds, that have been available by the decision of the government recommending to the House and, in each instance that I recall, being fully supported by the House, in putting forward funds for the support of cultural pursuits of a wide variety in the province.

Frankly, I can recall when our athletic office—and it used to change departments fairly regularly there was a very fine gentleman whose name eludes me who used to run that—

Mr. Gaunt: Bob Secord?

Mr. Nixon: I guess it was before him, but they would be sending out athletic equipment. It wasn't necessary to put in a Wintario application, have it reviewed, with a letter from the ministry saying "Your application is on file and we are giving it consideration," and a letter from the minister himself saying that the bats and balls were going to be made available to this fine team and that they were even throwing in a few face masks because they felt the people were so worthy of support by the government and by the minister.

Actually there are aspects of that that make me cringe a little bit when I see the doses of saccharin that are sent out with the money. I resent that to some extent too.

We have all been aware of the fact that when the applications are turned down, even for good and sufficient reason, it is not the minister who sends the letter out saying "I

regret to inform you that we are not going to send you any money," it is some other person, some signature that is "per" somebody else, with a few letters down at the bottom, and they have got to carry the load.

Mr. Wildman: Johnson.

Mr. Nixon: It is probably a small point, but it is like the member for Lambton (Mr. Henderson) who carries out his duties by distributing the cheques himself.

Mr. Cunningham: He has got to be good at something.

Mr. Samis: Does he wear a red suit too?

Mr. Nixon: As soon as a lottery fund becomes a pork-barrel fund, then you are going to have to suffer some criticism. I should say, in fairness, that I don't feel it has been pork-barrelled to the extent that it might have been. To some extent, I resent the approach taken by the government, in what used to be handled in a very straightforward way for athletic equipment and support—if you'll pardon the mixed metaphor there—in providing the assistance that we would all certainly support.

Mr. Conway: Evelyn didn't smile.

Mr. Nixon: Point number one—and our time is limited—is that this House has always been very supportive of a government putting forward public funds from our budget to support these community programs. Don't get the idea that it was only with Wintario funds that this has been carried on or could be carried on.

The second point is that I really do resent earmarking any funds that come from the community by way of taxation or any other government program. It's almost as if we remove a cloud of sin—that ridiculous concept associated with this—by using the money only for good works. It's a wonder the honourable minister didn't say we're only going to use it for additions to Anglican churches or something like that. That is the sort of thinking that has gone along with this. In the justification of the Wintario lottery, if it makes people feel better to say we're going to foster the arts and the football teams; we're going to send the senior citizens' hockey club to Amsterdam, fine. That's the sort of thing some of the money has gone for. But essentially it must be regarded as a revenue source.

When we were debating this back in 1971—I was looking up the speeches too—we were beating our breasts and saying that with \$8 billion coming into the consolidated revenue fund, it should be left to the Treasurer to recommend to his colleagues, and the government to recommend to the House, how the

money is to be spent. Really, I believe very firmly that that's the way it should be done. We've got a lot of fine new arenas. Maybe we've saved the lives of a lot of young people by declaring some of those arenas unsafe two or three years ago, and spending the \$60 million to replace them. A number of them are in my constituency. To be fair, I even attended the openings along with representatives—

Some hon. members: Oh, oh.

Mr. Nixon: I did. And I congratulated the people for having those arenas.

Mr. Conway: How was the food?

Mr. Nixon: Even before Wintario was ever heard of, we were building and assisting with the building of arenas across this province. There's no doubt in my mind that that kind of support for these community programs would be forthcoming from this Legislature.

I believe that we should have the right to decide where the emphasis should be, with recommendations coming from the responsible minister of the crown. I do not believe in earmarking funds.

One of the classic cases, I suppose, was in the United States where there was a tremendous public opposition to the imposition of a gasoline tax, if you can imagine. The federal government imposed a gasoline tax at the huge rate of three cents a gallon, or some very small amount. They said, "We're not going to put this into general revenue, we're only going to use it to build roads." Well, the money firehosed into that fantastic fund. It became a multi-billion dollar fund that built their roads, but the government of the United States was not free to channel those funds or even parts of them when, from time to time, other matters of national importance came along, like the redevelopment of the blighted downtown cores of Buffalo and Detroit and certain other cities.

I believe that the government of the day must have the freedom to allocate public funds as it sees fit. The Legislature either approves or not, and the final test, of course, is when we go to the people. I have no qualms about the lottery program at all, in fact, I was among many of the members who called for the establishment of such a program. But I do support the principle of this resolution on the basis that the funds that come into the consolidated revenue fund should not be earmarked, other than by the decision of the Treasurer recommending to the government and to the House.

We in opposition—and hopefully in government in a few weeks or months—will want those powers on behalf of the people of

Ontario; the ones who buy the tickets at the rate of over \$1 million a week, and even those who do not. That is the justification of why we are here. I'm glad to see the strength of my oratory is bringing so many members in, hopefully, to support this resolution, which, I believe, is reasonable and which puts the power where it should be, with the members of this Legislature. Frankly, the members of the government should make the decisions needed to allocate these extremely important funds to the best benefit of the communities.

Mr. Speaker: The honourable member for Beaches-Woodbine for two minutes.

Ms. Bryden: I realize, Mr. Speaker, I only have two minutes. I find this resolution rather confusing because the first clause states the money should go into the consolidated revenue fund. It already does that.

Mr. Nixon: Mr. Kerrio made that point.

Ms. Bryden: The second two clauses suggest how the money should be spent and then the fourth clause says it should be determined by the Legislature. Surely, it's contradictory to say how it should be spent, and then to say it should be left to the Legislature.

Mr. Hall: Picky, picky, let's get down to facts.

Ms. Bryden: Mr. Speaker, I support clause 4 of the resolution and if there had been time, I would have moved an amendment that all the other clauses be struck out—

Mr. T. P. Reid: We'll change it.

Ms. Bryden: —and that clause 4 be retained. A position, Mr. Speaker, I have been advocating for a number of years is the Legislature should have the full say as to how Wintario money is distributed.

The present situation, where one minister is the tsar of Wintario and has the complete say, is completely undemocratic. All other money is voted by this Legislature. The public accounts committee reviews the spending of it, but this money from what is really a voluntary tax is completely exempt from that kind of control by the elected representatives.

Control of the purse is one of the most fundamental democratic rights, and this particular procedure violates that control.

The Legislature should have the right to decide the guidelines under which the minister dispenses money. It should be able to decide whether more should go to sports and less to culture, or vice versa.

Mr. Speaker: The honourable member's time has expired.

Ms. Bryden: It should be able to make the full decision. I strongly support that part of

the motion. As I say, if this was in committee, I would move to delete the rest of the motion.

Mr. Kerrio: Mr. Speaker, I think I have some four minutes to summarize. I would like to take this opportunity to thank my colleague from Brant-Oxford-Norfolk for the kind of recall he has when we debate particular issues in the Legislature. I'm sure those assembled would benefit from those remarks.

I would like to suggest that while there has been a great deal of criticism directed at the resolution I am proposing here, the minister himself during debates has agreed I have been very consistent in my approach to the budgetary expenses and to the way Wintario moneys have been spent by this ministry.

Mr. Eaton: Consistent, but wrong.

Mr. Kerrio: In fact, I'm absolutely certain that if any member of the socialist party could find in Hansard that I did not agree with the support of cultural activities, I'm certain they would have been here pointing it out to the assembly.

I would have to think the government is in the same position. While they'd like to suggest that my intentions are something other than I have indicated today, there is nowhere that they have been able to bring to this assembly any proof that I have related any other circumstance than I have here before you in all the debates I have participated in the three years I've been here in the Legislature.

I would just like to sum up by suggesting the main point. It is not my intention, in any way, to take from the funding of those areas that are very much concerned and have related their concerns to us. I would like to reiterate that is not our intention. The intention is to deal with the surplus generated, that has not been put in high priority areas. It would be the reason for moving this reso-

lution, so the proportion that would be determined by a formula is quite easy to understand. In that way there will be a flexible mechanism to determine how money should be spent in response to changing demands and conditions rather than under the present system.

I would suggest that that is very, very clear and those people who would want to have moneys used in a responsible way would consider supporting the resolution as I have placed it before the assembly. I hope that might be the intention of all members here assembled.

SUNSET PROVISION FOR GOVERNMENT BODIES

Mr. Speaker: Mr. Walker has moved private member's resolution 12. Shall Mr. Walker's resolution carry?

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion the "ayes" have it.

I declare the motion carried.

Resolution concurred in.

DISPOSITION OF LOTTERY REVENUE

Sufficient members having objected by rising, a vote was not taken on resolution 20.

Hon. W. Newman: Don't you ever ask for another grant.

Mr. Speaker: Order. Can we have some order please?

Hon. Mr. Grossman: Mr. Speaker, for the information of the House, the House leader will be back at 10:30 p.m. or—(Applause)—

How do you think I feel? I agree entirely. Thankfully he will be back at about 10:15 this evening and will then review the House business for next week, including the procedure for next Thursday afternoon.

The House recessed at 5:52 p.m.

APPENDIX

RESPONSES TO PETITIONS

(See page 3254)

TENANT PROTECTION

Petition to the Lieutenant Governor and the Legislative Assembly of Ontario: In keeping with section 83 of the standing orders of the Legislative Assembly of Ontario, I am petitioning the Lieutenant Governor and the Legislative Assembly:

Since it will not be possible for legislation to be drafted, introduced, given adequate discussion, and passed between the June 15, 1978, reporting date of the standing general government committee and the dead-line of the end of September, 1978, which must be met for legislation to take effect on January 1, 1979, that the present rent review legislation be extended for at least six months as an interim measure.

The petition is on behalf of, and signed by Dr. Jan Dukszta, MPP Parkdale.

Hon. L. Grossman (Minister of Consumer and Commercial Relations): In view of the fact that the standing general government committee of this House is scheduled to report by June 15, 1978, a response to the above petition is deferred until such time that the recommendations of the committee have been reviewed.

The concerns and considerations have already been noted by the minister in his oral answer to the Assembly on Thursday, May 25, 1978. The ultimate action of the government will, of course, depend in large measure upon the report of the standing committee.

The government does not wish to preempt that committee's report at this time.

HUDAC PROGRAM

Petition presented to the House to redress certain grievances, to revise the HUDAC Home Warranty Program: Petition presented by Ross McClellan, MPP (Bellwoods):

Whereas all our efforts to obtain justice have been rebuffed by the Ontario government officials, including Premier William Davis, we the undersigned, petition as follows:

(1) That a committee of this Assembly consider whether we have been justly treated and redress our grievance, or alternatively, refer the matter to the Ombudsman for investigation and recommendations.

(2) That the HUDAC Home Warranty Program be revised so that companies convicted of false or misleading advertising are

automatically deregistered from the HUDAC scheme.

(3) That section 8(1) of Bill 94/76 be enforced to exclude companies with a public record of substandard construction practices.

(4) That the number of provincial appointees to the board of directors of the HUDAC Home Warranty Program be increased to a majority of the members.

(5) That the Ombudsman Act be amended to bring HUDAC Home Warranty Program within the jurisdiction of the Ombudsman.

Hon. L. Grossman (Minister of Consumer and Commercial Relations): In response to the above petition tabled on May 30, 1978, by the member for Bellwoods riding, this ministry advises as follows:

It is our view that this is not a matter which should be referred to a committee of the Legislative Assembly for the following reasons.

It involves a dispute between private individuals which arose prior to the enactment of the Ontario New Home Warranties Plan Act. The place for redress is in the courts. Only a court would be in a position to effect to the petitioners' problems. A committee could only look at a situation and recommend legislative changes. As we already have relevant legislation in place which was enacted subsequent to the events complained of and which would cure such problems if they arose at this time there would appear to be no reason to refer this matter to committee.

In view of our latest efforts in deregulation, we do not believe that the Ombudsman's jurisdiction should be extended into areas which we have privatized. It is to be noted that the extent of the Ombudsman's jurisdiction in relation to matters affecting government appointed tribunals is presently before the courts.

From and after January 1, 1977, all new homes sold in the province of Ontario have been covered by the Ontario New Home Warranties Plan. This plan provides coverage of \$20,000: 1. Against loss of deposit or down payment; 2. Against all defects in work or materials for one year. The builder is primarily responsible and the plan is guarantor; 3. Against all major structural defects for a further four years.

The plan is administered by the HUDAC New Home Warranty Program, the non-profit corporation that has been designated

pursuant to the Ontario New Home Warranties Plan Act, 1976.

To ensure effective operation of the plan all builders are required to register with the warranty corporation. The standard of entry is that the builder be financially responsible, that he carries on business with honesty, integrity and in accordance with law and that he has technical competence to perform the warranties.

In its first year of operation the corporation was flooded with applications and as of April 30, 1978 there were 4,469 registered builders.

Although financial responsibility was the predominant ground for refusal of registration, the corporation has increasingly been able to turn its emphasis towards eliminating poor builders. To April 30, 1978, 134 builders have had their registrations refused or revoked by the registrar and an additional 36 are presently in the process with appeal time still available to them.

The first and foremost purpose of the Warranty Plan is to guarantee to purchasers of new homes that any defects will be corrected by the corporation if the builder fails to carry out its obligation. As a result the registrar must look to current performance in assessing whether or not any registration be refused. While it is true that a conviction for misleading advertising is a matter which can be taken into consideration under the present act, the registrar must consider whether the conviction is timely. The registrar must also consider whether the offence is of sufficient severity as to justify the revocation of the licence of a going business. In short, there must be an element of discretion as an automatic revocation based on a conviction for misleading advertising could lead to both arbitrary and unfair results. What really counts is how the builder is treating its purchasers.

No amendment is required to the legislation to allow the registrar to take action where customer service is poor or the quality of work is substandard. This is already covered in the act and the corporation has been and is becoming even more active in this regard.

In an effort to reduce government expansion and to reduce red tape, this ministry has been very much interested in the concept of self regulation. Several moves have been made in this direction and the development of the Ontario New Home Warranties Plan with its independent administration has been our most important breakthrough.

As a self-directing body composed of both builders and representatives of other groups

including my ministry, municipal governments and the Ontario branch of the Consumers' Association of Canada, the corporation has shown an even-handed administration and serious attention to consumer grievances. Based on its performance to date we can see no reason for changing the balance of its board of directors.

The grievances referred to in the petition all occurred some time ago and cannot be addressed by the corporation. The corporation, prior to granting registration met with representatives of Pastoria Holdings Limited, made field inspections, conferred with municipalities and Central Mortgage and Housing Corporation to ensure that they were satisfied that standards were being met and concluded that based on the operation at and for a reasonable time prior to application for its registration there was no ground for refusing registration to Pastoria Holdings Limited. Since that time monthly random inspections have been made of all homes built by Pastoria and its related companies and all have produced satisfactory reports. I am advised that complaints to the corporation have been few in relation to the number of units built and that they are for the most part on a current basis.

ANSWERS TO QUESTIONS ON NOTICE PAPER

(See page 3255)

FLECK MANUFACTURING COMPANY

82. Mr. R. Mackenzie (Hamilton East): With regards to the Ontario Provincial Police involvement at the Fleck Manufacturing strike, would the Solicitor General (Mr. Kerr) please provide the following information: 1. What is the normal complement of the Exeter detachment, male and female? 2. How many additional officers have been on the strike scene each day since the strike started and what is the breakdown by rank? 3. What is the average daily cost of these officers? 4. What is the daily cost of an individual officer brought in to such a situation and what is the breakdown between salary, overtime and accommodation and meal allowances? 5. What are the daily transportation costs? 6. How many of the officers brought in on each day were billeted overnight? [Tabled May 25, 1978.]

Hon. G. A. Kerr (Solicitor General): Part 1: One sergeant, two corporals, 11 male constables. There are no female officers at the Exeter detachment.

- Part 2: Refer to subappendix "A".
- Part 3: \$147 per day when not billeted;
\$161 per day when billeted.
- Part 4: Regular salary \$77; overtime \$57;
- meals \$13; accommodation \$14 (when re-
quired); total \$161.
- Part 5: \$818.30 (average).
- Part 6: Refer to subappendix "A".

SUB-APPENDIX "A"

Date	A/Comm.	S/Supt.	Supt.	Insp.	S/Major	S/Sgt.	Sgt.	Corporal	Const.	C.R.D.	Total	Accommodated overnight
Mar. 6					1			1			2	2
7					1			1			2	2
8			1		1			1	6		9	2
9			1		1			3	6		11	2
10			1		1			3	7		12	2
13	1		1		1		1	3	21		28	4
14	1		1		1		3	9	73		89	27
15	1		1		1	1	3	6	35		47	9
16	1		1		1		3	5	32		43	9
17	1		1		2		3	6	64		77	42
20	1		1		2		3	7	84		98	73
21	1		1		2		2	6	70		82	54
22	1		1		2		3	11	115		134	46
23	1		1		2	1	2	8	89		103	49
27	1		1		2	1	3	11	121		140	74
28	1		1		2	1	5	16	157		183	77
29	1		1		2		3	8	127		142	77
30	1		1		2	2	9	24	289		328	92
31	1		1		2	2	9	24	214		253	198

SUB-APPENDIX "A"

Date	A/Comm.	S/Supt.	Supt.	Insp.	S/Major	S/Sgt.	Sgt.	Corporal	Const.	C.R.D.	Total	Accommodated overnight
Apr. 3	1	1			2	1	4	20	192		221	124
4	1	1			2	1	5	22	209		241	153
5	1	1			2	1	5	21	234		265	203
6	1	1			2	1	4	22	220		252	207
7	1	1			2	1	5	23	215	1	249	215
10	1	1	1		2	4	9	47	454	1	520	519
11	1	1	1		2	4	10	46	457	1	523	504
12	1	1	1		2	4	9	46	452	1	517	509
13	1	1	1		2	4	10	46	450	1	516	239
14	1	1			2	1	3	16	154	1	178	76
17	1	1			2	1	2	10	88	1	105	56
18	1	1			2	1	2	6	55	1	67	54
19	1	1			2	1	2	6	55	1	67	54
20	1	1			2	1	2	6	55	1	67	54
21	1	1			2	1	2	6	54	1	66	12
24	1	1			2	1	3	3	16	1	23	12
25	1	1			1	1	3	3	15	1	21	53
26	1	1	1		2	1	2	10	65	1	82	12
27	1	1			1	1	1	5	34	1	43	11
28					1		3	3	20	1	25	NIL.

SUB-APPENDIX "A"

Date	A/Comm.	S/Supt.	Supt.	Insp.	S/Major	S/Sgt.	Sgt.	Corporal	Const.	C.R.D.	Total	Accommodated overnight
May 1	1				1			3	20	1	26	NIL
2	1				1			3	18	1	24	11
3	1				1			3	18	1	24	12
4	1			1	1			3	18	1	25	10
5	1				1			3	18	1	24	10
8	1				1			4	16	1	23	10
9	1				1			4	18	1	25	9
10	1				1			4	18	1	25	9
11	1				1			4	18	1	25	8
12	1				1			4	18	1	25	16
15	1				1			1	10	1	14	NIL
16	1				1			3	9	1	14	NIL
17	1				1		2	7	49	1	61	26
18	1				1		2	7	52	1	64	38
19	1				1		3	11	75	1	92	77
22	1				1			1	4	1	7	NIL
23	1				1		2	7	58	1	70	53
24	1				1	1	3	16	139	1	162	124
25	1				2	1	5	19	175	1	204	121
26	1				1	1	3	14	120	1	141	40
29	1				1	1	2	10	95	1	111	78
30					1	1	1	11	84	1	99	43
31					1		1	8	51	1	62	41

ADVISORY COMMITTEE
ON CONFEDERATION

83. **Mr. S. Conway** (Renfrew North): What members of the Advisory Committee on Confederation accompanied the Minister of Treasury, Economics and Intergovernmental Affairs (Mr. McKeough) on his recent trip to Europe? Where did they go, how long did they stay in each location and whom did they meet in connection with the work of the advisory committee? What meetings were held and what topics were discussed at those meetings in connection with the committee's mandate? What was the total cost of sending the members of the advisory committee on this trip? [Tabled May 25, 1978.]

Hon. W. D. McKeough (Treasurer): 1. The chairman, Mr. H. I. Macdonald, as well as Dr. Richard Simeon and Judge Rosalie Abella, visited the Federal Republic of Germany during the week of May 15. The secretary of the committee, Don Stevenson of the Ministry of Treasury, Economics and Intergovernmental Affairs accompanied them.

2. Their meetings included: May 16 in Mainz, capital of the Rhineland-Palatinate, meetings with the Premier Vogel, Dr. W. Schreckenberger, the secretary to the cabinet and members of his staff, and Professor Klaus Konig, Professor of Political Science at the

University of Speyer; May 17 in Bonn, meetings with (a) Dr. Albert Pfitzer, Director of the Bundesrat; (b) a working luncheon with the ambassador, members of the Canadian Embassy staff and representatives of various federal and provincial government departments in Bonn; (c) Dr. Hans de With, Parliamentary Secretary to the Federal Minister of Justice, and members of the Ministry of Justice staff; May 18 in Dusseldorf, capital of North Rhine Westphalia, meetings with the Minister for Federal Affairs, Dr. C. Zopel, Dr. J. Hirsch, Minister of the Interior, and a group of elected members of the three political parties in the Land Parliament; May 19 in Bonn, meetings with the staff of the Office of the Land Government of Bavaria in Bonn.

3. The subjects dealt with in the meetings included: (a) The operations of the West German federal system as seen by political and civil service members of both the federal and provincial governments; (b) in particular, the operations of the German Second Chamber, the Bundesrat, which is composed of representatives of each of the Land or provincial governments; (c) the activities of the provincial houses in Bonn and the methods of conducting federal-provincial activity; (d) the operations of the constitutional court.

4. The cost of the trip for the four people was approximately \$5,300.

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No. 82

Legislature of Ontario Debates

Official Report (Hansard)
Daily Edition

Second Session, 31st Parliament

Thursday, June 8, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue. Contents of proceedings also appears at the back of this issue.

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 8, 1978

The House resumed at 8 p.m.

LIQUOR LICENCE AMENDMENT ACT

Hon. Mr. Grossman moved second reading of Bill 96, An Act to amend the Liquor Licence Act, 1975.

Mr. Breithaupt: The only real principle with respect to this bill is the increase which is proposed in the drinking age within Ontario. I must say at the outset it is my personal view that all responsibility should be at the age of 18. That, I believe, is the age of majority for our young people, and I believe the results of that majority should be secured for all of the young people of the province.

If actions are taken by 18-year-olds for contract or for marriage, then of course they are personally responsible; military service, as we know, can occur, and certainly the right to vote as an adult, and indeed to represent their fellow citizens, flows from the fact of their majority.

Indeed, I would prefer that even the driving age be set at 18 unless there was a proper course of instruction taken by the 16- or 17-year-old in our society. In my opinion, as a result, the change which is proposed by this legislation is only a cosmetic solution. Those who want to think that this move will benefit our society will of course be allowed to do so; and they will do so, however, without ever knowing if proper enforcement of the present law at 18 would have worked.

A majority of members of this House, including a majority of the members of my caucus, favoured the private bill which was introduced by the member for Essex South (Mr. Mancini). As a result, I expect—

Mr. B. Newman: The Mancini bill?

Mr. Breithaupt: —that this bill, particularly this section, will be approved probably by a voice vote—

Mr. B. Newman: It's a good thing he gave you fellows the idea.

Mr. Eakins: A fine bill by a fine member.

Mr. Breithaupt: If a recorded vote is taken, I announce now that I will abide by

the decision of my caucus. As the critic responsible for this legislation, I intend to stand in my place and follow the views of my colleagues and vote for the bill. I will not be absent.

There was one area of added concern with respect to the effective date of increasing the age to 19. The bill had suggested August 31 and the minister by his announcement today has finally become aware of what a number of us were concerned about for some time; that is, that the education classes' structure included those students born before December 31 of a year in the class beginning in September of that school year.

Hon. Mr. Grossman: Why didn't you tell me earlier?

Mr. Breithaupt: In order to avoid the division within the peer group of that class I was going to ask the minister to consider the necessary amendment. His statement in the House this afternoon is welcomed and we look forward to the placing of that amendment when the bill goes to the committee stage.

I am interested in the change which is proposed with respect to possession except at a residence of licensed premises unless the liquor is in a closed container and not subject to public view. This, I understand, will stop a person from walking along the street or being in a public place with a glass of wine in hand or a part bottle of beer. While it was earlier illegal to drink such a beverage in public it was not illegal to carry it about.

I suppose there will be a number of arrests in the parks of Toronto as a result of this change. These may well result from a confrontation with a group of those who may be down on their luck and be busy sharing a bottle of Niagara's finest in full view of a passing constable.

But what about the events on Centre Island this summer? There will be many new Canadians and many not so new who would like to take a bottle or two of wine along with their lunch. Will they now be arrested?

More important, will this new legislation strike at the heart of Ontario's summer cul-

ture—the elegant and chic picnics at Stratford on opening night? Are the constabulary of that city going to patrol the banks of the Avon like the chorus from the Pirates of Penzance? Will they be softly humming “a policeman’s lot is not a happy one” as they admonish those who come to see and those who come to be seen?

The lobster du jour and the shrimp quiche will have to be choked down with Kool Aid, I suppose. Perhaps even Veal Oscar, who knows? This will, apparently, resolve the moral peril which may result from such a flouting of convention under the new laws which are proposed.

Of course, we may well now have a law for the brown paper bag set and another for the checked tablecloth gang. However, I expect that the enforcement of this law will likely be as equal as the statement that both the rich and the poor are forbidden to sleep in the parks. Of course, for some, the problem doesn’t arise.

The Who card remains with us, at least temporarily. I would expect that when a person’s driver’s licence has a photo on it, then these provisions will likely be done away with. Then, the Who card will join the mythology of current Ontario history, along with Stan Randall’s hippopotamus and Bill Shatner’s view that, “By golly, the price is right.”

The other sections of the bill are only housekeeping. There are those who would say that the changes in section 7 are important because licence suspension is now provided where a person under 19 is served. Of course, I don’t believe that any of the other earlier provisions have ever really been enforced when the drinking age was 18, so I don’t have any great expectation of reform here, either by fear or by example.

The bill then turns from the picnic situation to the stadium crowd. The summer’s evening is replaced by the crisp autumn colour and the long lines of police now relieved from their earlier duties are busy frisking the thousands lined up for an Argo game. This appears to be a way out from the plague of unemployment because we’re going to be able to hire half the population to search the other half.

Hon. Mr. Grossman: Which half do you want to be in?

Mr. Breithaupt: I don’t really look forward to the turmoil which is about to be created because I think this may be somewhat a bit of overreaction. However, it may stop the obvious abuse of the person carrying in a case or two. I don’t think it will have very much other concern.

It has always been thought that a publican has had a right to discipline the unruly in order to protect his better-behaved guests and more-valued clientele. Indeed, a symbol of Ontario’s probity has always been the fly-specked sign in a pub which said the management reserved the right to refuse service to anyone. That sign, of course, was usually beside one, hand-lettered, which read: “You must be 21 and prove it.” Latterly, of course, that “21” has been struck out and “18” has been scrawled on, usually with chalk from the dartboard. Now, I guess, “19” is going to replace that.

It now appears that some legislative sanction needs to be given to allow the removal of an undesirable from one of our many problem situations; and certainly, in order to keep a balance in our fragile society, the undesirable must stay out for the whole day. In this chamber, of course, Mr. Speaker can call upon the Sergeant at Arms to enforce our rule 17. However, the pubs of downtown Toronto will have to rely on their bouncers’ remembering to cite section 47 (4)(b) as they chuck some undesirable out the front door. I only hope that there will at least be the poetic justice in our province that perhaps the member for Grey-Bruce (Mr. Sargent) will be the first to enforce this new rule in his location, since he’s an expert on our rules.

The bill is otherwise housekeeping, besides the matter of the liquor age. I know it’s a matter of some concern to a large number of the members of the House, and I respect them for their opinion, even though I may not personally agree with it. In any event, the opposition caucus, my colleagues in the Liberal Party, will support the bill in principle.

Mr. Samis: That’ll never wash in Pembroke.

Mr. Conway: That was a temperate address.

Mr. M. N. Davison: Mr. Speaker, in my mind there is absolutely no doubt whatsoever as to what the results of the vote will be when we do complete the debate on this Bill 96. This bill, upon conclusion of debate, will be approved in principle by the Legislature.

I also believe that no member of this Legislature will change his or her opinion or vote as a result of the debate this evening. I say that because on November 10, 1977, after a long debate both inside and outside of the House, the members of the Legislature had a chance to make their feelings known on this issue, free of caucus discipline, and a substantial majority of the members

of this House did indeed support the Mancini bill, the private member's bill that would have done the same thing as the basic principle of this bill does.

Since November 10, 1977, in my estimation there has been no significant change in the factors that led the members to take the positions they did in 1977; so I can't see tonight's debate ending in a different result from the result of November 1977.

Therefore, while I speak in opposition to the passage of Bill 96, it is not my intention to do so in an attempt to persuade my fellow members of the Legislature to change their opinion and to vote against this government legislation.

By and large, I accept the results of November 1977 as a most accurate assessment of the opinion of the members of the Legislature and perhaps a more accurate assessment than we would find if party strictures and caucus rules were to prevail, as they might in any vote on a piece of government legislation.

I don't intend this evening, as we often try to do, to speak on behalf of the members of my constituency. Frankly, I believe my constituents, like the constituents of most of us in this House, would not only favour raising the drinking age from 18 to 19, but would also overwhelmingly support raising the drinking age to 21. This evening I simply want to express my own feelings and opinions on this matter and to offer what I think are some reasonable warnings about real problems to my fellow members of the Legislature.

[8:15]

If I may be permitted, I would simply like to speak to the young people of the province so that they would know, as a matter of record, that it is not the unanimous intention of the Legislature to raise the drinking age to 19. When I speak to the young of the province, it is not my intention to criticize members of the Legislature who hold a different view from my own on this matter because I realize and accept that on this issue they hold their opinions with the same deeply and morally felt view as I do.

If I may be allowed, my expression would simply be one of faith, an article of faith in our young people in this province of Ontario. I would trust that members of the Legislature would accept my remarks that I make in that sense.

There have been many points made in the debate—perhaps not this evening—

Mr. T. P. Reid: Does the member for High Park-Swansea (Mr. Ziembra) agree with this speech?

Mr. M. N. Davison: I think the leader and only member of the Liberal-Labour Party of Ontario has been around the Legislature long enough that he learned how to read votes. He could quite well go back to November 10, 1977, and find out how the member for High Park-Swansea voted on that occasion.

Mr. Conway: He'll have Sheila Coppins-Miller in his caucus soon.

Mr. M. N. Davison: Yes, well she will have to run in a riding other than Hamilton Centre if she intends to get elected.

Mr. T. P. Reid: For someone who won by only 15 or 14 votes, you are awfully cocky.

Mr. Conway: Let the record show that.

An hon. member: If there had been one more recount, he'd be in trouble.

Hon. Mr. Grossman: He'll probably double it next time.

Mr. M. N. Davison: Why don't you hold your smart aleck remarks for a more appropriate occasion?

There have been many points made on the debate on this issue both in the Legislature and outside of the Legislature. They are strong points, they are reasonable points and they are sensible points for raising the legal drinking age. This evening I would like to enumerate a few of them and offer what I would consider to be counter-arguments to them. I would raise them in no particular order of importance.

A lot of people in this debate have cited the fact that our sister province of Saskatchewan in 1976, when in a similar position to the one we face today in Ontario, decided to raise their legal age from 18 to 19. That's a game that is not won on one side alone because a year later in 1977, Prince Edward Island, when faced with the same choice in their province choose to keep the drinking age at 18.

The point has been made and made well that 97.8 per cent of the students in high schools in Ontario are 18 or under. Therefore, when we increase the drinking age to 19, we will remove alcohol from the high schools. That's a point and that's a statistic that is not arguable—except to say that is only true in September of the school year. By June the figure is in the low 90s, not 97.8 per cent, and perhaps not so overwhelming.

It has been suggested that if we really want to remove it from the high schools what we should do is raise the drinking age to 21, or at least to the age of 20 as was suggested by a member of the Conservative caucus, the member for Middlesex (Mr. Eaton) when he brought in a private member's bill last year. I suspect that that would be the only way we would meet the desire to remove it completely from high schools in the public and technical sense of the phrase.

Perhaps a better way to go about removing alcohol from high schools, if that was the intent, would be to remove grade 13, a grade that is not found by everyone in the province, to be the most useful part of our education system and not a grade that we find in most other provinces in the country.

There is a lot of argument that underage drinking is a result of peer pressure. Somehow that is all connected to some kids in the high schools being able to drink and bringing it into the high schools. Therefore, these underage kids are going into the bars and boozing it up, and that is all very bad. That is probably all very true, but the way to end that problem is not by raising the legal drinking age to 19, but rather by enforcing the laws we now have.

The law is very clear. The law is very specific and if it is enforced rigorously and vigorously, then we won't have that problem to face. It is perhaps only because of our failure to enforce the law that we have come to the point we are at tonight.

There has been a complaint made that overconsumption leads to violence and that it is particularly prominent among young kids who overconsume. Again, it is probably true, or it is perhaps true, but raising the drinking age won't change those facts. What we should have done, and what we could still do, is better teach or better educate our young as to how to handle alcohol.

The point has been made that high school students are coming into class drunk and that is disrupting the education system. On the other hand, perhaps it says something about the education system in Ontario that a significant minority of our young people feel they have to go out and booze it up to make it through the day's classes.

Mr. Conway: Well, their job prospects are so tremendous.

Mr. M. N. Davidson: Really, when you come down to it, that sort of problem in the education system is something for the teachers to address and something for the education system to address, and not something

for the Legislature to address by raising the drinking age. That is not a real solution to what may be real problems.

I guess the most important argument, and certainly the argument to which I would give the most credence, put forward by those who would see the drinking age raised, is in relation of the number of alcohol-related accidents. It is pointed out in studies such as this Legislature's select committee on highway safety and the Jones report that alcohol-related traffic accidents are the biggest single killer of people under the age of 25. That point of view is held and based on statistics.

Frankly, Mr. Speaker, I believe those statistics are open to various interpretations. One interpretation I could see people having of those statistics is our young people don't drive very well. It would seem to me those statistics could as well represent the critique of our driver education system as they could relate to the problem of young people drinking alcohol.

I don't mean to raise this report as a counter argument specifically to the highway safety committee report, whose chairman is sitting beside me, or to the Jones report, but there is another report which holds a different view on the same issue. The Traffic Injury Research Foundation's report found and held that lowering the drinking age had no discernible impact in traffic death among young drivers in the provinces of Alberta, Manitoba, Saskatchewan and New Brunswick.

There are other arguments put forward by proponents of raising the drinking age, which are also real arguments and which are also sensitive and sensible arguments. I am sure I haven't canvassed them all or canvassed them all thoroughly this evening, but the point I wanted to make is that while they are real arguments, and while they are serious arguments, the one thing I can definitely say about them is they are all debatable. It's a question, in many cases, of degree. They're not arguments to which there is only one side that members of the Legislature could subscribe to. I think that's worth remembering.

Statistics are often used in this issue. In some cases, it becomes a battle of statistics. I don't mean to engage in such a battle, but there is one statistic that always got through to me on this issue. It comes from the often-quoted and often-referred-to Addiction Research Foundation study of 1976. That study very clearly pointed out that 86 per cent of high school students in Ontario drank liquor in spite of the fact that less than 25 per cent were eligible to do so.

What that says to me is something very clear and something I believe is very im-

portant in this debate. That is this: if the Legislature passes this bill, I believe the effect will be to criminalize an activity that in all likelihood will continue to go on. I really don't believe that's a particularly useful thing for the Legislature to do.

It's been said by some that one of the reasons the Legislature lowered the legal drinking age to 18 in 1971, when they lowered the age of majority, was to help us effectively combat the use of drugs by our young people. I don't know how much influence that had on the assembly at the time, because I was not there in 1971, but I believe, to some extent, that was an important part of the decision to lower the drinking age.

As legislators, we should consider what impact raising the drinking age, even one year, might have on that aspect of the problem. While overconsumption of alcohol leads to very undesirable effects, I would remind the members of this Legislature that the use of drugs can be much more dangerous and debilitating to our young than the use of alcohol.

I say that as one who grew up in the days of the ever-expanding drug culture in North America. While there are times I would like to see a return to what were my "good old days," I would not like to see that particular aspect of the good old days rise to prominence again with our young people. I point that out only as a warning, perhaps only as a fear of one member of the Legislature.

The real issues before us are, and must be, that of alcohol abuse and alcohol-related traffic accidents. There's nothing particularly magical or important about age 19. At the time that the Legislature lowered the age of majority and the drinking age in 1971, there was not, in Ontario at any rate, such a high degree of lifestyle advertising, nor sophisticated lifestyle advertising geared to our young people.

When we lowered the drinking age, the liquor companies of this province, of this country, were very quick to see and to understand not only the market's size but the market's nature. I have argued with the Minister of Consumer and Commercial Relations about this. We hold differing views perhaps, perhaps not, but I very much believe if we had acted earlier and we had acted more effectively to ban lifestyle advertising and, I believe, to ban advertising of liquor, we would not have been faced with the rapid increase, with the rapid overconsumption of alcohol by our young people.

[8:30]

It was possible for us, in 1971, 1972 or 1973 to have taken measures in this Legislature that would have effectively, I believe, combated the real problem of alcohol abuse among young people and, indeed perhaps, among our population in general. One of the reasons we're here tonight debating a rise in the drinking age is because we, as legislators, have failed in our responsibility to come properly to grips with the problem of alcohol abuse in our society.

Alcohol abuse is a very damaging problem, but we cannot, I believe, make the young a scapegoat for our own failures as legislators and, I suspect, that is what we would do if we passed this bill, as we no doubt will.

The other problem is that of alcohol-related traffic accidents. Again, while one may debate the degree involved, it is nonetheless a serious problem. When we look at the statistics that show the alarming number of our young people killed in these accidents, it really does say to me that perhaps our young drivers are poor drivers. It says to me that if, back in 1971, 1972 or 1973, we as legislators had acted to tighten up and improve the instruction given to our young when they learn how to drive a car, or if we had made tougher and improved testing procedures for young drivers, perhaps some of that slaughter, some of that carnage on the highways could have been limited.

I really don't see how it is that we can delude ourselves into believing that raising the drinking age one year will have that great an impact on such a serious problem. There are many other ways that problem can be approached. I don't think we can be too happy about our failure to come to grips in the most appropriate manner with that problem either.

The argument is made by some that—and, Mr. Speaker, you know I don't subscribe to it—that if 18-year-olds are old enough to go to war, they're old enough to drink. Therefore, there has to be some consistency in the age of majority; we can't divide it out like that. While I can't subscribe to the rather simple and badly put argument that way, I can subscribe to it when we put it the other way around.

If the young people of this province, the 18-year-olds, are so totally irresponsible that we cannot trust them to consume alcohol, should we really allow them to enter into legal contracts? That's a real question. Should we allow them to vote? Should we allow them into the Legislature? I think, put that way, the argument does have some modest

validity, but more important than that, and to conclude, it's a question of faith.

I believe we have to give our young people that chance. We haven't made a serious effort to combat the real problems. I think it would be terribly wrong for us to treat those young people as scapegoats for our own failures. Mr. Speaker, the future belongs to the young.

Mr. T. P. Reid: That's very good. That should be engraved in stone.

Mr. G. Taylor: That's very profound.

Mr. M. N. Davison: If we have no faith in our young people to be responsible, what kind of nightmare future does that conjure up for us in Ontario? I believe our young people are responsible and I believe there is no reason for this Legislature to separate the legal drinking age from the age of majority. I think this legislation is a bad excuse for the kind of solution we, as legislators, should be seeking for real problems. As such, and perhaps on behalf of the young people in the province, I oppose it.

Mr. Roy: Mr. Speaker, I would just like to make a few comments on this legislation. I did not participate in any earlier debates when my colleague, the honourable member for Essex South presented his bill which was accepted by the honourable members of the Legislature. I have watched with interest and observed with interest the various debates that have been going on about this question of the drinking age for the last two or three years. I must say it is with some concern and with cynicism that I view the whole process that has taken place since 1971 when we reduced the drinking age, to now, when we are, in fact, increasing it again.

I think it has to be said for the record that the legislation reducing the drinking age was passed some time prior to the election in 1971 when some of us made our first entry into the hallowed halls of this building. I can recall watching the provincial scene from a distance at that time, and watching while various pieces of legislation were being cranked through this Legislature. I don't think there has ever been such a period since the election of Bill Davis as Premier of this province that they cranked out as much legislation as during that period of time until the election in the fall of 1971. Of course, that was part of some of the legislation enacted at that time. All bases were being covered and legislation was introduced, as in many other jurisdictions, to reduce the drinking age in this province.

I think, in the process, it is obvious now there was undue haste. I think it should be underlined that the decision made by the government and by the Premier at that time about the drinking age was typical of some of the decisions which had been made in the attempt by the government and the Premier to gain this sort of leadership image. As my colleagues will recall after the election of Bill Davis, in 1971 the pollsters, and those were the famous days when pollsters had a lot of weight with politicians,—

Mr. Foulds: They still do.

Mr. Roy: —decided at that time the Premier's image after being Minister of Education all those years was somewhat mushy. They decided they had to build up the image. Of course, there was the Spadina decision. We recall that. At that time it in fact gave the impression at least of him being someone prepared to give leadership, and make hard decisions. We know what has since happened to that decision. It has been watered down and the alternatives put forward in fact—

Mr. Gaunt: Emasculated.

Mr. Roy: —the great Krauss-Maffei and all this since 1971 have turned out, in fact, to be a political decision made at that time with a purpose in mind in 1971. Of course we can go on. I can recall the decision on the separate schools. It was another matter to give leadership image to the—

Mr. Speaker: If I might remind the honourable member, he is watering down the principle of this bill too.

Mr. Roy: I am just setting the preamble. It is just a preamble, Mr. Speaker.

Mr. Foulds: The word is diluted.

Mr. Samis: It's habitual with this member, Mr. Speaker.

Mr. Roy: And again the separate school decision was part of this and of course a variety of other decisions. The decision to lower the drinking age was part—I am not trying to put the type of cynicism on it I've heard some members of the Legislature put on it—but nevertheless I think that was considered to be part of the process at that time. Unfortunately here we are back in 1978, of course, changing it back.

My concern, and I think it should be said, is that we did the young people of this province a disservice. I think it's important we underline that fact and in some way admit that. I wasn't part of the process at that time, but I am convinced my colleagues, who I think at that time supported the bill

and certainly the Premier and the government who took the initiative of the bill, made the wrong decision. In the process I think it's important that we tell the young people of this province that a mistake was made. We should apologize to them because we did them a disservice.

Having watched the debate proceed during these years, I was firm in the position that we shouldn't be tampering with that. There was some form of cynicism in lowering it or increasing it in that sort of approach. I suppose I was part of those who felt that if young people of this province were considered adults, enter legal contracts, to vote, to go to war for this country and so on, then we should try to have a regular and a common age for all of these factors. The one factor that changed my mind on this subject of drinking age was the report of the committee on highway safety chaired by the member for Yorkview (Mr. Young).

I appeared before that committee when they were talking about drinking and driving. I was one who looked at the committee recommendations and the overwhelming statistics involving young people which were just atrocious. For instance, by 1975, teen-aged drinking drivers were involved in a staggering 37.2 per cent of alcohol-related collisions and their involvement was still rising. Research has shown that 18- and 19-year-olds are 70 times more likely to die in a collision than the average non-impaired Ontario driver. With 16- and 17-year-olds, the risk of collision is 165 times greater than for the average non-impaired Ontario driver.

These are atrocious statistics, statistics that we in a democracy, we as members of the Legislature, cannot help but be convinced show there is in fact a problem. Of course it's our role, as members of the Legislature in a democracy, to respond to a need, to respond to a problem in this province. We have done it before; we have taken the initiative before. There are those who say, "Well, what you are doing by passing this type of legislation is criminalizing or putting some legal sanction on what was considered to be a legal act." We do that every time we pass legislation.

Mr. Speaker, surely you will recall the debates on seatbelt legislation, and lowering speed limits. Again, this legislation put a sanction on an action that was legal at one time. Not wearing your safety belt is now considered to be a crime under the Highway Traffic Act. The speed limit is the same thing. At one time you were able to drive at certain speeds on certain highways. Now you can't.

There's nothing unusual about that. That's part of the process. We, as responsible citizens, as leaders elected in our respective communities, cannot help but take some role, take some initiative when statistics such as these are so overwhelming. It is our duty to act, just as we acted in various other areas.

[8:45]

People say there are too many laws, too many curbs on the freedom of individuals. But of course that's the problem with a democratic urban society. If young people were only driving out in the middle of a field with no chance to cause damage to themselves or to anybody else, it would not be a problem. We have all sorts of legislation in our cities which are in fact a curb on the individual liberty of certain individuals. The problem with that is when you give wholesale liberties to some, that is an encroachment on the liberties of others.

That's the role of a democracy—to respond to a particular need. And unhappy as I am about what took place in 1971 and what is now taking place in 1978, we must respond. In view of the statistics quoted in the report by the committee on highway safety, there are only two ways to respond. Either you deal with the driving, or you deal with the drinking. It seems to me that it is more reasonable to deal with the drinking than with the driving.

Why should we punish all young people who drive cars without drinking? Why should we not put the emphasis on the drinking drivers and put curbs on them? We in this Legislature, as with the role of the federal government on criminal law, have to impose the curb on a combination of both. I think it is more reasonable in these circumstances that we proceed in that fashion.

It may well be, that having proceeded in that fashion, we will find in a few years that the carnage on our highways is still too great so that we will have to act further. That is the process that has taken place in relation to impaired driving.

You will recall that many years ago when the government moved in that area that there was some opposition to it. It was felt that this was an encroachment on the rights of the individual.

You will recall that when legislation was passed to force drivers to blow into a breathalyser we felt it was offending one of the basic principles, that of incriminating oneself; that there was a legal principle that one should not be obliged to incriminate oneself. But we breached that principle to

satisfy a higher community need. That's what we are trying to do in this case.

I agree that if we are going to do something, we do something about the drinking rather than punishing those who do not drink and drive and are responsible people in our community. I agree with the approach taken in this bill. But I don't agree with the process that took place in 1971 which we now have to change in 1978. We admit we made a mistake and that in the face of the statistics the leadership that must be shown requires hard decisions. That is what we are doing now.

Having watched the process, having studied the problem, having looked at the statistics and as the health critic for our party I was the one who suggested legislation dealing with seatbelts, reducing speed limits, and got a lot of abuse for it at that time. But today that is accepted. The Minister of Transportation and Communications (Mr. Snow) is always very proud to report the statistics, although he never mentions the fact that the leadership was taken by others. The fact is that the statistics are pretty well what we had suggested they would be—the number of deaths on our highways and the number of injuries have been reduced and there have been savings in OHIP costs in this province.

Having looked at the whole situation, I as one member of this Legislature—as much as I think the whole process has been totally unsatisfactory—feel that in the circumstances I have no choice in the face of the statistics but to support the legislation.

Mr. Foulds: First of all, I want to say very clearly that our caucus is not going to vote en bloc in this bill. The people in our caucus feel very strongly on both sides of this question and we are going to have a free vote on the bill.

An hon. member: It means you can't decide.

Mr. Foulds: I respect the views held by members on both sides of this question.

Mr. Samis: It is democracy.

Mr. Foulds: I think that it is important we understand that this is a political issue; but it is a political issue like no other political issue that we encounter. This is because many people view it as a moral issue. I myself do not. I happen to view it as a very broad social issue; but many people do view it in a moral sense. I think it enhances a legislature, it enhances a party when those deeply held convictions can be expressed clearly on an issue that has caused such controversy and is as fundamental as this.

I myself am not supporting the bill because I believe there are two provisions in the bill that I simply do not agree with, as a legislator or as a human being. The age of 19 provision is, frankly, tinkering. I think one of the problems is that we have not as a legislature defined what the problem is that we want to cope with. Is the problem alcoholism; is the problem traffic deaths on the highways; or is the problem booze in the schools? Well, in part of the bill, the problem is booze or not booze in the stadiums, but that's another issue I'll get to in a few minutes.

If the basic problem in our society is alcoholism, then I say to this Legislature that this bill does not speak to that problem in any real sense. There is no government program of education about alcohol and its use and abuse. There is no education program about the proper use and the acceptable social use of alcohol. The piddling fraction of the budget in the Ministry of Health for preventive care with regard to alcoholism is infinitesimal and disgraceful—it demonstrates that the government party is not serious about attacking that fundamental question.

If the problem is about traffic deaths, especially among our young people, I don't see how cutting off the band of one narrow year, when those traffic deaths extend roughly from 13 to 25, is going to have any fundamental effect on those statistics.

If the problem is drinking and driving, it might just be worthwhile for us to try a tough enforcement of our Highway Traffic Act. We do not have before us in this House the supposed companion legislation to this minister's bill dealing with that problem.

If the problem is booze in the schools, the schools now have the authority and the administrators in those buildings have the authority to exclude from the school people who are drunk, people who are unruly, even people who are disobedient. They have that right.

I've heard the complaint; "I can't teach the kids because they fall asleep in my class after they have had a liquid lunch." I say to the House, the schools and those teachers and those principals have got to have the guts to send those kids out of the schools and not allow them back.

Mr. Van Horne: They've got to, without this.

Mr. Foulds: They've got to without this, exactly. If they had the guts and the fortitude to do it, they could send those kids home without this provision. It seems to me they must develop the conviction that the schools

are not a babysitting service, either for drunken or sober children or young adults in grade 13. If they're not doing their proper academic work, they should not be there.

I think there is nothing in this legislation that comes to grips with the fundamental question of what is it in our society that makes alcohol such a desirable escape. I have no magic solution to that problem, but I would favour not merely a lifestyle ban on liquor advertising, but a ban on liquor advertising, as I favour a ban on cigarette advertising. I both smoke and drink. I know both of those things are relatively harmful to me.

Mr. Elgie: What else do you do?

Mr. Foulds: I enjoy both of them. I did not learn about them through advertising. It is not because of the advertising I enjoy them.

Mr. Conway: How did you learn about them?

Mr. Foulds: As a matter of fact, if you really want to know—

An hon. member: Stick to the bill.

Mr. Foulds:—and I don't believe in making arguments in the Legislature autobiographical, but I had a beer when I was 18, illegally, in the backyard of my own home after I'd dug the entire two lots of the garden, because my dad had a beer—a couple a week, in fact. I learned that at home. I learned smoking when I was six or seven from the kids I grew up with in the neighbourhood.

Mr. Van Horne: Banana leaves!

Hon. Mr. Grossman: Six or seven? That explains it.

Mr. Foulds: Not banana leaves, honey-suckle leaves. I actually started seriously smoking a pipe when I was 18 or 19.

Mr. Roy: You have been puffing ever since.

Mr. Hall: On with the bill; we want to be out of here by July.

Mr. Foulds: Should we ban smoking for those under 18 or 19? Smoking, surely, is just as harmful as is alcohol.

Hon. Mr. Grossman: As long as you don't smoke and drive.

Mr. Hall: Drinking, not smoking.

Mr. Foulds: Is the member for Lincoln speaking on this bill? He'll have his chance to speak on the bill.

By the way, it's a shame—I've been diverted—it's a shame the member for Essex South (Mr. Mancini) who brought in the private

member's bill last November and who felt so strongly about the issue at that time, is not here in the Legislature this evening when we are actually bringing in—

Mr. Roy: Who cares? He'll be here for the vote.

Mr. Foulds:—government legislation that will pass, that will have some effect and that achieves the aim he spoke about so strongly last November.

Mr. Roy: For the record, he is working on behalf of his constituents.

Mr. Foulds: I would have thought he would have been here for this historic occasion.

I want to make one or two comments. I asked the question: what is it in our society that makes alcohol such an attractive escape? I think there was a saying in the 18th or 19th century in Great Britain that the shortest route from Manchester was through alcohol. That was when Manchester was the epitome of the dingy, dirty, crowded industrial town. I think there are many things in our society we have to say alcohol is the shortest route from—

Hon. Mr. Grossman: Queen's Park.

Mr. Foulds:—not necessarily a geographic location but sometimes, say on Thursday evenings during the course of debate, including this chamber.

I think that largely despair, lack of hope, a sense of no purpose—

An hon. member: I think this is all George Kerr's fault.

Mr. Conway: George looks better in the third row.

[9:00]

Mr. Foulds:—a sense of frustration, a sense of being caged in—all are reasons for alcoholism. Nothing this government or this Legislature is coming to grips with is moving to give young people a sense of purpose, a sense of direction.

I want to say something about the role of the Addiction Research Foundation in the course of the whole debate, because I have found their role somewhat objectionable. It seems to me a questionable role for a government agency when it turns from objective research to advocacy. This is what they did during the course of a provincial election, by sponsoring meetings that were deliberately designed to bring pressure on legislators to raise the drinking age. That is questionable no matter how sincerely held the feelings were of the people who were engaged in that research. It seems to me kind of strange,

if I recall correctly from 14 or 15 years ago, that the ARF was advocating lowering the drinking age. They thought that because of the education that would involve, and the longer period of incubation, there would be less alcoholism as a result. I find the role of the ARF in all that somewhat questionable.

I find the age of majority argument a convincing one. If you are going to have an age of majority that includes the other things we all talk about, drinking is a perfectly reasonable thing to include in that age of majority. If you wanted to raise the age of majority generally, I might have more sympathy with the aims of section 2 of this bill. Frankly, I would not be in favour of raising, generally, the age of majority, but that at least would show some consistency.

I want to read into the record some parts of a letter I received from a medical doctor and a psychiatrist who is in my own area who has given thought to the matter. She says: "There is no doubt in my mind that many responsible youngsters develop better drinking habits in today's related attitude. The 16-year-old who has a glass of wine at a Sunday dinner with his parents, having tried the odd half liquor glass at Thanksgiving or New Year's before that, is an example; as is the responsible youngster who enjoys music and to the dismay of the lounge manager sips one bottle of beer all evening in order to listen to the band.

"These youngsters have learned to put liquor in its place and are learning when it adds to pleasure and learning to handle its effects on them individually. While some physicians believe changing the age limit back to 21 or so would decrease the abuse of liquor, others including myself do not share this view. It is my opinion it would only substantially increase the illicit drinking, and since our law enforcing agencies cannot or do not wish to enforce the present laws, further lawbreaking would only diminish the respect for the liquor laws that remain.

"That there is an increased use and drunkenness among young people from age 10 on is obvious. Hospital and school figures support it, as presumably do court charges, employer complaints and other available figures. I believe lowering of the drinking age some years ago has only—"

Interjection.

Mr. Deputy Speaker: Order, order.

Mr. Mancini: Point of privilege.

Mr. Foulds: I am glad to welcome the member for Essex South.

Interjections.

Mr. Deputy Speaker: Order; point of privilege.

Mr. Mancini: Mr. Chairman, if the member for Port Arthur will let me, I just want to inform the House a very important committee is sitting downstairs and it is concerning itself with discounting in the chain stores. The committee is hearing the chairman of the Greenhouse Vegetable Producers' Marketing Board, who is from my riding. That is where I was and I am ashamed of the member for Port Arthur for making such a remark as that he made earlier.

Mr. Stong: You have been chastised.

Mr. Conway: However predictable it is none the less sad.

Mr. Roy: It is facetious; the member should apologize.

Mr. Foulds: I deeply regret the fact that the member for Essex South cannot be in two places at once.

Mr. McClellan: He has always been able to take two positions at once.

Mr. Foulds: I admit I didn't know he was in committee downstairs. I don't apologize for my remarks. I made no innuendoes and I cast no aspersions. I simply said, as I recall my remarks earlier, I found it curious, and I regretted that the member for Essex South could not be here during the course of this historic debate.

Mr. Conway: Very tacky; tacky, tacky.

Mr. Roy: The record should show that he is smiling and smirking and is making all sorts of gestures with his nose. His glasses are crooked.

Mr. Foulds: If my remarks stimulated him to come and attend, then I think that has been very useful. If he feels the debate in the committee is more important, I am sure we would be glad to excuse him.

Interjections.

Mr. Foulds: Now, if I may continue.

Mr. Lupusella: No sense of humour.

Mr. Sargent: Do you have to read all that stuff, Jimmy?

Mr. Foulds: I am just reading a few short quotations.

Mr. Deputy Speaker: Order; the member for Port Arthur, on the bill please.

Mr. Foulds: I am sorry. I must admit I am sorry that I caused the sensitive skin of the member for Essex South to prickle so easily. I had no intention to gain or lose in any way, I simply made an observation. If the member for Essex South feels hurt by

that, I am deeply sorry; and as I say if he wishes to return to the committee, we would be glad to excuse him. All of us would understand. The people of Ontario would understand. The people of the caucus would understand. The people in the press gallery would understand. Why doesn't he go?

Mr. Conway: Throw him out.

Mr. Hall: No wonder you got out of teaching.

Mr. Conway: Three hundred votes; almost the last time.

Mr. Foulds: The letter I was reading goes on: "I believe the lowering of the drinking age some years ago has only been a small factor in this happening. We have seen a great increase in sexual intimacy in the same age group; at a time when birth control has been more easily available than ever before teenage pregnancies have markedly increased, and there is no change of age limit in this activity.

"I believe the reason for change reflects the change of attitude. We have raised children with greater permissiveness in the hope that this in turn would help them be more self-directed, more responsible. So they do things because they want to, not because they are afraid not to.

"In a large group of people this has worked beautifully. No thinking person will deny that many of today's adolescents are hard working, considerate, knowledgeable, co-operative, responsible people who are far more mature than we, the middle-age establishment, were at that age.

"However," the doctor goes on, "this positive kind of reinforcement has never worked with everyone. In as highly an individualistic country as Canada, there were bound to be failures. Some parents took neither time nor effort to raise children responsibly; some parents were simply unable to give this guidance; and some youngsters cannot be taught in this way.

"We accept that there are mentally-retarded children with special educational needs. We must learn to accept similar concepts with regards to the emotionally disadvantaged child."

The doctor then goes on to mention some techniques that she feels could improve the present situation, and she says: "We must also turn our attention to deterrents. While better educational means for problem youngsters are being developed, the offenders, for their own and society's protection, must learn the hard way and be restrained from doing too much damage to themselves and others."

Hon. Mr. Grossman: They're not going to learn anything here; they won't learn anything here.

Mr. Foulds: "We must keep up respect for the law, since allowing the law to become a laugh breeds cynicism and corruption."

Mr. Sargent: Take it to bed, Jimmy.

Mr. Foulds: "Is it so hard to find liquor lounges that allow underage drinking? Is it so hard to find imaginative deterrents for drinking offences? It occurs to me that one deterrent for drinking under 16 might be not to be automatically permitted a beginner's driver's licence. For the over-18 being found publicly drunk, driving restriction could be enforced more rigidly. Youngsters might be asked to attend group sessions.

"I think there is no doubt in anyone's mind that adolescence is a difficult enough time, emotionally speaking, without liquor, and that the adolescent seems particularly vulnerable as to the physical and psychological effects of alcohol.

"Present-day affluence is a further problem. At no time in our history have so many people had so much money. Drinking was limited by lack of money to the reasonably well-off and the ones who would do anything to get drunk. The in-between group tended to limit drinking to paydays and special occasions. Today, lack of money does not appear to exist as a controlling factor."

I believe that this bill expresses a change in thinking. Unlike the previous speaker, I have no doubt in my mind that the legislators who took the decision in 1971 took a sincere decision. I do not believe that it was an initiative that was taken in order to show the leadership of a particular party leader or to get a certain age group's vote. I do not think that was why the initiatives were taken.

No doubt there has been some considerable evidence, particularly as it has accumulated in the report of the select committee on highway safety, that we have a couple of very basic and profound problems. But I do not believe this particular bill, by tinkering with the drinking age, by raising it by one mere year, meets those needs.

There is one other section of the bill that I want to speak to. It is the principle embodied in the section that I want to speak to. I would like the minister, during the clause-by-clause discussion, to correct the impression I have if it is faulty, but it seems to me the bill gives the power to a police officer to confiscate liquor where no offence

has taken place if he suspects that an offence or an abuse might take place. I believe, if that is accurate, that it is too wide and sweeping a power. It is a power that we should not give *carte blanche* to the police. Perhaps we could deal more with that in clause-by-clause debate.

In conclusion, I want to say that this question has been a difficult one for all legislators. It is one most of us have thought through two or three times, in a political sense, in terms of the evidence that has been given, in a medical sense, and so on. Many of us have changed our views. I understand why many of us have changed our views over the last three or four years. On balance I found a lot of those arguments disturbing, but I have not found anything convincing enough to vote for this particular legislation, although many of my colleagues will be doing so, Mr. Speaker. Thank you.

[9:15]

Mr. Stong: As with most legislation, the bill before us now contains good points and what I would regard as not so good points, or weaker points. As most speakers who have addressed themselves to this bill prior to me in this debate, I also address myself to the raising of the drinking age to 19.

Mr. Haggerty: It will be 20 next year.

Mr. Stong: I had hoped that when this bill was introduced by the minister, raising of the drinking age would have been postponed for at least two years. I say that because it seems to me the bill contains some good moves in the right direction with respect to enforcement, particularly with regard to an establishment losing its licence when breaching the law. Up to this point, I know of no case reported or tested through the courts where an establishment in fact has lost its licence because of continually, as a result of spot checks, been observed serving liquor to those under 18.

We have laws, and I would urge that those laws, even these new laws being introduced in this bill, be enforced more fully than they have been in the past.

Mr. Haggerty: Right on.

Mr. Stong: If they're not working, then raise the drinking age.

I have tried my best to approach this matter with an open mind, although I do tend towards not raising the drinking age. I have never been ashamed to admit I was wrong or change my mind when I've been proven wrong, but I have seen no evidence to date that would prove anything else but that most teenagers—

Mr. Conway: A true Liberal.

Mr. Stong:—are anything but law abiding citizens and want to be that way. It seems to me, Mr. Speaker, that when we're talking about this bill, we as legislators are not only picking on, demonstrating or zeroing in on the most inexperienced segment of our society, but also grossly underestimating their intelligence, or their desire to be responsible citizens. We have completely overlooked, as legislators, the fact that teenagers, 18-year-olds, who are wholly dependent upon their superiors, want to look to the people who are older, their elders, for guidance. In fact they get their values from their elders and look to them for those values.

We've heard all sorts of arguments. We know that an 18 year old person is required to cast an intelligent and informed vote; we look to him to inform himself to cast that ballot.

We also regard him as a person responsible for any contract he might sign when he's 18 years of age. We've also heard the argument that we expect them to defend their country at 18 years of age. I was most impressed by a letter I received from an 18-year-old in my riding who wrote to me on this issue and said:

"I was married when I was 18. I have a younger brother who may be married when he's 18. He may have a child when he's 18." He has accepted all of the responsibilities of a married man. He's employed, he's expected to support his family and contribute to their education; but that man, having accepted all those responsibilities, will not be allowed to have a bottle of beer in a licensed premises.

Mr. Speaker, this law we are introducing now is really—to use a cliché—a Band Aid approach. We're treating a symptom instead of the disease. Teenagers are not hypocrites—not by far are they hypocrites. They recognize the problem that we are facing and they are reacting to it. We as adults insist that our teenagers go to jail for theft, and yet those same teenagers come from families where the fathers have pilfered from the factory; they come home daily with their lunchboxes full of goods from their employers; they have padded their expense accounts; they do not pay their income tax. The mothers go and shoplift on the weekends. These teenagers are not hypocrites; they can see those values, and those values are being imparted to them.

We also insist that our judges send teenagers to jail who abuse drugs, and yet all you have to do is look behind the scenes, into the medicine cabinets of those same families, and find out what pills the parents are on—the uppers, the downers, the mood-

controllers, the mind-benders. It is a drug-oriented society. Our teenagers are not hypocrites at all, but they can certainly see where the weaknesses are in us.

Mr. McClellan: Why do you insist you are a hypocrite?

Mr. di Santo: Are you for it or against it?

Mr. Stong: But there is one thing: They are not hypocrites; they can see fully the hypocrisy in us. I must say as well that all we have to do is to look at any person who is over the age of 19 and goes to a social event; they cannot communicate with one another unless they are holding a glass in their hand. This is the type of value that we are imparting to our young people. Rather than let them have the responsibility of making up their own mind, we tend to do it for them by trying to legislate morality. You can no more legislate morality than you can legislate brains into people; and, in fact, that is exactly what this legislation is attempting to do.

The strongest argument for the raising of the drinking age to 19 is the fact that it is in our schools. It seems to me that, if our teachers would quit trying to compete in personality contests among themselves and start calling the shots in the classroom and among the students, we wouldn't have this problem. I am aware of the fact that students are disruptive, but how many charges are laid of contributing to juvenile delinquency by virtue of supplying liquor? Not too many. That is a law that is on the books, and it has been on the books for a long time, but we have not resorted to it. The select committee on highway safety reported to us, indicating what the insurance companies have told us, relying on statistics, but there are laws that can control that problem if we care to enforce them.

It seems to me that, rather than raising the drinking age at this time, the minister should have introduced this matter in a way that would be testing the waters and enforcing the laws that we have now. I agree that there are some good points in Bill 96; one of the good points is the suspension of the licence of a premises or establishment that is abusing the law. We should also have more stringent legislation with respect to advertising, and we should be implementing this type of law on a piecemeal basis.

When we are speaking of young people, it seems to me that we expect an awful lot of them, but in turn we are imposing our wishes upon them without truly giving them any type of guidance in our own behaviour. That is where the problem really lies as I

see it. How can you possibly control behaviour when those who are making the laws are not prepared to live in accordance with that behaviour themselves?

In this type of legislation, I don't think there is anything to be gained by zeroing in on a segment of society that is inexperienced, and weak by virtue of that inexperience. These people do not have the experience in life that we have; they have gained their values from those of us who are standing here and voting in this House on such a law.

I would much more prefer to see the law enforced, even the more stringent laws that are being introduced in this bill, and withhold the raising of the drinking age until all else has failed. But let's give it a fair trial, which has not been done to date.

Mr. Samis: First of all, Mr. Speaker, I want to congratulate the member for York Centre for a very, I thought, reasonable approach towards this difficult and complex problem. It's one, I think, that perplexes many people; not just in this province but in society, because I think there's a general climate of worry and apprehension about what's happening to the social, as well as the moral fabric of our society. I am a little afraid this bill is a reaction to that general apprehension within society and is sort of lashing out in a one prong approach to try and solve it. For that basic reason, I don't intend to support this bill.

Before getting to the basic principle of the bill, Mr. Speaker, let me, just in passing, mention I have some severe reservations about some of the other sections within the bill as well, namely the idea of granting increased discretion to the police to confiscate liquor and to exercise their authority, on a very discretionary basis as I see it.

I have very grave reservations about the idea of placing the onus of blame, especially when it comes to fines, on employees in bars and hotels for illegally serving minors. It seems to me if the policy of the establishment to observe the law is very clear cut, then it should be the owner or the manager upon whom the responsibility should fall, and not on an employee, usually earning the minimum wage, who is sometimes harassed, and in a beer joint, for example, has to move around pretty quickly to satisfy his or her customers. I think it's rather unfair to establish the onus of responsibility on them, plus put a minimum fine on them.

Of course, I couldn't talk about this bill without having some reference to section 4 and the idea of granting municipalities the right to restrict the possession of alcoholic

beverages in certain arenas, parks and buildings for other sorts, without commenting on the natural, basic, obvious, overwhelming hypocrisy that the minister is aware of at the largest outdoor stadium in this city, namely the C.N.E. Ontario and Toronto have obviously retained their unique distinction of being the only city in major league baseball to ban the sale of suds at that beautiful outdoor emporium, especially as the hot weather approaches.

I want to get to the main principle of the bill, Mr. Speaker. When the various parliaments and legislative bodies of this country, in the early 1970s, almost without fail voted to make 18 the age of majority and adopted other laws in that spirit, I supported that initiative. I thought it was a recognition of the fact that people at 18 were able to accept those responsibilities. I thought it was a progressive move. I must say I haven't seen any really convincing or overwhelming evidence to convince me that those parliaments, those legislatures, including this one, made a mistake.

I think it was an intelligent move. I think we are going through growth pains. I think we are facing problems, but I am still convinced the move to give people from 18 to 21 their full rights in our society was the right move. I continue to support the right of someone at 18 to exercise the full rights of an adult.

Coming from the part of the province I do, Mr. Speaker, I have some memories before I got into this insane business. Down in eastern Ontario, obviously, we are in a jurisdiction that's exposed to other jurisdictions, as the member from Pembroke knows, namely the province of Quebec and New York state.

I seem to recall when I started teaching in Cornwall in 1967 that the drinking age in those days was 21. Supposedly those were the good old days. I recall very vividly the inclination among a good number of my students in the senior grades, all of whom were under the age of 19, was to drink. Drinking was a reasonably common thing. The law was 21, Mr. Speaker, but the drinking was going on at 20, 19, 18, 17, 16 and 15 years of age. This was being done, in some cases, in hotels and bars.

There was one particular establishment in my constituency that was famous for allowing 15- and 16-year-old kids to drink; that's when the age was 21. That wasn't necessarily the fault of the kids. Obviously the problem was the proprietor was being allowed to get away with those violations.

[9:30]

It made it difficult in our jurisdiction, because I recall the province of Quebec had lowered its drinking age and the state of New York had lowered its drinking age. We had a situation where the drinking age was 21 in this province, but it was 18 in two surrounding jurisdictions. I can tell you, Mr. Speaker, there was a powerful incentive for those young people to go to Quebec and New York State to drink. They did so quite frequently and in a few cases with very serious results.

Drinking is obviously becoming more and more prevalent among young people. There is no question about that. The same is true among adults, among every age group in our society there's no question there's more drinking going on.

But who sells the stuff in the first place? Who profits from the sale of it? It is not the young people, it is the adults. Who operates the bars and hotels that profit from this particular habit? It's the adults.

Mr. Haggerty: Who runs the LCBO?

Mr. Samis: Or as my good friend from Sudbury would say, mainly Tories; but not in all cases, as he well knows. Who first exposes young people to drinking habits, drinking attitudes and drinking values? Usually it is the adults, usually it is the parents. Usually that is where young people first get exposed to the idea of a glass of beer, a glass of wine or a glass of liquor. I would dare to say that the predominant influence on the teenagers is the father's attitude on drinking.

Who is failing to produce the leadership in terms of educating young people to adopt so-called modest or proper or moderate habits of drinking? Where do they get these habits from? Where is there failure? It has to be among the adults in the first place, not the young people.

I always wondered who writes and who profits from those slick, seductive ads that lure not just young people but people of all ages to drink beer, wine, liquor and liqueurs. Again it is the adults. So here we have the adults profiting from everything that is going on; and yet here we have the adults complaining about the excessive drinking among young people.

Before coming into the chamber this evening I took a little stroll to the library to check up on Maclean's Magazine—Canada's so-called national magazine—just to look at the advertising. In the space of 88 pages—not in the most recent edition but in the previous edition—I counted 20 ads for liquor, wine or beer. That's the magazine that we are pushing as Canada's national magazine, et cetera. Young people are exposed to that.

Liquor was the one product advertised more by far than anything else in that magazine. Compared to cars, travel or other consumer goods, the liquor ads predominated by far.

Then we turn on the TV sets. Obviously, even with the announcement by the minister, we see all sorts of lifestyle advertising on TV. I recall last week, I think, he was questioned and said, "If they have a contract, we are not going to stop it or change it. We'll let that contract reach its natural end before the new regulations take effect."

Who watches television the most? Young people. Who are the most susceptible to lifestyle advertising? Again young people. My own opinion is that there should be a complete ban on all lifestyle liquor and beer advertising. We should stop playing around with regulations and kotowing to the ad agencies, the breweries and the distilleries.

Another thing I have noticed is the increasing presence, of the breweries especially, at sporting and social events. The amount of promotion being done by the breweries is really astonishing in the field of athletics. The time of year doesn't really matter; they somehow get in on it and get their advertising, whether it is a mobile van, a booth, free schedules—you name it, they work every possible angle, they make their presence felt. Again, young people mostly are being exposed to it and they are the most susceptible because they obviously participate heavily in sports.

I am not really surprised there is an increase in the amount of drinking by young people. They are just being saturated with pressure by us adults, by the advertisers, and of course by peer group pressure.

I don't think we should put the whole focus of blame, as the member for York Centre said, on the young people. I think the basic fact of life, even today, is that the vast majority of our young people are not abusing alcohol. It has not been proved that the majority are abusing alcohol. There may be a minority abusing it. That minority may be increasing in numbers, but the same thing is happening with adults. A minority abuse alcohol, and the size of that minority is increasing. I think in effect it is tantamount to punishing an entire age group without really having proved any consistent case of guilt. I think if anyone has failed it is not the law so much as the adults, the advertisers and parents, rather than the young people.

One of the main arguments we hear in favour of this bill by people from the research institutes is, "look at the accident rate." They relate the high degree of accidents in-

volving alcohol with the drinking age and suggest that if it were raised to 19 or 20 that would somehow solve the problem.

First of all, the increase in accidents involving alcohol, once again, is not confined to 17-, 18-, 19-, or 20-year-olds. There has been an increase in other age levels as well. I'll be the first one to admit that the rate of increase is greater among minors.

At this stage, I'd like to express a personal opinion. When we talk about people of 16, 17 or 18 in accidents involving alcohol, it sometimes mystifies me why we're considering a law that would raise the drinking age to 19 yet we allow someone to drive a muscle-machine, a souped-up car, you name it, at 16 years of age in this province.

Somehow the logic escapes me of saying that you can vote, drink, borrow money, get married, et cetera, at 18 or 19, but you can drive a car at 16. In an industrial society as opposed to a rural society that, somehow, seems to me to show a little lack of consistency when we say you can drive a car at 16, but you can't drink or do those other nasty things until the age of 18 or 19.

In my last report to my constituents I included a questionnaire on the question: "What do you think should be the legal minimum age for driving in the province of Ontario?" I checked off 16, 17, 18, 19, 20 and 21. If I recall the figure, over 70 per cent of the people who answered the questionnaire said it should be 19 or over for driving a car in the province. Yet, somehow we focus consistently on the drinking age, without ever giving any attention to the driving age.

I think it's about time we gave some attention to the whole premise and the whole preconception of allowing people to drive at the age of 16. I know my colleague from Hamilton mentioned it and I'm sure others will. I think this bill, if it passes, will create some very obvious inconsistencies. I know some of them sound like they're clichés but I think, nevertheless, they contain a modicum of truth.

If you can drive at 16—and nobody ever suggested you're an adult or mature at 16; if you can vote in a provincial, municipal or federal election; if you can get married in Ontario at the age of 16; if you can go into debt legally by yourself at 18; if you can serve in the armed forces at 18; how do we tell young people, "You can do all those things, but, no, with this new bill you can't do it at 19"?

What's the consistency of it? How do we explain the logic of that to the younger gen-

eration? I have a suspicion that the logic of it is so weak, the inconsistency is so obvious, that this is going to breed some considerable disrespect for this law among our young people. I just don't see young people buying the validity or the credibility of the argument. I think the inconsistency is painfully obvious and I've yet to hear a convincing argument au contraire.

Another reason why I speak in opposition to the bill is that I have very grave reservations that it will work in the first place, especially in terms of the problem it purports to attack. I suspect the police will not particularly enjoy having to enforce it because it will make their job more difficult and we have all sorts of new laws coming out in addition to this one that are going to make their job more difficult. I suspect the hotel and bar owners won't particularly support it because it will make their jobs more difficult.

Frequently, we hear the argument: "What about the high schools? That's where the real problem is. That's where the real abuse exists." I recall my days of teaching high school. Most of the drinking—and I suspect it hasn't changed much today—obviously is done on the students' free time. If you're 18 years of age, damn it all, that's your right in society. Then they say, "They go out at noon and they either get smashed or they have x number of beers and they come back to class." I would maintain that's a small minority within the high-school population and within the 17 to 19 age range. Among those who do it, where did they get the habit from in the first place? Who concocted this great idea of going out to quaff a few at noon hour? Again, I don't think we can afford to cast any stones.

Mr. Sargent: Tory members of Parliament. That's where they got it.

Mr. Warner: Certain members, Eddie.

Mr. Samis: Sometimes the idea is mentioned—I've seen it here in the Toronto press—what about the dance situation in the high schools? Some allege that it's extremely difficult now to even conduct a teenage dance in the high schools. If we think back ourselves, and obviously being far younger than the member for Grey-Bruce, my memory can't go as far back, but I recall having to supervise high school dances in the 1960s and the early 1970s. If anyone suggests there wasn't drinking going on then, when the drinking age was 21, he's just deceiving himself beyond all credibility. It was a problem then; it's probably a problem now. It may have increased even more so, but that's part of the general change in society. It's not restricted

to young people. The same thing exists at the Argo games, where the minister will be going this summer.

Mr. Sargent: They won't let him in.

Mr. Samis: I would dare to say, as he has all his squad out there, the amount of drinking at Argo games has increased.

An hon. member: I'm not going to the Argo games.

Mr. Warner: You should. Punish yourself, you deserve that punishment.

Mr. Roy: He is going to have to drink to tolerate the Argos this year.

Mr. Samis: I'm sure at the "Make Believe Palace" on Carlton Street, for "Pal Hal", that the amount of mickies found over there in the last 10 years has increased drastically.

Hon. Mr. Crossman: No.

Mr. Samis: I'm sure any good bartender at a golf club will tell you that consumption has increased there over the past 10 years. So I really don't think we should isolate the instance of the teenage dances and say, "There's the problem; there's the proof."

If this bill passes and becomes law, I know that in my particular part of the province it's going to cause serious problems; we'll have a situation where the drinking age will be 19, and we'll be surrounded by two jurisdictions where it's 18. I can see it happening now as it happened when the age was 21; they'll be driving across the Quebec border to the hotels on Thursdays, Fridays, Saturdays and Sundays, or they'll be driving across the border into northern New York state. We'll have increased automobile accidents. I recall very vividly one of my students having been killed on a Sunday night coming back from the province of Quebec. Obviously, he'd gone out drinking and that was one source of his ultimate demise.

I really worry that, when this bill passes, the pattern we have been able to overcome in our area is going to resurrect itself, because there's now going to be the incentive to go over to Quebec or New York state as a result of the law in Ontario being different. I would point out, when we constantly hassle high school kids for drinking too much, that most of it is done after 4 o'clock and on Thursdays, Fridays, Saturdays and Sunday nights. With the vast majority who do drink, it's not really related to the high school in the first place. Sure, there are some who do, but let's not cast stones when we look at our own habits.

Mr. Speaker, I would say that this bill does not really get at the source of the problem. I'm afraid it won't solve the problem. I'm afraid it will create a whole host of new

problems. It will be a glaring inconsistency and among young people it may even breed disrespect for the law. On the basis of that, I will not support the bill.

Mr. Conway: I, too, Mr. Speaker, would like to join briefly in the debate on Bill 96. I must say that I share with the member for Downsview a certain difficulty, because we've not yet heard from the archbishop on how we can vote on this matter.

Mr. Samis: The parish priest will do.

Mr. Warner: Someone should tell you how to vote.

Hon. Mr. Grossman: Frank will tell you.

Mr. Conway: The member for St. Andrew-St. Patrick informs me that the member for Scarborough Centre (Mr. Drea) will tell us, and I suspect that's probably true.

Mr. B. Newman: Remember, that's not Jimmy Carter.

Hon. Mr. Grossman: I hope he is with me this time, Sean.

Mr. Conway: I was happy to hear the member for Cornwall make the remarks about his personal experience from the far eastern region of this province, because it's been my experience to have seen many of the same things.

I'm happy to be here tonight with the minister and his bill, because as one relatively young Ontarian I have found his remarks and his general approach to the liquor question in this province more than slightly embarrassing and at times downright overbearing and intolerable. He has brought to the politics of moral uplift a sense of a sort of new earnestness and zeal that we haven't seen in many years.

[9:45]

Hon. Mr. Grossman: Remember, I get to speak last.

Mr. Conway: I must say, Mr. Speaker, that there are many of us in this chamber who find it particularly difficult to accept that the minister in charge of the liquor policy of this government should be so prepared to make the sort of moral pronouncements that he is becoming increasingly famous for.

I know that many members of the House would join with me in suggesting to the minister that he become slightly less impolitic in his remarks about what may or may not happen to his children at the ball park where he would like to take them.

You know I was thinking, Mr. Speaker—

Mr. Sargent: Does he have children?

Mr. Conway: —in that connection, because I have heard all his great speeches and all

the powerful arguments he has made and all the tremendously significant points he has put in this respect. On the question of liquor policy in the past in this province there have been an awful lot of people like the present member for St. Andrew-St. Patrick who would guard the moral virtue of the young and older citizens in this very important respect.

When I hear his speeches, I think back to an earlier day and I just wanted to quote briefly from a similar such speech by—

Hon. Mr. Grossman: Remo Mancini.

Mr. Conway: —someone given—No, my friend from Essex South is, of course, not discharged with the responsibilities of—

Hon. Mr. Grossman: Discharged? Charged, not discharged.

Mr. Conway: —handling the liquor policy in this province.

Mr. Speaker, I was earlier tonight looking back into some of the old arguments in favour. I found this old song that made me think of the present member—

Mr. Stong: Then sing it.

Mr. Warner: Going to sing it?

Mr. Conway: —for St. Andrew-St. Patrick. Only one paragraph—

Mr. Warner: Sing it, Sean.

Mr. Conway: —of which I would like to read into the record, because I think it speaks—

Mr. Warner: Sing it.

Mr. M. N. Davison: Sing it, Sean.

Mr. Conway: It is not an Irish drinking song, Mr. Speaker, but it does say something about where the minister's heart lies in this. It goes something like this in part:

Mr. Warner: Sing it, sing it, Sean. We will join you.

Mr. Conway: "Someone's boy may be your boy, his eyes just the same shade of blue;

Someday your tears may be falling, the breweries don't care if they do;

'Tis theirs to ruin and trample, to crush out all hope and joy;

Won't you go to the polls at election, and vote to save someone's boy?"

That, just so the honourable minister will know in what context he finds himself, was authored by Miss E. W. Farley, in Belleville, 74 years ago.

I just wanted to bring that to his attention to put him in the proper stream—

Mr. Warner: Sing it at the CNE stadium now.

Mr. Conway: —because I must say that I have found his statements about people who

can't handle their drink in this province just about at one with that kind of remark.

You know, the almost ancient hypocrisy of Tory politicians, certainly not members of this party traditionally—

Hon. Mr. Grossman: No, no, not members of your party.

Mr. Conway: —but Tory politicians in this province with respect to the liquor question is quite frankly something more than I can bear.

Hon. Mr. Grossman: So you will vote against the bill.

Mr. Conway: Mr. Speaker, it is well characterized by what I think we can best describe as their brown paper bag morality.

Hon. Mr. Grossman: So you are voting against the bill.

Mr. Conway: I often think that if we put the minister and a good mickey in a brown paper bag—

Mr. Warner: Why not put the minister in a brown paper bag?

Mr. Conway: —would that be acceptable if we took them both into the Exhibition Stadium for a ball game or some other such matter?

Hon. Mr. Grossman: Only one of us would come out alive.

Mr. Conway: The principle of Bill 96 deals with the matter of establishing a drinking age generally and, in fact, raising the age from 18 to 19.

Hon. Mr. Grossman: So you are voting against it.

Mr. Conway: The member for Cornwall pointed out very aptly the experience—

Mr. Warner: Eloquently.

Mr. Conway: —of those of us who live and who continue to live in a border region. I suspect that if the member for Carleton has his way, that phrase will mean an awful lot more—

Hon. Mr. Grossman: And being a border member.

Mr. Conway: —and being a border member, to be sure, we can well remember the days back—

Mr. Warner: That is different from being on the fringe element, Larry.

Mr. Conway: —pre-1971 when the drinking age in Ontario was significantly different from that in Quebec and certainly in the United States. I grew up in a part of eastern Ontario that was 65 miles from the nearest tavern in western Quebec. There was a veritable paucity of legislation in this province to

induce me not to make that 65-mile trip to indulge myself.

I must say, Mr. Speaker, that that legislation did not in any material way prohibit my interest or my activity in crossing the Ottawa River and partaking of the evil drink in question.

An hon. member: Shame, shame.

Hon. Mr. Grossman: So you are voting against the bill.

Mr. Conway: The hypocrisy of trying to legislate these matters in the moral domain I find really quite fascinating.

Hon. Mr. Grossman: You are voting against the bill.

Mr. Conway: There are those in this House who know Irish Catholic partisans from the Ottawa valley have an historic commitment to the temperance side in the debate. I don't want to let that ancient prejudice bear upon my decisions in this vote.

But—

Hon. Mr. Grossman: But.

Mr. Warner: Here it comes.

Hon. Mr. Grossman: Downhill from here.

Mr. Ashe: He smokes too.

Mr. Conway: —it seems to me the arguments put by the select committee on highway safety are important arguments.

Mr. Warner: The cap is off the bottle.

Mr. Conway: I heard the NDP crowing, as only they can crow. I heard the member for Port Arthur earlier tonight telling us all that they have decided to have a free vote. I am sure they are going to have a free vote, now that they have given themselves to the roller-coasting, roller-skating politics in a parking lot where the meter has long since run out.

I am not surprised to hear the NDP is having a free vote tonight because on such questions as we have found increasingly in this spring session, theirs is a party completely bereft of leadership. I suspect we will see, rightly or wrongly, willingly or otherwise, that party commit itself to an incredible series of free votes to avoid embarrassment to which they would otherwise be committed.

I am one of those members who listens to the passionate civil libertarian arguments of certain members of that party in certain committees and I no doubt will hear from the distinguished member for High Park—Swansca (Mr. Ziembra). I am sure he will grace this House with his stentorian orations on this matter in which he has some degree of interest. And no doubt that will represent a traditional position for that party.

Mr. Hall: Third position.

Mr. Conway: But I must say it is my feeling, as a private member that if we seek to legislate in the general questions of morality, in so far as removing from young people in this province the drink goes, as the minister would have it.

I think we operate on some fundamentally wrong premises. I happened to be listening to the radio the other morning and I was thinking of an effort the government and others, in respect to another moral area—a moral conundrum—

Hon. Mr. Grossman: Why did you support the bill last November? Why did you vote for Remo's bill?

Mr. Conway:—the business of legislating certain things out of the city of Toronto that had previously become quite apparent on lower Yonge Street. Now, I listen to the radio in the morning and I understand that it is off Yonge Street, but it is certainly alive and well at the corner of Church and Isabella.

Hon. Mr. Grossman: Where are you staying, Sean?

Mr. G. Taylor: Hey. I live there. Watch that, Sean. I live at Church and Isabella.

Mr. Bradley: Welcome back, George.

Mr. G. Taylor: I am moving to lower Yonge Street.

Mr. Conway: Some of us have certain latitudes in that respect, not free to others who have entered into more lasting commitments. I see the member for Simcoe Centre evincing his conflict of interest in that respect, no doubt.

I want to say that I think the efforts of this and other governments to effectively legislate in the moral areas has been proven to be somewhat bankrupt.

Mr. McClellan: He's going back in the other direction.

Hon. Mr. Grossman: But Remo's bill, which you supported, was no different.

Mr. Conway: All members have argued—no, I am going to be quite simple and quite sincere—

Hon. Mr. Grossman: As always.

Mr. Conway: I don't think it is quite frankly the hallmark of a civilized society that we should have a drinking age.

Hon. Mr. Grossman: You are half right.

Mr. Conway: I find it repugnant, to say the least, that civilized people cannot drink as they see their capacities to allow them to drink. Quite frankly, I find it very unfortunate that we need to have a drinking age.

Interjection.

Mr. Roy: Just listen, as you said this afternoon.

Hon. Mr. Grossman: He is voting against it, that is what I cannot understand.

Mr. Conway: I must say that the history of this province and the history of much of western society is not more unfortunate than in these questions of liquor and related moral questions. Clearly, as a society, we have not from the very beginning learned how to handle the matters of alcohol in particular.

That disturbs me. That disturbs me greatly.

Mr. Germa: You haven't learned anything. What a pussy willow.

Mr. Conway: Many members of this House have been circularized recently by some constituents—

Mr. Germa: What did you ever see or do in this world? Where have you been?

Mr. Conway: On Yorkville with the member for Sudbury waiting for the—

Mr. Germa: What a pussy willow. You never worked a day in your life. You haven't done anything.

Mr. Acting Speaker: Order.

Mr. Warner: He wants to go up to the Ottawa River to study drinking.

Mr. Conway: I take seriously—

Hon. Mr. Grossman: Come back, Bud; don't leave now.

Mr. Ruston: Stick around, Bud, stick around.

Mr. Conway: I take seriously what the member for Sudbury says.

Hon. Mr. Grossman: The first time in two years I want him to stay and he leaves.

Mr. Conway: I take seriously what he says. It's interesting, Mr. Speaker, that he happily followed the member for Scarborough West (Mr. Lewis) in his years of being both leader of that party and a member, and as I recall he entered this Legislature under circumstances not too different from my own. I am, for the benefit of the member for Sudbury, trying to get the flavour of it all. I only suggest to the member for Sudbury that he be somewhat more generous in his tolerance of the younger portion of this society.

I have not been spending my life in the Frood mine and I am probably very seriously deficient in that respect.

Hon. Mr. Parrott: You're seriously deficient, but we won't hold that against you.

Mr. Conway: Someday I may have the opportunity—sooner than I might like—to take him up on that offer.

Mr. Warner: You should go underground somewhere.

Mr. Conway: Mr. Speaker, I want to say to you that I find the matter of a drinking age quite unacceptable in general. However—

Hon. Mr. Grossman: However.

Mr. Conway:—there is clearly a will among the members of this House, and clearly a desire on the part of the community as a whole, to have a drinking age.

Hon. Mr. Grossman: And you too, you agree.

Mr. Conway: I will accept from my constituents in this respect, the notion that they want me as their member—

Mr. Warner: They want to run a referendum on it.

Mr. Conway:—to support, on their behalf if not on my own—

Mr. Warner: A referendum now. Is that what you're going to do?

Hon. Mr. Grossman: Some leadership. There is leadership, there's leadership for you.

Mr. Conway:—to support the principle of a drinking age.

Mr. Roy: It is better than you guys. You changed the law in 1971 and changed it back in 1978; some leadership.

Mr. Bradley: A man of the people, no doubt about it.

Mr. Conway: It seems to me the people of my constituency and the people of the province insist that we have a drinking age.

Mr. Warner: Fifty-one.

Mr. McClellan: How about 35?

Mr. Warner: How about 81?

Mr. Conway: Speaking as a citizen in the province I think that that is not a civilized thing to do in some respects; however, I will accept that.

Mr. Warner: Just ban it from the Ottawa valley.

Mr. Conway: If we must have a drinking age, I will accept further the notion—

Mr. McClellan: Have an escalator.

Mr. Bradley: He's wandering now.

Mr. Conway:—that we should make that drinking age as useful as possible.

Mr. M. N. Davison: However.

Mr. Warner: Here comes the other side.

Mr. Conway: Therefore, on this one occasion, I want to make it—

Hon. Mr. Grossman: Perfectly clear.

Mr. Conway:—perfectly clear—

Mr. Warner: Well, it's audible.

Hon. Mr. Grossman: Where have we heard that before? Now I can identify your speech.

Mr. Conway:—because any other clarity the member for St. Andrew-St. Patrick would not understand. I want to make it perfectly clear that I appreciate the direction given me by my constituents as I understand it.

Mr. Warner: Not as they understand it, but as you understand it.

Mr. Conway: And on their behalf, notwithstanding Edmund Burke's letter to the electors of Bristol, I will support in principle the notion that the drinking age should be made more practical than has been the case post-1971.

Hon. Mr. Grossman: How do you feel personally?

Mr. Conway: I do so with the following caveat, that I know that those in this province who are 16, 17, 18, or whatever, who want to have a drink will have a drink despite what this Legislature might rule to the contrary. There is no one in this chamber who can leave here feeling that this is a purity that we can make stick; and no one knows that better than the member for Scarborough Centre (Mr. Drea) who has just arrived on the scene.

An hon. member: Aren't you glad you're here?

Mr. Conway: I hope, for however long that government lasts—and if today's performance in question period is any example I am sure—

Hon. Mr. Grossman: Another 19 years.

Mr. Conway:—I am sure that the sunset, in the member for London South's phrase, is surely approaching—that we will have an opportunity to see the member for Scarborough Centre become the minister in charge of the liquor policy of the Tory administration.

Hon. Mr. Grossman: He will be before you will.

Hon. Mr. Drea: It's a damn hard policy, I'll tell you.

Mr. Conway: Then we might have another view; we might have a liberalizing, progressive view.

Hon. Mr. Grossman: Don't complain about me.

Mr. Conway: We might have an under-standing view.

Hon. Mr. Drea: Not on liquor.

[10:00]

Mr. Conway: We might have a more sensitive social view, that we cannot expect, and that we do really expect from the present member.

Mr. Roy: Frank, are you against sin?

Mr. Conway: Mr. Speaker, for those reasons, and I want to make it very clear, like the member for Kitchener (Mr. Brethaupt) who, I think, makes the case for those of us who find it very difficult to accept a drinking age in principle, and because the constituents we represent so direct us, we will accept their majority mandate. For that reason, I will support the principle of Bill 96. Thank you, Mr. Speaker.

Mr. Walker: You can't even accept a drink.

Hon. Mr. Grossman: How do you feel personally?

Mr. Walker: You are a teetotaler.

Mr. Speaker: The member for High Park-Swansea.

Hon. Mr. Grossman: Don't go away, Sean.

Mr. Ziembra: I rise in support of Bill 96, Mr. Speaker, not because my constituents have directed me to do so, but because I believe it's a small step in the right direction. I think this Legislature made a terrible mistake back in 1971—

Mr. Bradley: Is this going to be as good as the speech on the wolf bounty?

Mr. Ziembra:—and it will go a small way towards correcting that mistake.

We heard this evening that smoking could be banned or, because the age of majority was lowered, there has been an increase in sexual activities. That wasn't what the doctor ordered.

Mr. Roy: Leave that out of it.

Mr. Foulds: There was no cause and effect.

Mr. Walker: Bring the bill in again.

Hon. Mr. Grossman: We are setting up a board.

Mr. Roy: A board? Yes, Frank can use it, you know.

Mr. Ziembra: While there are probably cases where people engaged in these pursuits—

An hon. member: I agree with that.

Mr. Ziembra:—were participants, and where the pursuit of these activities proved fatal, at least they didn't end up killing other people as we have with the drinking problem. Bars, taverns and discos that are catering to the teenage trade are not going to close down because we've passed Bill 96, Mr. Speaker. Young people will continue to drink in these bars rather than at home and cars will con-

tinue to be used to get from one bar to another. Eventually they will be used for the trip home.

This bill may cut down on some of the carnage on our highways but there are no guarantees that it will eliminate it, as far as young people are concerned. It would be a lot better if this bill restored the drinking age to 21.

Mr. M. N. Davison: Are you going to speak, Gordon?

Mr. Ziembra: Nowhere in this bill does it suggest that the brewers and distillers should cut back on their advertising. The member for Cornwall told us about our national magazine, Maclean's, having 88 pages with 20 ads. While we have 20 pages of liquor advertising, we have a more popular magazine, Quest, distributed free of charge to 700,000 homes in this province on a regular basis, and this particular copy has 88 pages with 35 pages of liquor advertising. They do better than Maclean's.

The more any product is promoted, the more advertising we have, the higher the consumption will be. This bill does not attack the root cause of alcohol abuse, which is alienation and loss of self-worth.

Mr. Bradley: On that basis, you should have a majority government, eh?

Mr. Ziembra: Youth employment stands at 40 per cent. There are no jobs for young people, young people who can't make it in school, and even graduates, face a bleak future. Thanks to our mismanaged economy, there are few meaningful jobs for anyone under 25. This loss of self-esteem, this loss of a sense of belonging and identity results in alcohol abuse as well as anti-social behaviour. We've learned that today's teenagers are, and will continue to be, over-represented in our prison system. I don't think this bill will change that very much. However, Bill 96 will go a long way, I think to removing alcohol from high schools and the peer pressure that accompanies it, and it is for that reason that I am going to vote for it.

It was also suggested in an earlier speech that we can't legislate morality. While we can't legislate people to be good, we can legislate in such a way that it will make it difficult for people to be bad.

Mr. Van Horne: Mr. Speaker, I will attempt to be brief, because I realize there are other members who wish to make their contribution this evening and particularly our member from Essex South.

I would submit at the beginning that I will speak in favour of this bill. However, I would caution the minister in the flush of

the excitement of what we are doing right now that he has a greater responsibility; that, I submit, is to examine through his ministry those factors which I personally perceive are things or factors which are changing the habits of the people in our community, in the province of Ontario, who are choosing to consume some form of alcohol.

The evidence I have is rather limited and yet, coming from London, Ontario, with Labatt's Brewery being one of the corporate members of our community, it is my understanding that the habits of the people in Ontario are changing very radically and rather quickly from that of consuming what is called soft alcohol—that is, in the form of some beer, ale, lager or what have you—to some harder form of alcohol. I would submit to the minister that his responsibility would have to extend into the area of consideration, or research if you will to examine what factors are causing the change and then, along with his cabinet colleagues, to do something effectively which would bring that change back or away from the rather horrendous direction in which it seems to be proceeding.

The next point I would like to make is that the amendment which the minister submitted to us today is one which pleases me very much. I say that for a personal reason. My family consisting of six young people, has in it two people—my second daughter, who was born in January 1960, and my first son, who was born in that same year, in December 1960. These young people, who are just over 11 months apart in their age difference would have been caught in a rather awkward social situation had the minister's original proposition proceeded. They are where they are—that is, in grade 12 of their secondary school life—by virtue of the Education Act. In the Education Act at page 25, and I am referring to section 20 in part II, which defines compulsory school attendance, an essential in there is the definition of "admission and time" for people entering our school system. Essentially, "those young people born between January and June of a school year may not enter until the September of that school year; however, the young people born between September and December may enter in that particular year." So, in fact, we have a division within a calendar year of the young people in our community.

I checked with Statistics Canada to see how many of our present 17-year-olds that might affect, and the information given to me this morning by Statistics Canada indicated that two years ago—they have no up to

date information for 1977 because they have not the proficiency to have the information available that quickly, but for the preceding year the births in Ontario totalled 124,229. In the period from September to December there were 42,395 births. In other words they represent 33.8 per cent of the young people aged 17.

If you were to extend this or if you were to go back—and I asked him to go back to check the month by month birth rate and birth numbers and the numbers come out within a percentage point of each other. The number that would have been affected at this point in time, also making reference to the Ministry of Education statistics, would have been in the neighbourhood of 37,000 young people in our province if that age had been left effective September 1. Those young people, those 37,000 in our province, I am sure are grateful that amendment moves it up to January. In my opinion, it is very consistent to make that change.

Aside from making that comment I will note that my own son, who would have been affected, and many of his friends, who brought to me a list of names of people who are affected and who are concerned, all expressed the opinion, as mentioned a few moments ago by the member for York Centre, that if we have a problem right now it is that our law, as we know it today, is not properly enforced. The young people with whom I am associated—and again I have to make reference to my own family, aside from those many thousands of young people I was acquainted with in my 21 years in teaching—by and large the young people I am acquainted with have all made the same observation and that is that our law is not enforced.

They are not inclined to be critical of the law, but they are inclined to be very critical of the lack of enforcement of the law. For example, they and their friends do this—and I would submit that most of them, being human, probably have attempted the same thing—when they go into an establishment that serves alcohol, no one is questioned about his or her age. They have witnesses, associates and people they know in the same class who go into LCBO or Brewers' Retail outlets and never are they asked, according to these people, for identification. I would submit to the minister that that was one of the main criticisms that the young people have: enforce the laws that exist.

Beyond that, I would say that in section 6 of the act there is reference made to identification. I am torn at various times on my thinking on this, whether it's right or not,

but we talk in one breath about identification for federal reasons and we look at our social insurance number. We then take a look at identification for this purpose. We talk about personal identification or identification forms for such things as OHIP and then we hear from the Ministry of Transportation and Communications that we will likely be getting drivers' licences with an identification photo.

To me this is an area that demands of our government a further investigation because essentially, if you sit and analyse it just on the surface, Mr. Speaker, you could end up with four or five or six pieces of identification. I don't think that is the minister's intention and I would hope that in the cabinet debate he comes up with some kind of solution for the people in the province of Ontario.

Hon. Mr. Grossman: We will be using the licences.

Mr. Van Horne: You will be?

Hon. Mr. Grossman: Yes, as soon as they are out.

Mr. Van Horne: I am sorry. I didn't understand that, having read this. But at any rate, I hope I have made my point that a variety of forms of identification are not necessarily needed. I would submit that if we had a form of identification and, beyond that, if we had a determination to pursue the laws that exist that perhaps we wouldn't have to get into such long debates and such concern as we are looking at right now.

[10:15]

Mr. Charlton: I rise to speak to Bill 96. Although there are a number of things in the bill that are probably useful in terms of tightening some of the aspects of the law a little bit, there are a number of problems I see with the bill. The basic one is the whole question of the drinking age.

It seems to me that to a great degree those of us who are debating this bill here tonight are playing games with ourselves if we think that the problems we are talking about didn't exist before 1971. If we think that by raising the drinking age by one year those problems are going to go away, we are being somewhat naive.

Drinking teenagers are no new phenomenon. Drinking in high school is no new phenomenon—a number of the members here tonight have mentioned that. Most of us here tonight know, whether we participated ourselves or not, that the problem existed long before the change in the drinking age in 1971. One point that has been made tonight by a number of speakers that I think is very important and that we seem to a large degree to be overlooking is that the vast majority of

young people in 1978, as in 1971, as in 1965, in 1955 and in 1945, are responsible and reasonably mature. They are not abusing—as they did not abuse—the privilege, or the “snuck” privilege, of drinking, whether it was before or after 1971.

Perhaps we should recall for a moment the prohibition that was attempted in the 1930s. It was a prohibition to deal with a social problem; and the prohibition failed miserably. It just didn't work, because society was not prepared or able to deal with prohibition. They were not prepared to change their attitudes.

I recall a situation I was involved in when I was 18 years old. I was driving one night with a friend. We were following a car which was weaving all over the road. On a number of occasions it crossed the centre line of a four-lane highway onto the wrong side of the road. Obviously the driver had dozed off and on each occasion managed to get back to the right side of the road only after some very loud beeping by the rather heavy traffic coming the other way.

Eventually we got this car stopped and got the 45-year-old gentleman out of his car. We managed to get his name and address and to get him home. I raise this example tonight for two reasons: first, because the gentleman we were involved with that evening was part of a society that has set and is setting the examples for the young people we are talking about here tonight; and secondly, because he wasn't a young person and still hadn't been able to deal with his problem—which was a social problem.

We set the attitudes. We set the examples. And now we throw the stones.

One of the things that has bothered me somewhat is that we try to deal with a social problem and a social attitude by a prohibition. I've heard no discussion here tonight about trying to deal with the rather high death rate from alcohol-related diseases through prohibition.

I don't have any facts and figures on it but I would imagine that if we delved into the statistics on people who die from brain damage and from heart damage and from kidney and liver damage we would find that the rate is disgusting, to say the least. But we can't deal with that problem through prohibition, because the people who find themselves in that situation are a part of this society and living the social attitudes this society pushes. In the same way I don't think we can deal with the social attitudes and the social pressures of young people by prohibition.

This society has bombarded itself and the young people in it with the myths of the social benefits of the use of alcohol. We have tied the use of alcohol directly to sexual achievement and sexual acceptability and to athletic prowess. All of the things we worship in this society we in effect say you can accomplish with the use of alcohol or as part of your social involvement.

In the same way that this society has problems above the ages of 18, 19, 20 and 21, this society has to deal with those problems. For us to single out young people here tonight is a cop out. We have a social problem of alcohol abuse to deal with and we're hiding from that problem, finding a scapegoat. What I very sincerely fear is that when this bill passes, all of us as legislators, and all of the parents out there who have related the problem to us, will breathe a sigh of relief and say: "Thank God we've got it out of the high schools," or, "Thank God we'll save a few lives on the highways."

A number of the members mentioned the drinking that went on at high schools before 1971 and the drinking that went on in other jurisdictions as well.

I can well recall the problems of drinking in high school. A very small minority actually took alcohol into the schools during the day; a very, very small minority, but it happened even then. There were some who got drunk and rowdy at dances; and a large number drank on their own private time. Many went across the border from the area where I lived into New York state, to Buffalo, to Lakewood, to a number of other places, and ran the risks of the long drive home.

Mr. Bradley: Did you go to Lakewood?

Mr. Charlton: On occasion, yes.

Mr. Bradley: That place has burned down.

Mr. Charlton: That's probably going to be a saving for the 18-year-olds in Hamilton.

At any rate, my point tonight is that we are trying to deal with a problem that is a problem of the whole society in the wrong way and in a way that cannot work.

Hon. Mr. Drea: I shall be very brief. I, obviously, rise in support of this bill. I want to commend my colleague for his courage, not just on the—

Mr. Roy: What courage?

Hon. Mr. Drea:—issue of the raising of the drinking age—

Mr. Roy: It was the member for Essex South.

Mr. B. Newman: Mancini deserves the credit.

Hon. Mr. Drea:—but on the package of recommendations that came forward in a previous parliament.

Mr. Foulds: Mancini doesn't have the bruises from cabinet that the minister has.

Hon. Mr. Drea: As you know, Mr. Speaker, I had something to do in 1975—as a matter of fact, I did the bulk of the work—dealing with the previous liquor act. At that time, because of certain circumstances, there were a number of ministers involved, and I can say very truthfully to you, Mr. Speaker, and to the House, that had the degree of courage that has been shown by the present minister been shown then, perhaps we would not have to be here tonight.

Mr. Mancini: Don't ruin your credibility because of the Minister of Consumer and Commercial Relations.

Mr. Roy: Give some credit to the member for Essex South.

Mr. Gregory: Oh, come on. He's Johnny-come-lately.

Hon. Mr. Drea: I want to talk for a few moments on an aspect of the alcohol problem. I am not naive and I'm fully aware of human nature and the vagaries of the human condition as subject to pressures both from within our society and from within the person. I don't think that this bill is going to be a panacea. Quite frankly, it is a small step forward, but it is a step forward in the right direction.

For those who like to ponder certain things—as a matter of fact, I don't understand where this sexual attractiveness aspect comes from; from some of the speeches here tonight it's almost enough to make a man get extremely thirsty and see the things he's been missing over the years.

Every day when I go to work I have to face the grim reality that 90 per cent of the inmates in the Ontario institutions are there because of alcohol-related offences. This is not to say they're alcoholics; in fact, many of them aren't even heavy drinkers. But it is a statistical fact that their troubles in society that have led them to become offenders are over their inability to control the use of alcohol.

It may be of interest to you, Mr. Speaker, that the federal penitentiary service tells me that 80 per cent of the inmates—and, quite frankly, that is probably more shocking, because the bulk of their inmates are violent offenders—that 80 per cent of those offenders are alcohol-related.

Mr. Roy: Or drugs.

Hon. Mr. Drea: No, alcohol. We'll give you the drugs, too.

An hon. member: Alcohol is a drug.

Hon. Mr. Drea: What bothers me, and I'm sure it bothers those of the profession in this House who are in contact with the inmate population in institutions, is that about 45 to 50 per cent of the inmates in Ontario, and about the same ratio of the inmates in the federal penitentiary system, aren't even shaving yet. They're 16, 17, 18, 19 years old.

An hon. member: Then what are they doing with shaving lotion?

An hon. member: Give them the vote.

Hon. Mr. Drea: It seems to me that we have to make a start in our society, in our community, towards a coherent and a personal control of the alcohol problem. Prohibition won't work. Temperance won't work. All the regulations and the legislation won't cure the problem. It is a matter of personal control. In this regard, the present minister has removed many of the anachronisms of the old act, which makes the act that will pass in this session much more acceptable to the population. Liquor control is not something to be snickered or laughed at or to be deliberately broken because it is expected in society. That's probably still the impact of prohibition upon us.

An hon. member: Howard Ferguson would be happy.

Hon. Mr. Drea: Alcohol abuse has an enormous impact; albeit probably less than four or five per cent of the population is involved, it is a growing thing. If you want to look at the impaired driving in this province, Mr. Speaker, take into account that each and every weekend I have 600 weekend sentences, 95 per cent of them on multiples—this is their third, fourth, fifth, sixth, seventh, 10th impaired driving sentence. These figures are going up.

An hon. member: Ten?

An hon. member: My boys.

Hon. Mr. Drea: Therefore, while this bill is not a panacea—it is not in any way, shape or form, nor has it attempted to be, a total look at the situation—it is a step forward. It is a step forward that will only be meaningful if there is enforcement. I don't think it's telling any secrets to say that the present enforcement of the act is at best non-descript. But enforcement alone won't carry it out. It has to have the support of the community. It has to have the support of the individual.

In this manner, I think that the package that has been proposed in this bill by my colleague the Minister of Consumer and Com-

mercial Relations is not only a step forward in the right direction as regards youth and the problem they are having with this commodity, but also it is drawing to the attention of the public that liquor regulation and liquor control is something that is absolutely essential in our society, not something that is to be snickered at any more, something that can be made practical and understandable. On that basis, I support the bill.

Mr. Speaker: Would the member for Essex South care to adjourn the debate?

On motion by Mr. Mancini, the debate was adjourned.

An hon. member: Well done, Remo. That's the best you've done all year.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, may I give some indication as to the order of business tomorrow and next week? Tomorrow we will carry on with the consideration of the fourth report of the select committee on the Ombudsman. Once that is completed we will return to this bill, that is Bill 96.

During the week of June 12, on Monday, the following legislation will be considered in this order: Bill 96, if it hasn't been completed tomorrow morning, followed by the second reading of Bill 108. Then we will do Bills 96, 91, 86, 85 and 108 in committee.

On Tuesday we will start with Bill 66 in committee, no matter where we finish up on Monday. Then we will do second reading of Bills 83, 84 and 79. Then we will do Bills 80, 81, 83, 84 and 799 in committee. Then we will come out of committee to do second readings of Bill 110 and 111 together with any legislation left over from Monday.

On Wednesday, the general government committee, the resources development committee and the justice committee may sit.

On Thursday, private members' public business in the afternoon will consider Bills 65 and 99. Then on Thursday evening at 8 o'clock we will start Bill 103.

On Friday, we will carry on with Bill 103 until second reading and then if time permits, the House will consider any legislation left over from Tuesday.

Mr. Cunningham: Bill 78?

Mr. Conway: Not even Brezhnev has such power.

Mr. Breithaupt: Might I ask the House leader is it then the intention to only complete Bill 103 at the second reading stage before the adjournment of the House?

Hon. Mr. Welch: Yes.

On motion by Hon. Mr. Welch, the House adjourned at 10:33 p.m.

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No. 83

Legislature of Ontario Debates

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Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

FRIDAY, JUNE 9, 1978

The House met at 10 a.m.

Prayers.

VISITORS

Hon. Mr. Drea: Mr. Speaker, prior to statements, might I direct your attention and that of the honourable members to your gallery where we have a distinguished parliamentarian from the state of South Australia. He is the Honourable D. W. Simmons, chief secretary and minister assisting the Premier of the South Australian government. With him is his wife, Mrs. Simmons, and his research officer, Miss Terese Wacyk.

Mr. Speaker, I would draw to the attention of yourself that he is a man remarkably like you, because in that government he fulfils the equivalent in ours of the Solicitor General, the Minister of Correctional Services, the Minister of Government Services and the Chief Auditor and as well is Dr. Stewart and Clare Westcott.

FIRST ANNIVERSARY

Mr. G. Taylor: Mr. Speaker, might I also draw to your attention that this is a very important day in the lives of some of us in this Legislature. This is our first year here and it is our anniversary. I see some of my newly-elected colleagues here, I would like to thank the remainder of the colleagues I have met in this past year for the great learning process they have given us. At times I didn't think we would make one year.

Mr. Breithaupt: The Premier (Mr. Davis) is out celebrating.

Mr. G. Taylor: I would like to thank all the members here for giving us this learning process.

Mr. Foulds: There are not many of them.

Mr. Sargent: In another year, you will be over here.

STATEMENTS BY THE MINISTRY

DOW CHEMICAL

Hon. Mr. McMurtry: During the estimates of my ministry last November, I indicated I was reviewing the Dow Chemical case in an attempt to bring this matter to a reasonable

conclusion in the best interests of all concerned. I further stated in the House on March 3 that the fishermen, who were the persons most affected by the mercury pollution, should have the opportunity to settle their claims. At the same time, I should point out that the government's action did not include the claims of the individual fishermen who were separately represented.

Dow Chemical of Canada Limited has now settled the claims of the fishermen and has obtained releases from them. In view of the fact that the fishermen have now settled their claims—

Mr. Warner: You haven't settled one claim in Erie county.

Hon. Mr. McMurtry:—I have accepted the recommendation of Mr. J. J. Robinette, QC—

Mr. Warner: You haven't got one penny.

Hon. Mr. McMurtry:—who has been handling the litigation for the government, that the case against Dow Chemical Company of Canada Limited should not be continued further.

Mr. Nixon: Did you ask his advice before you started?

Hon. Mr. McMurtry: It is my view that there have been substantial benefits achieved by the institution and prosecution of this action.

Mr. Warner: Nonsense; you have achieved nothing.

Hon. Mr. McMurtry: I would like to review briefly—

Mr. Foulds: Louder, louder.

Hon. Mr. McMurtry:—the history of the initial discovery of mercury pollution—

Mr. Nixon: You can't win this one.

Hon. Mr. McMurtry:—the benefits which have been achieved as a result of the commencing of the action, and the facts on which the recommendation of Mr. Robinette is based.

A recognition of the likely cause of poisoning from eating fish contaminated with mercury first occurred in Sweden.

Mr. Kerrio: You might have given the fishermen your lawyers' fees,

Hon. Mr. McMurtry: In the late 1960s, Swedish scientists determined that inorganic forms of metallic mercury were being converted to methyl mercury, a highly toxic form of mercury, by bacterial action in bottom sediments of lakes and rivers. They showed, also, that the methyl mercury was being concentrated in fish and other organisms in the water.

The significance of the Swedish studies initially was either not appreciated by or brought to the attention of regulatory authorities in Canada and the United States or the operators of chloralkali plants in Canada and the United States.

Mr. Roy: Another PR exercise down the drain.

Mr. Kerrio: You'd better get to the polls before you lose everything.

Hon. Mr. McMurtry: When this information did come to the attention of the Ontario Water Resources Commission in 1969, an intensive program was started immediately—

Mr. Kerrio: You might have divided the legal fees among the fishermen.

Hon. Mr. McMurtry: —to determine which industries were using and discharging significant amounts of mercury in their wastes. The pulp and paper mills and chloralkali plants were known to be using mercury in their processes. These were examined first and the government ordered these companies to take immediate steps to reduce mercury losses to the environment.

One of the largest of the chloralkali companies was Dow Chemical of Canada Limited which operated two plants in the Sarnia area and used large quantities of mercury. The Dow plants were surveyed in August and September of 1969 and instructions were given to the company on the need to make changes in operational procedures to substantially reduce losses of mercury which had been discharged since Dow began chloralkali production in 1949.

Fish samples were collected from the St. Clair River and Lake St. Clair for mercury analysis. Results of the analysis, which indicated high levels of mercury in the fish, were first obtained in March 1970. At that time an order was given to the chloralkali and pulp and paper companies to eliminate mercury losses to the environment. Shortly thereafter, Dow had reduced its mercury discharge to the St. Clair River from in excess of 30 pounds a day to less than one pound a day. Mercury is no longer used at Dow's Sarnia plants. At a cost of some \$40 million the company has converted to other processes which do not use mercury.

Very little was known in North America about the methylation of mercury and methyl mercury in fish prior to the late 1960s. As a result of the commencement of this action, research in this area has occurred at an intensive level.

Mr. S. Smith: You sure scared them.

Hon. Mr. McMurtry: One beneficial result has been an increased knowledge of mercury and its effect on the aquatic environment, and the development of a high level of analytical expertise by scientists of the Ministry of the Environment laboratory here in Toronto.

Mr. Nixon: They haven't been able to get rid of much of it.

Hon. Mr. McMurtry: This expertise is invaluable in dealing not only with mercury pollution—

Mr. Roy: Where's Darcy, Roy?

Hon. Mr. McMurtry: —but also in determining the effects of other heavy metal pollutants on the environment.

Mr. S. Smith: Had it not been for that lawsuit I suppose there would have been no research.

Hon. Mr. McMurtry: Furthermore, as a result of this government's action regarding Dow Chemical of Canada Limited—

Mr. McClellan: George Kerr didn't know about it.

Mr. Foulds: Where is George Kerr today?

Hon. Mr. McMurtry: —other industries faced with a mercury problem have been required to accelerate pollution control measures. For example, of the six mercury-cell chloralkali plants operating in Ontario in 1970, only one remains in operation today. This plant, at Cornwall, has developed its processes and controls to the point where it is consistently satisfying federal discharge regulations, which are the applicable regulations in that area. In addition, the Dow action has resulted in publicity concerning the toxicity of mercury compounds in fish throughout the St. Clair system and in other areas of Ontario. It is reasonable to assume that this publicity has protected the health of persons who might otherwise have eaten larger amounts of fish from that area.

Mr. S. Smith: And a \$35-million lawsuit.

Hon. Mr. McMurtry: In the initial stages of the mercury problem, and at the time the action was started, the gloomy forecast was the possibility that the fisheries would be closed for at least 50 years and perhaps for ever.

However, the continued monitoring of mercury levels in fish in the St. Clair system has provided encouraging results. A report issued by the Ministry of the Environment in May 1977, entitled *The Decline in Mercury Concentration in Fish from St. Clair, 1970-1976*, concludes as follows:

"The mercury concentrations in all species of fish from Lake St. Clair have declined significantly since 1970. In general, the concentration of mercury in fish from Lake St. Clair is less than half of what it was in 1970.

"If present trends continue, most common sizes of most species should have mercury levels below the current federal guideline of 0.5 ppm within the next five years.

"The application of stringent controls on the Dow Chemical Company's chloralkali plant in Sarnia by the MOE . . . in 1970 and the subsequent decline in mercury available for biosynthesis, along with the transport of mercury-laden sediments out of the St. Clair system by natural processes, has been responsible for the decline observed in mercury concentrations in fish."

Mr. Robinette, who as the members know is one of Canada's most eminent trial counsel—

Mr. Nixon: Why didn't you ask him before you got started with the action?

Hon. Mr. McMurtry: —has indicated that the Dow Chemical case is the most complicated civil action in which he has been involved.

An hon. member: He says that all the time.

Mr. S. Smith: That usually indicates a very big bill.

Hon. Mr. McMurtry: In the light of the encouraging report in the decline in mercury in fish, and in view of the settlement of the claims of the individual fishermen, I recently reviewed with Mr. Robinette the advisability of proceeding to a trial which would be very protracted and enormously expensive.

Mrs. Campbell: How long has this been going on?

Mr. Kerrio: It's \$1 million later that you're talking about.

Mr. S. Smith: Another seven years.

Hon. Mr. McMurtry: Mr. Robinette's opinion in relation to the legal aspects of the case is briefly as follows: Although there is evidence of poor control of wastes in Dow's operation prior to 1969, there does not appear to be any evidence of negligence—

Mr. Sargent: The Attorney General is giving them a licence to pollute.

Hon. Mr. McMurtry: —or lack of desire or purpose on the part of Dow's management to control waste following the revelation of the mercury problem to Dow in the summer and fall of 1969. Dow apparently became aware of the problem of methylation of mercury in sediments and the creation of toxic methyl mercury in fish by May 1969, at a meeting with the Ontario Water Resources Commission staff. The question, of course, is whether Dow should have appreciated, prior to 1969, that it was dangerous to discharge metallic mercury in the St. Clair River.

Mr. S. Smith: That's not the question. The question is the damage to the fisheries.

Mr. Rotenberg: Wait for the question period, Stuart.

Mr. Turner: You're a great doctor, but not much of a lawyer.

Hon. Mr. McMurtry: Although there had been European studies prior to 1969 with respect to the methylation of mercury and its buildup as methyl mercury in fish, these studies were apparently not known either to regulatory authorities in North America or the chloralkali industries, including Dow.

Mr. S. Smith: The Attorney General will put them out of business by doing what he is doing.

Hon. Mr. McMurtry: Research into the toxic effects of mercury by the Chlorine Institute, which was initiated by the late 1950s, dealt almost entirely with the effects of mercury vapour on health. When Dow became aware of the methylation problem, it acted quickly to rectify the loss of mercury into the St. Clair River and, as previously indicated, has spent \$40 million to alleviate the problem of mercury pollution.

Mr. S. Smith: That's the least they could do.

Mrs. Campbell: Would it have been different if they had spent only \$4 million?

Hon. Mr. McMurtry: Mr. Robinette's opinion is that the government's case against Dow, based on negligence, is weak simply because until 1969 the danger of discharging mercury into the St. Clair River was not known by either the chloralkali industries or the regulatory authorities in Canada or the United States.

On the claim of nuisance, the theory of the government's case is that any person who discharges any foreign substance into waters does so at his risk, and there is some authority to support this proposition. On the other hand, there are other authorities which indicate that the foreseeability of harmful con-

sequences is relevant to liability based on nuisance. As to liability based on nuisance, Mr. Robinette advises that the government has a reasonably arguable case but by no means a clear one.

Mr. Robinette's unequivocal recommendation is to discontinue the action against Dow Chemical.

[10:15]

Mr. S. Smith: It took him eight years to give you that opinion?

Hon. Mr. McMurtry: It is based on the very substantial cost of continuing this action, the uncertainty as to certain evidentiary and legal problems, the encouraging reports of the decline of mercury levels in fish, and most important, the fact that the fishermen who are the persons most affected by mercury pollution have settled their claims on the advice of their own legal counsel.

Mr. S. Smith: Oh, sure.

Mr. Kerrio: The Minister of Agriculture and Food (Mr. W. Newman) is right beside you, he will make it retroactive for you.

Hon. Mr. McMurtry: I am advised that the settlement by Dow to the fishermen amounted to a quarter of a million dollars, and as well, Dow has agreed to make a payment of \$150,000 to the Ontario government towards the cost of continuing studies of water quality in the Great Lakes—

Mrs. Campbell: Oh, dear me.

Hon. Mr. McMurtry:—which as a matter of interest, exceeds the legal and consultant disbursements incurred by the government.

Mr. Bradley: Conscience money.

Hon. Mr. McMurtry: As Attorney General, I had to consider the benefits which the case has accomplished—and these are considerable—the settlement of the claims of the fishermen—

Mr. S. Smith: You sold them down the St. Clair River.

Hon. Mr. McMurtry:—and the advice received from one of Canada's most distinguished legal counsel related to the substantial cost of the trial with the probability of appeals lasting for several more years before a final determination would be made.

Mr. S. Smith: It was your idea.

Hon. Mr. McMurtry: It should also be pointed out that, in the context of the benefits accomplished by litigation, the fact that counsel is of the opinion the government's provable damages would not exceed \$1 million even if totally successful and the costs of a lengthy trial plus appeals with an

uncertain outcome, did not warrant the expenditure.

Mr. Mackenzie: You should have done that five years ago.

Hon. Mr. McMurtry: These considerations resulted in my conclusion that the continuation of the action against Dow Chemical of Canada Limited would serve no further useful purpose and, therefore, the action will be discontinued.

In summary, the substantial benefits achieved by this action are as follows:

One, the intensive level of research which has increased our knowledge of mercury and its effect on the aquatic environment.

Two, the development of a high level of analytical and statistical expertise by scientists in the Ministry of the Environment laboratory.

Three, the development of a data base for mercury in fish in Ontario which would otherwise not have been obtained and which will be invaluable in determining the effects of other heavy metal pollutants and organic compounds on the environment; plus the payment of \$150,000 to the further study of water pollution.

Four, other industries faced with mercury problems and other pollution problems, as a result of our action have accelerated pollution control measures to the point of eliminating completely the use of mercury or severely curtailing the discharge.

Mr. Warner: If Dow played hockey you would get tough with them.

Hon. Mr. McMurtry: Five, Dow Chemical of Canada Limited shut down its plant in Thunder Bay, Ontario, and has eliminated completely the use of mercury from its chloralkali plants at Sarnia at a cost, as I have already mentioned, of some \$40 million.

Mrs. Campbell: Say that again?

Hon. Mr. McMurtry: Forty million dollars.

Six, the action has enhanced publicity concerning the toxicity of mercury compounds and has had a beneficial effect of pointing out the dangers to persons who eat contaminated fish.

Seven, there has been a progressive and substantial decline in the mercury levels in all species of Lake St. Clair fish studied.

Mr. S. Smith: Thanks to the lawsuit.

Hon. Mr. McMurtry: That's right, thanks to the lawsuit. And it is estimated that within five years the most common sizes of most species will have mercury levels below the current federal guidelines.

Mr. Breihaupt: Did they ever tell you a story.

Mr. S. Smith: Must have given you a high profile to the environmentalists.

Mr. Peterson: Who wrote that for you, Roy?

Mr. Speaker: Order.

Hon. Mr. Drea: I wish to inform the house—

Mr. Roy: Try to pick up the pieces around here, Frank.

Mr. Turner: Did you miss your train, Albert?

Mr. Speaker: When the Premier (Mr. Davis) and the Leader of the Opposition (Mr. S. Smith) finish their little tête-à-tête, we will listen to the Minister of Correctional Services.

Mr. Conway: The Premier read Norman Webster and he's not happy.

PAYMENT BY INMATES

Hon. Mr. Drea: I wish to inform the House that it is the intention of my ministry to require persons serving intermittent sentences to pay a portion of the cost of housing them in correctional institutions.

At the present time approximately 425 individuals a week are serving intermittent sentences in correctional institutions. More than half of this number are being accommodated at the Mimico Correctional Centre, with the remainder being held in jails and detention centres across the province. Many of these individuals have been convicted of alcohol-related offences, such as impaired driving. They have been permitted by the judiciary to remain in the community in order to work at gainful employment during the week. They complete their sentences on the installment plan by spending consecutive weekends at correctional facilities until the total sentence has been satisfied.

As honourable members will be aware under the ministry's temporary absence programs, carefully selected inmates are also permitted to work at gainful employment in a community during the day, returning at night to a correctional facility. Participants in the temporary absence program help to support their families, pay taxes and are required to pay \$35 a week towards the cost of maintaining them in an institution.

In most instances where intermittent sentences have been handed down by the courts, the main reason for allowing the person to remain at home during the week is to protect him or her from losing a job. It is my contention the person granted the opportunity to serve an intermittent sentence in order to retain a paying job should be treated in the same way as the inmate granted temporary

absence to work at gainful employment. In other words, the person on intermittent sentence should be required to contribute toward his board in a correctional facility.

Effective July 7, all offenders serving intermittent sentences will be required to pay \$5 for each full day served in an institution or \$10 for the weekend. An exception will be made for full-time students attending secondary schools, colleges and universities. They will not be required to contribute toward their board.

This new policy is in keeping with the ministry's desire to see offenders accept responsibility and to provide relief to the hard-pressed taxpayer who must bear the cost of operating correctional institutions. It is anticipated that this practice will bring in approximately \$200,000 a year. This policy is also designed to complement other legislation being introduced by the government to deter drinking drivers.

In short, the days of the free ride are over and it's now pay as you go.

Mr. Roy: Was that a free ride to Brampton last night?

ORAL QUESTIONS

DOW CHEMICAL

Mr. S. Smith: I have a question for the Attorney General regarding this dreadful settlement which has been imposed on the fishermen of Lake St. Clair.

Hon. Mr. McMurtry: That is nonsense.

Mr. Foulds: What do you do if they don't pay? Lock them up?

Mr. Roy: That's what they said. They said you threw in the towel.

Hon. Mr. McMurtry: The difficulty with the Leader of the Opposition is that he can't determine from day to day whether he is John Barrymore or Hamlet. What has Harold Greer decreed today?

An hon. member: You scuttled their claims, you didn't settle them.

Mr. Foulds: On a point of order, he is Lady Macbeth.

Mr. S. Smith: I think I would prefer Hamlet because I have detected something rotten in the state of Denmark.

Hon. Mr. Davis: Don't involve us with Denmark, we have enough problems. Take an interest here, never mind Denmark.

Mr. S. Smith: It smells a bit like rotten fish.

Could the Attorney General answer some questions?

On page nine of this carefully printed and very expensive retreat he said: "Counsel is of the opinion that the government's provable damages would not exceed \$1 million." It is my understanding that the government sued for \$35 million. Do I take it that \$35 million was a number picked out of the air? Was it simply achieved at random? Was it designed for a maximum impact with environmental groups?

What did the \$35 million mean, if counsel thinks the only provable damages were \$1 million?

Hon. Mr. McMurtry: The provable damages today as compared to the time the action commenced may or may not be two very different things. Of the \$35 million, \$10 million was the estimated cost of dredging the bed of the lakes and river. Everybody agrees now that although that was probably something that should be considered as a possible cost at that time, it would be most unwise to expend that \$10 million, but it was included in the original claim—

Mr. Roy: That is not what the then minister (Mr. Kerr) said in 1972. He said we were going to dredge it.

Hon. Mr. McMurtry: —as it should properly have been included. As I also indicated in the statement, the original forecast for that body of water was very gloomy. Originally, it was anticipated that it would be at least 50 years before the water would be returned to the state where it would be safe to eat the fish. As I indicated in the report of March 1976, the original gloomy forecasts proved to be unnecessarily so. As a result of actions taken the forecast is a much more optimistic one. As I said, it would be within five years. Consequently, the damages are substantially less.

Mr. S. Smith: Supplementary: Even by the minister's own figures the fishery has been destroyed for some 13 to 15 years before we can even hope that it might return. The fishermen have been without a livelihood during that time. How could the minister possibly encourage them to settle for a quarter of a million dollars, \$5,000 per fisherman per year? What is he able to do now for these fishermen to help them to relocate in other industries? Is he going to meet the millions of dollars that basically have been lost as a consequence of this whole industry going down the drain due to pollution? Whether they knew anything about mercury or not is surely not the issue; they have destroyed an industry.

Hon. Mr. McMurtry: They didn't. Most of what the Leader of the Opposition has said

in his question is simply not factual. First of all, we did not encourage or put any pressure on the fishermen to settle. As a matter of fact, the solicitor for the majority, I think 35 out of 37 of the fishermen involved, Mr. Leon McPherson in Windsor, had advised the association of fishermen some time ago that he didn't think they had a provable case in court.

Mr. Renwick: That they couldn't afford it, either.

Hon. Mr. McMurtry: In fact, as recently as this morning he has advised my office that if it hadn't been for the fact that we had kept our action outstanding, the quarter-million dollars that his clients received would, in his view, not have been obtained in court.

Ms. Gigantes: Some law, eh?

Hon. Mr. McMurtry: That happens to be his view and that happens to be factual.

Mr. Nixon: It's not factual if that is only what he thinks.

Mr. Roy: The lawyer said you threw in the towel.

Hon. Mr. McMurtry: The other lawyer who is quoted in the press, a Mr. Taylor, had commenced an action on behalf of two of the fishermen, and it was his choice to settle.

Mr. Roy: He said you threw in the towel. You let him down again.

Hon. Mr. McMurtry: If anybody threw in the towel, I am sorry, it was his decision whether to continue or not.

Mr. Roy: It was the government.

Mr. S. Smith: Why did you drop the suit, then? Why have you dropped the suit?

Mr. Renwick: I was really quite amazed this morning when the Attorney General was shouting at us. It reminded me of the saying of the bishop who leads the black nationalist movement in Rhodesia about "a toothless dog barking loudest."

Hon. Mr. McMurtry: Is that what we are going to hear now?

Mr. Renwick: By way of a supplementary question, will the Attorney General do two things for me: Will he now admit the total inadequacy of the laws of the province of Ontario to protect persons who suffer damage by the activities of such companies as Dow Chemical; and will he table each and every legal opinion, internal or external, that his ministry has ever received on this question since it was originally instituted?

Hon. Mr. McMurtry: The answer to the first question is that I will certainly not make any such admission, because it would

be totally misleading to do so. Secondly, the most comprehensive legal opinion, that is in writing was received from Mr. Robinette. I might say that when the member's kissing cousins in Ottawa are in trouble, he's the fellow they invariably turn to.

Mr. S. Smith: The polluter must pay.

Mr. Nixon: Talk about a toothless dog.

Hon. Mr. McMurtry: Mr. Speaker, I don't know what our distinguished guests are going to think of the performance of these people. They might appreciate why they have been in the wilderness for so long.

Mr. Nixon: They are not going to think much of you.

Mr. Stong: They are not as naive as you think they are.

Mr. Sargent: They will appreciate how arrogant you are.

Hon. Mr. McMurtry: I had a letter from Mr. Robinette last fall that I think includes all of the relevant legal advice—

Mr. S. Smith: This has been going on for eight years. What about earlier opinions?
[10:30]

Hon. Mr. McMurtry: Will you just be quiet for a moment, please?

Mr. Speaker: Order, order. The Leader of the Opposition has had the original question and a supplementary.

Hon. Mr. McMurtry: In order to assist my friend from Riverdale I am happy to provide him with a copy of this legal opinion—or, indeed, the members of the House.

Mr. S. Smith: That is not what he asked for.

Mr. Sargent: A supplementary to the minister: In view of the fact that over the years I understand there have been very substantial donations to the Conservative fund by Dow Chemical—

Hon. Mr. McMurtry: Nonsense.

Mr. Sargent:—I would like to ask the minister—I would suggest to him that the fee for Mr. Robinette was more than the fine. What was Mr. Robinette's fee?

Hon. Mr. McMurtry: The total legal fee charged by Mr. Robinette was something just under \$15,000.

Hon. Mr. Davis: That's what you make, Albert, in a day in Ottawa.

Mr. Roy: Fifteen thousand dollars? You've got to be kidding.

Mr. Foulds: I wonder if the Attorney General could let us know—would you just be quiet for a few minutes, please?—could he

let us know if, as a representative of his government, he is satisfied that the settlements arrived at by the fishermen through their own process, separate from the government, is a satisfactory one in terms of the amounts of damage they have lost from their livelihood?

Is the government giving any further consideration to giving additional compensation to those fishermen in view of the totally inadequate amounts they have arrived at? Finally, could I ask the Attorney General why he has estimated that the recoverable amounts are less because the dredging of the river bottom and the lake is considered inappropriate when his government and the federal government have recently come to an agreement to explore that very same possibility in the English-Wabigoon River system?

Hon. Mr. McMurtry: The answer to the last question first: That is the advice that we have from the environmentalists, that it would be inappropriate.

Mr. Foulds: Why is it inappropriate?

Hon. Mr. McMurtry: Secondly, so far as the wisdom of the settlements of the fishermen who are separately represented is concerned, it would be most improper of me, as the Attorney General, to second-guess or comment on the legal advice they received from their own counsel.

Mr. Mackenzie: It would be appropriate to see justice done.

Hon. Mr. McMurtry: It would be highly improper for me to do so. I can repeat what I've already said about Mr. McPherson's opinion that pending any final resolution of our action, he assisted his clients in recovering an additional \$250,000 which, in his view, they would not have recovered had they proceeded to court. And there was some \$500,000 in forgivable loans received by the fishermen who were affected, from this government I believe, and approximately an equal amount from the federal government.

Mr. Roy: If I may ask the Attorney General, who's just furnished us an opinion which I have just started reading, dated October 19, 1977, from J. J. Robinette: Accepting the fact, and without being derogatory at all to the government's counsel, and accepting his competence and his wisdom back in October 1977, how is it, in view of this opinion, that the government would launch a \$35 million suit without having obtained comprehensive legal opinion? Did the government have an opinion at the time it launched this action in 1971 or was it merely a PR exercise?

This opinion talks of \$10 million to dredge the river, which appears to be something that is unwise now. Can the minister explain the statements of the then Minister of the Environment (Mr. Kerr) back in 1971-72 in telling this Legislature that the \$10 million was needed to dredge the river—and that's what they were going to do?

I'd finally like to ask the Attorney General, in view of this opinion in 1977 and his statement here today, isn't it obvious that when the Premier made statements back in 1971 that they were serious and weren't fooling with pollution, that that was basically a PR exercise?

Hon. Mr. McMurtry: I'd just reply that's total nonsense.

Hon. Mr. Davis: That's exactly it.

Hon. Mr. McMurtry: It may be for partisan political purposes—

Mr. Nixon: That's why it started.

Hon. Mr. McMurtry: —partisan and to some extent mindless—you might understand that word, "mindless"—that I reviewed in some detail what has been accomplished by the institution of the lawsuit. To try to tie in the settlement of the fishermen and the further contribution of Dow as the only result produced by this litigation is just nonsense.

Mr. Breithaupt: We didn't say that.

Mr. S. Smith: You should. Did you have the legal opinion when you started? That's the question.

Mr. Roy: Did you have the legal opinion?

Hon. Mr. McMurtry: I've set out in some detail the benefits obtained by this litigation—

Mr. Warner: Say it right out. It's a failure. You blew the whole thing.

Mrs. Campbell: Answer the question.

Hon. Mr. McMurtry: —and these benefits have been very substantial, very substantial.

Mr. Roy: Did he have the legal opinion when he started?

Hon. Mr. McMurtry: Of course, we had legal opinions.

Mr. Roy: Let's see it.

Mr. Speaker: Order. The Leader of the Opposition with his second question.

Mr. Roy: You wouldn't table that opinion in 1971, eh?

An hon. member: Did you miss your plane, Albert?

Hon. Mr. McMurtry: No.

Mr. S. Smith: It took six years to get a proper legal opinion?

Mr. Roy: It's obvious, it was a PR exercise.

Mr. S. Smith: Table the earlier one.

Mr. Speaker: Order. Does the Leader of the Opposition have a second question?

HEAVY WATER PRODUCTION

Mr. S. Smith: Yes, I have a question. I will venture back into the area of energy, if I might. I have a question of the Minister of Energy.

Mr. Nixon: Did you ever see the Tories looking worse?

Mr. Roy: We're not fooling around these days.

Hon. Mr. Davis: I suspect you are.

Mr. S. Smith: Could the minister explain why Hydro allowed the pooling agreement with AECL to go by the boards? Let me amplify that slightly because I don't want to get into the problem we had yesterday

Understanding there might have been an increase in the price of heavy water, because of the inefficient plants from elsewhere that would be part of the pool, nonetheless, is it the minister's opinion that, had we stayed in the pooling arrangement, we would at least have had a guaranteed buyer for our heavy water? Was the reason for getting out of the pooling arrangement, and giving up that option, simply one of price or does it relate back to the opinion given in 1974 by Hydro that it was "unsuccessful" in its attempt to ensure supply by the extension of the agreement?

In other words, was it just a question of price, or was it the fear that by staying in the pool our heavy water would go into the pool but then we wouldn't be able to get it back for our generators? Which one was it?

Hon. Mr. Baetz: It was something of both. We should recall that in the heavy water production program in this country, as in other countries, through the—

Mr. Mackenzie: You've toned it down. Somebody must have talked to you last night.

Mr. McClellan: Be your usual unpleasant self.

Hon. Mr. Baetz: —through the 1960s and the early 1970s, the overriding concern was shortage. There was a real fear that there would not be enough heavy water produced.

Mr. Mackenzie: It's simply because the House leader is back.

Hon. Mr. Baetz: There were very few plants in the world producing it and those which had been established were showing very poor performance, as we indicated yesterday. The overriding characteristic in the pooling agreement that evolved out of the

1960s and terminated in December 1977 was concern that there would not be enough heavy water for Ontario Hydro's own purposes. I suppose they felt they had to protect themselves first.

It was also, as you have indicated, a matter of cost. Ontario Hydro felt they could produce for less than the others and if they pooled their heavy water they were going to have to pay the average cost which, of course, was higher. Those were really the two reasons.

My impression, in talking with the officials of Hydro and with Atomic Energy of Canada, is there was a consensus that the agreement should be allowed to terminate. It was only set for a decade anyway. The whole thrust now, as we have tried to do in our statement and as we have tried to point out in our submission to the federal Minister of Energy, Mines and Resources is that we are going into a new phase, a new stage. We now know that we can produce heavy water and produce it efficiently. What we are looking forward to is an integrated, comprehensive rational, national heavy water production and marketing scheme.

Interjection.

Hon. Mr. Baetz: We are in a new era with a new look and we are trying to push this thing forward. With the tremendous advantage of hindsight, it is always easy at this point to say: "Why didn't you make arrangements to get on with this two years ago or a year and a half ago?"

Ms. Gigantes: Last year.

Hon. Mr. Baetz: With the advantage of hindsight, it is easy to criticize but at that point that's not the way the situation looked.

Mr. S. Smith: By way of supplementary, given the fact, as the minister says, of the advantage of hindsight, it looks as though we gave up a guaranteed market and have a situation where we are now going to find ourselves in serious surplus supply. We gave that up in favour of security of our own supply as well as certain price considerations. Clearly the wisdom of that decision can only be judged, as he says, with hindsight and knowing what the premises were at the time the decision was made.

Mr. Speaker: There is no question yet.

Mr. S. Smith: Mr. Speaker, in all fairness, this is a difficult issue. I am getting to it.

Hon. W. Newman: You still make statements every day.

Mr. Speaker: You still should be able to know how to ask a question.

Mr. S. Smith: I know how to ask a question but this is a pretty complex issue.

Mr. MacDonald: You go on for 10 minutes and we are cut off after half a line.

Mr. Roy: That proves you don't know how to ask a question.

Mr. S. Smith: The question, therefore, is why does the minister feel there are bits of information available to him now about the surplus possibilities that were not available to Hydro when it made the decision in the first place, given the fact that there has been no change in the number of reactors planned since at least February 1976? Surely the surplus situation must have been obvious then, had they bothered to look at it.

Hon. Mr. Baetz: I think perhaps it might be useful if I were to repeat two sentences out of the letter of April 14 from the chairman of the board of Hydro to me which was tabled in this House. This talks about their forecast or their view of the possible shortages of heavy water. It is very vague, I can tell the honourable members.

I am reading here from his April 14, 1978, letter to me. I will read the whole paragraph so that we will understand it better. "For the most part this letter has dealt with the consequences of the load forecast on generation programs up to 1987, but it is also necessary to deal with the consequences after that date"—after Darlington, in other words, is on stream. "An analysis of the modifications that may be required is now in progress." I had a report of this yesterday. They are now going through their detailed analyses.

He continues: "These will involve considerable revision to the in-service dates for uncommitted generating stations"—in other words, those generating stations that at one time were foreseen to come on stream or to be built after 1987—"as well as in the amount of heavy water that will be required." In other words, this whole thing looks beyond 1987.

There were at one time three or four generating stations planned. Among them, there were probably three or four nuclear stations. There is a big question now as to whether, after Darlington comes on stream, there will be one or none or three; or whatever. We don't know. If there is a cutback at that time, and that study is going on right at this moment—

Ms. Gigantes: If there is a cutback, how long does it take you to see it?

Hon. Mr. Baetz:—obviously it has implications for heavy water requirements after 1987.

Ms. Gigantes: That's the answer?

Hon. Mr. Baetz: I can't really give more details at this point because that study is still under way. We are going to be getting it, I hope, in a few weeks' time.

Ms. Gigantes: Supplementary: Isn't it true that the plans for generation of heavy water were based on a plan for installation of nuclear generating stations that had a new nuclear station being in place and on stream every 15 months into the future? Wouldn't that have made Hydro and the Ministry of Energy suspicious long before now about the production of heavy water?

Regarding the minister's outline of the position to be taken with the federal government, in our attempts to shuffle our way back into some pooling arrangement for marketing heavy water, if the federal government doesn't agree, what bite is there to the minister's bark? Or else what, Mr. Minister? [10:45]

Mr. Roy: We all know he's a paper tiger anyway.

Hon. Mr. Baetz: You should go back to your law practice. It's going bankrupt, I hear.

Mr. Roy: You don't like it when I'm around, eh?

Hon. Mr. Baetz: I hear you're in financial trouble, Albert.

Mr. Yakabuski: He's always up there on Friday, anyway. I don't know why he's playing hookey today.

Hon. Mr. Baetz: You'd better get back home.

Mr. MacDonald: You'd do better to answer the question.

Hon. Mr. Baetz: Please, I'm trying to answer the member for Carleton East.

Mr. Speaker: Order, order. Just answer the question.

Mr. Roy: What a display.

Hon. Mr. Baetz: Up until now, Ontario Hydro has never considered the possibility of selling heavy water, overseas or in Canada, on its own, without going through Atomic Energy of Canada Limited.

Ms. Gigantes: What about the schedule?

Hon. Mr. Baetz: However, there is no law to say they cannot do it.

Mr. Foulds: Answer the question.

Hon. Mr. Baetz: It could well be that unless we get the support from the parties opposite, the federal government may take a very hard line and say, "No, the La Prade

plant is going to supply the heavy water for export."

Mr. Roy: And you will run back here.

Mr. Mackenzie: In other words, you have no teeth.

Hon. Mr. Baetz: We may find ourselves in a somewhat difficult situation.

Ms. Gigantes: You're going to need that support.

Mr. Roy: That's right. All bark and no bite.

Hon. Mr. Baetz: However, the point I was trying to make yesterday is that if we stand together in this House—even your kissing cousins—

Mr. J. Reed: This is the worst blunder in the history of Hydro.

Hon. Mr. Baetz: —I would suspect the federal government would not dare to say Ontario Hydro cannot export heavy water and that only La Prade will do that. Once the party opposite hears from its trade union members that they may lose their jobs in Ontario, then I suspect that it too will support us. Okay?

Mr. Mackenzie: You've got terminal senility over there.

Mr. J. Reed: The minister has stated that the reasoning for ploughing ahead at the time was there were no other organizations in North America that had the capability. It would appear on pages eight and nine—

Interjection.

Mr. J. Reed: —that in 1974 the Ontario Energy Board had advised an independent review of the heavy water supply requirements and Hydro had responded that it was not necessary, for the reasons outlined by the minister at that time.

I would like to ask the minister if there has ever been an independent review of the heavy water requirements, and if so, would the minister tell us when it was done and table it?

Ms. Gigantes: No, there was none.

Hon. Mr. Baetz: Other than the Ontario Energy Board having taken a look at it, and the select committee which has, I suppose, taken a cursory look at it, there has not been an independent review.

Ms. Gigantes: I rang the alarm bells four years ago.

Hon. W. Newman: Oh, stop that over there.

Ms. Gigantes: Four years ago we were ringing the alarm bells.

Hon. Mr. Baetz: I wouldn't rule out this possibility at all. As a matter of fact, the one thing we suggested to the federal minister in a letter of a few weeks ago was the time had come for us here in Canada—

Ms. Gigantes: It's passed. It's passed. The horses have gone.

Hon. Mr. Baetz: —to take a very systematic and close look at the whole question of heavy water production and marketing. The time has come for such a review and I support it 100 per cent, but we're moving into a different and a new era.

Mr. Mackenzie: You're a disaster.

Mr. Speaker: The member for Port Arthur with his first question.

Mr. Sargent: Mr. Speaker, there are thousands of jobs in my riding affected here and I want to speak on it.

Mr. Speaker: We've spent 24 minutes on the first two questions.

Mr. Sargent: Thousands of jobs and he makes it look like peanuts.

Mr. Yakabuski: Welcome back, Eddie.

Mr. Speaker: The member for Port Arthur.

Mr. Foulds: Thank you, Mr. Speaker. I have a feeling that it is Friday morning and things are a bit fractious. I'd like to ask the Minister of Energy a new question with regard to—

Mr. S. Smith: Darcy doesn't even know what he's talking about.

Hon. W. Newman: What side of the fence are you on, Stuart?

Mr. Nixon: You don't believe that.

Mr. Speaker: Order, order.

Hon. W. Newman: Oh, come on, Stuart.

Mr. S. Smith: How about discounts?

Mr. Speaker: Order, order.

Mr. S. Smith: Never heard of them.

Mr. Speaker: We've been from 10:20 to 10:49 on two questions.

Mr. Sargent: We should take all day on this one.

Mr. Speaker: That isn't a fair allocation of the question period, having regard for the interests of all members.

The member for Port Arthur with his first question, without interruption, please.

RADIOACTIVE WASTE

Mr. Foulds: Mr. Speaker, I would like to ask the Minister of Energy a new question with regard to his statement on Monday about nuclear waste disposal.

Can the minister indicate whether there is a formal, signed agreement between the federal and provincial governments, or whether there are letters of understanding, and would he be willing to table those documents, or what documentation does exist? I ask that question in view of the fact that members of the Geophysical and Geological Association of Canada have indicated that the two-year period that is set aside in the timetable in his statement for the examination of the rock of the 1,600 sites is totally inadequate in terms of examining the properties of that rock, because much of it has never been examined at all. Would that elongate the timetable for that part of the program? Would he consider that and does that affect the total program?

Hon. Mr. Baetz: First of all, to answer the first part first—

Mr. McClellan: Why not just answer it?

Hon. Mr. Baetz: —the joint statement serves as the basis of our agreement, and there is an exchange of letters of understanding; they're very brief.

Mr. Foulds: Will the minister table them?

Hon. Mr. Baetz: As far as the second part of the one question is concerned, the observations made by members of the geological society, or geophysical society, was it?

Ms. Gigantes: Geophysical, it is called. Get to know them.

Hon. Mr. Baetz: I think the honourable member is referring to a report that appeared in the press this morning or yesterday. I think it emanated from Thunder Bay. That's where they had a meeting, apparently.

Of course, I have not seen the full text of that statement but, as we go ahead in this program, I would not only think but I encourage and make sure that scientific bodies like that are consulted and that their points of view are made known. I think that the scientists who will be working for us in this with Atomic Energy of Canada Limited, with our ministry, and with Ontario Hydro, should be in touch with other scientists in the country—

Ms. Gigantes: Paid scientists—paid by the nuclear industry.

Hon. Mr. Baetz: —but I think it's rather dangerous, on the basis of one press statement, to assume that is what the scientists did say. I'd like to see the full text.

Ms. Gigantes: They are objective.

Hon. Mr. Baetz: In connection with that, the other day we were talking at length about this report that came out from the

United States Geological Survey, and it was quoted as if it were holy writ. I now have a copy of it. It is rather interesting to see that the preface says: "Because the authors are confident that acceptable geological repositories can be constructed, this paper should not be construed as an attempt to discredit the concept of geological containment"—

Mr. J. Reed: Go on and read the rest.

Hon. Mr. Baetz: I'll read the rest, sure—"or the work done in the 1960s and early 1970s. However, the earth science problems associated with the disposal of radioactive wastes are not simple, nor are they completely understood. The main weaknesses in geological knowledge noted in this report warrant a conservative approach"—which is what we're getting in our whole plan, and I'm not playing with words there—

Mr. Kerrio: We know what we're getting.

Mr. J. Reed: That's what I asked for.

Hon. Mr. Baetz:—"a conservative approach to the development of geological repositories in any medium." That's our whole concept. That's the way we're approaching this subject.

Mr. J. Reed: It is not complete and the minister knows it.

Hon. Mr. Baetz: Anyway, I can only promise the member opposite that the views of these scientists that have been expressed are going to be fully explored; we will meet with them, and if they can convince our scientists that they have a point, then I think we can adjust our program.

Ms. Gigantes: Your scientists are paid by the nuclear industry.

Mr. Foulds: A supplementary, Mr. Speaker: Would it not be fair to ask the minister if he could table the evidence that he has and that has been given to him, that the two-year period is a sufficient period? Does he not think that in a matter as controversial as this it would be much better to do as I believe has been recommended by the AECB in recent months, and as was one of the Flowers recommendations with regard to the process in Britain: have the research done by an independent body such as possibly the Geophysical and Geological Association, rather than having it done by AECL, which—and I don't want to use a pejorative term—does have a vested interest in that it is a producer and exporter along with Ontario Hydro?

Mr. Warner: Just say yes.

Hon. Mr. Baetz: I will certainly have any relevant material tabled, because basic to the success of this whole exercise is full dis-

closure and public discussion of all documents and all aspects and sides to the story.

Mr. Sargent: Mr. Speaker, in view of the unbelievable revelations that the competitive heavy water plant in Quebec, La Prade, now under construction, could cancel the hundreds of millions of dollars—

Mr. Speaker: Order. The original question dealt with the disposal of nuclear waste. If you have a supplementary along that line, would you please put it.

Mr. Sargent: No, I don't.

Mr. J. Reed: Mr. Speaker. I would just like to ask the minister when is he going to table the documents and make full disclosure? We expected to have, for instance, the tabling of the document on the pooling agreement today. Where is it? Where are all these documents?

Hon. Mr. Baetz: The pooling agreement document is already a public document. It was filed with the Ontario Energy Board hearing a few years ago, so it is available there.

Mr. J. Reed: You promised to table it.

Hon. Mr. Baetz: However, in response to the member's request yesterday, which I have dutifully tried to follow through on, I did have a copy of the pool agreement in my office this morning and I was about to bring it over and table it just for him, for his weekend reading. Then I found one of the attachments was missing, and I surely did not want to have the member feel that I was tampering with these documents. So I hope he will get that document on Monday.

Mr. Foulds: Final supplementary, Mr. Speaker: If the minister is not prepared—I wasn't quite sure from his answer—if he is not prepared to go the full route and have an independent agency do the research plan that is outlined, is he prepared, in view of some of the mistakes that we have seen, with hindsight, made by Hydro and AECL, to find some additional government funding for groups such as the geological association to do independent research, which, in fact, would be well spent in terms of allaying fears? I am particularly curious about the research that might be done not only about the drilling but the transportation, which I understand is Ontario's responsibility under the agreement according to a statement and which—

Mr. Speaker: The question is too long.

Mr. Foulds:—Hydro has not been involved in.

Hon. Mr. Baetz: Mr. Speaker, I'm sure the honourable member opposite would under-

stand that because there are really two partners in this now, the federal government and the provincial government, it would be premature for me in this House at this moment to give a direct yes or no answer to his request. I think in fairness to our partner we have to discuss this question with them, but certainly I will convey to them the point he has been making here and take a look at the appropriateness and the feasibility of it.

CENSORED FILMS

Mr. Foulds: Mr. Speaker, I have a Friday morning question for the Minister of Consumer and Commercial Relations. I wonder if the minister could confirm statements made in an article called Snip, Snip, Drool, Drool, by Rone Base in Quest magazine about an agency that comes under the minister's jurisdiction, the Ontario film censor board? Could he confirm the practice that the board makes a film from all of the clippings that it has excerpted for film showing in Ontario, and could he indicate what the purpose of such a film is? Do they update it from year to year, and who is invited to view it?

Mr. Kerrio: How much does it cost to see it?

[11:00]

Mr. Breithaupt: It is a training film.

Hon. Mr. Grossman: The rumour was that it was made for the annual press Christmas party for the members of the assembly but I should disabuse you of that hope. I haven't seen it. It is put together, I am told, from some pieces that were snipped out of movies from time to time in order I think to permit those who question the good works of the censor board and the need to have some sort of censor role in this province to have some idea of the things that would get through and would be shown on the screens in the event we didn't have that function. I know from time to time certain members of the media, and I think before I got here certain members of the assembly, were invited out to the censor board to have a look at that outtake. It is still there and we would be happy to arrange for some members to go out and view that—also some members of the press, as has been done previously in order to get some idea of what this dialogue is all about.

Mr. Foulds: Supplementary, Mr. Speaker: What is the cost of producing this film and do the facilities supply popcorn and cold showers?

Hon. Mr. Grossman: Louis Malle was not invited to put together the next clip. It's

simply a process by which they take, off the floor of the projectionist's room, the pieces they have snipped out and then splice them together so it is absolutely at no cost. They simply pick it off the floor, save the costs of disposal and splice them together and just put them on a roll. So there's no cost. I am told, by the way, that a high percentage of those people who have viewed it have had to leave the room—not to use the regular facilities, they just haven't been able to stomach what was going on there. Hence I have chosen not to see it myself although over the summer I am thinking about it.

Mr. Breithaupt: It's not a training film?

OWEN SOUND HOSPITAL TRANSFER

Hon. Mr. Timbrell: Mr. Speaker, on May 30, 1978, the member for Hamilton Mountain (Mr. Charlton) stated in the House it was his understanding regarding the transfer of the Dr. MacKinnon Phillips Hospital in Owen Sound that the agreement of transfer included the condition that no existing program will be discontinued or altered without consultation with the Ministry of Health. The honourable member also asked if I was aware that the department of psychiatry at Owen Sound General and Marine Hospital plans to or has already discontinued the free drug program for psychiatric outpatients and did they consult with my ministry before making a change.

The honourable member's understanding of the agreement is correct. By the terms of this agreement a condition exists which states that the hospital shall not delete, remove or modify any existing program unless instructed to do so by the province or unless prior consent is obtained in writing from the province.

My staff inform me that the free drug program has been modified. It has not been discontinued. This modification was instituted after the amalgamation and was a medical decision instituted by the director of psychiatry at the Owen Sound General and Marine Hospital in consultation with the medical staff of that facility and the public health nurses of Grey-Bruce counties. The previous procedure involved attending physicians in the community submitting prescriptions for refilling. Additionally every outpatient on free medication had their drug program reviewed by a psychiatrist every six months. The new procedure will ensure that all prescriptions for outpatients will be approved by the attending physician at the hospital as opposed to the local general practitioner.

This new procedure is still in its formative stages but the Owen Sound General and Marine Hospital—

Ms. Gigantes: Can't hear you. Don't mumble.

Hon. Mr. Timbrell: I am sorry. I am trying to do it quickly.

This new procedure is still in its formative stages but the Owen Sound General and Marine Hospital has assured my staff that they in no way are cutting off medication to any psychiatric outpatient who cannot afford it.

The director further stated that no consultation with the ministry had been initiated by the hospital regarding this modification but that the medical staff informed the administration of the hospital that the change was to take place. The director has assured my staff that no one is being deprived of needed medication, that the medical care of outpatients is being improved. However, I have asked my staff to contact the Owen Sound General and Marine Hospital to ensure that the Ministry of Health is consulted on all future program changes.

ACID RAIN POLLUTION

Mr. Gaunt: Mr. Speaker, I have a question of the Minister of the Environment regarding acid rain and its devastating effect on the lakes and fish in the Muskoka-Haliburton area. Did the ministry first become aware that this was a problem in the area because of the April environment report on acid rain or was it known previously? Secondly, does the ministry know why Ontario's acid rain problem is as severe as anywhere in the world?

Hon. Mr. McCague: On the first question, I think it was two years ago that the ministry started studying this. The second part of the question was—is it more serious here?

Mr. Gaunt: No. Why is it as serious here as anywhere in the world?

Hon. Mr. MacCague: That's what we really don't know, at this point.

Mr. Gaunt: Supplementary: Since the researchers are being dispatched to the area, will the minister report their findings to the House and indicate what the ministry proposes to do to correct the problem? Secondly, will the minister release the April 1978 environment report on acid rain?

Hon. Mr. McCague: The report the honourable member refers to is just some comments that one of the members of my staff made at a convention. Yes, as the studies become available we will certainly release them.

Ms. Bryden: Supplementary: I'd like to ask the Minister of the Environment if any of his staff were at the recent conference on acid rain sponsored by the NATO Advanced Research Institute, which was held just last month? From this conference there were some very alarming reports on both the aquatic and terrestrial effects of acid rain. The fact came out that acid rain has increased fortyfold in the northeastern United States and probably the same here. If the problem is so serious, would the minister consider asking the IJC to undertake a study of this particular problem? I understand they have to receive requests from governments before they will get into the field.

Hon. Mr. McCague: I'm not aware of anybody from our ministry having been at that conference, but I will check into it, and I will consider asking the IJC to investigate.

Mr. Eakins: Supplementary: Since the report in the newspaper refers to some of the lakes as being already dead, can the minister identify where these lakes are located? I know of no dead lakes in the Haliburton area, which was featured in this article.

Hon. Mr. McCague: I am not aware, either, of any dead lakes. I will check into that, and if there are any I will let the member know.

PROPERTY TAXATION

Mr. Cooke: In the absence of the Treasurer (Mr. McKeough), I will direct this question to the Premier. It concerns the announcement yesterday that the government will not be implementing property tax reform.

I would like to know why the government did not bring in property tax reform, market value assessment, for all areas of the province with the exception of Toronto in order to alleviate some of the inequities. Why should the rest of the province suffer because the government has not been able to solve the problems in Toronto? Secondly, has the government considered and will it bring in a bill to remove the freeze on the equalization factor in order to relieve some of the problems throughout the province?

Mr. Nixon: He is thinking about proposition 13.

Mr. Roy: No guts.

Hon. Mr. Davis: Mr. Speaker, after your admonitions this morning I won't reply to the member for Ottawa East—

Mr. MacDonald: Answer the question.

Hon. Mr. Davis: I am getting around to it.

Mr. MacDonald: I know it, that's the problem.

Hon. Mr. Davis: Listen, the member's House leader today started out his questions with a lengthy speech—

Mr. McClellan: Order. Call him to order.

Mr. MacDonald: Oh no he didn't. The Premier has already wasted one minute.

Mr. Speaker: The member for York South is contributing to that waste of time.

Hon. Mr. Davis: I think it would be improper to conclude that the only geographic area where there are potential difficulties with market value assessment is Metropolitan Toronto. That is not factually correct. There are a number of complicated areas, if I can phrase it that way, in the province. There are some that are less complicated than others.

Mr. J. Reed: Where the Tories have had their oar in.

Hon. Mr. Davis: There is no question that some in Windsor, while I am not sure whether they want market value assessment, would seek some change in the equalization factor or some way whereby they could get additional funding. I am not sure that they are that enthusiastic about property tax reform.

Mr. B. Newman: What about transitional grants?

Hon. Mr. Davis: It is the additional money. Because the member for Sarnia (Mr. Blundy) is not here to ask a supplementary, this also applies in Sarnia as well. We're quite aware of these difficulties. We will continue to pursue it with those municipalities but I don't want the member to feel that only Metro was a problem or is a problem as it relates to market value assessment.

Mr. Cooke: In view of the Treasurer's statement yesterday in which he indicated no deadline for a new proposal to be brought forward to the Legislature, I wonder if the Premier and his government will now be re-considering grants to cities like Windsor and Sarnia that are suffering from the inequities in the present system?

Hon. Mr. Davis: I thought I had already answered that question. We recognize there are some difficulties in some communities. We will continue to pursue those with those municipalities.

Ms. Gigantes: Pursue it? What does that mean?

Hon. Mr. Davis: I can't give you any commitment this morning that we can find a solution to those problems, but we're quite aware of it and we will continue to discuss it with them.

Mr. B. Newman: As the Premier knows, Windsor has been adversely affected for quite

a few years now. Is the Premier prepared to provide some type of financial assistance so no longer will Windsor not receive its fair share of government grants?

Hon. Mr. Davis: I thought I had already answered that question but I shall try to answer it again. I'm quite familiar with the situation in Windsor. It has been brought to my attention by others and by the representatives from Windsor in this Legislature.

Mr. McClellan: Is the answer yes or no?

Mr. Cooke: When are we going to hear something.

Hon. Mr. Davis: I have some in-laws in Windsor. I'm quite familiar with it. I would only say to the member for Windsor-Walkerville that I can give no such commitment here this morning, quite obviously, but we do know that there is a problem.

GASOLINE TAX

Mr. Yakabuski: I have a question of the Minister of Revenue.

Mr. Haggerty: Ask him in caucus.

Mr. Yakabuski: In view of the fact that I have had a number of telephone calls in recent days, is the minister aware that Quebec tax officials were checking on Ontario truckers in the Pembroke area this past week with regard to gasoline tax, and is he aware that these truckers may travel into the province of Quebec only a distance of perhaps five or 10 miles and that the Quebec revenue branch is asking for tax in lieu of that mileage at something like five or 10 cents per mile?

Hon. Mr. Grossman: Good question.

Hon. Mr. Maecck: I'm aware that this problem has existed for some time. I'm not aware of the recent problems the member has just mentioned.

The problem is simply this. The Quebec government has a different form of legislation than we do. Under their legislation, they have a fuel tax act which includes gasoline tax as well as fuel tax. Under their act they have the authority to stop vehicles in Quebec and determine whether or not they have purchased their fuel in Quebec. It's a different program from any of the other provinces.

Ours is the opposite. We don't have the same sort of legislation as they do. It's a matter that has been discussed with the Quebec government from time to time by the Ministry of Revenue and others. I believe it was one of the items that the Premier discussed with the Premier of Quebec in his most recent meeting with him.

Ms. Gigantes: He's pursuing that one too?

Hon. Mr. Maeck: We are still working on it. But at this point in time, under their legislation they are within their own laws to do exactly what they're doing.

Mr. Haggerty: It's the same answer you got in caucus, Paul.

Mr. Yakabuski: Is the minister aware that some of the Quebec truckers travel hundreds of miles on Ontario highways—such as 17, new 17, and 417—and that our Ontario truckers are only going in a distance of five or 10 miles?

Mr. Roy: You see their trucks all over Ottawa, Paul.

Mr. Yakabuski: Has the Ontario government any formula at all whereby revenue can be collected from Quebec truckers and has any revenue been collected up to this time?

Mr. Kerrio: Why doesn't the member say all truckers?

Hon. Mr. Maeck: We do collect revenue from fuel tax from Quebec truckers. There's nothing in our legislation that would permit us to collect gasoline tax. It's a separate piece of legislation. Our Gasoline Tax Act is very similar to the acts in eight of the other provinces in Canada. The one that's out of line is in the province of Quebec. We are trying to convince them that they should perhaps change their legislation so it would be complementary to the legislation in the other provinces, but we haven't been successful at this point.

Mr. Warner: Then they could give us another "I hate Quebec" speech.

Mr. Philip: Supplementary: I wonder if the minister could get together with the Minister of Transportation and Communications (Mr. Snow) and prepare a joint statement on reciprocity agreements involving trucking for members of the House, so that we have both the revenue section and the transportation section together and so that we can know how reciprocity agreements are going on. I understand the Minister of Transportation and Communications claimed in a statement recently in this House that there have been some successes in terms of reciprocity, but we just don't have all of the pieces together. Would the minister do that, please?

Hon. Mr. Maeck: I could look into that for the member. I should mention while I'm on my feet that our ministry has negotiated four tentative agreements, which have not at this point been signed, between us and our counterparts in Quebec. They don't get into the detail that we would like to see and that has to do, of course, with the gasoline tax problem as we see it. There is also a retail

sales tax problem that we're having some difficulty with.

The agreements we have drawn up and which I indicated have not yet been signed, cover such areas as co-operation and reciprocity and those kinds of things, but it doesn't go as far as we would like to see it go in order to alleviate the problems that the member for Renfrew South has indicated.

WILKINSON FOUNDRY FACING

Hon. Mr. McCague: Mr. Speaker, on June 1 the Leader of the Opposition asked me a question on resource recovery. The answer is quite long and I would like to give it next week prior to question period.

Mr. Roy: That's right, make a statement.

Hon. Mr. McCague: At this time I would like to reply to a question asked by the member for Dovercourt regarding Wilkinson Foundry Facing and Supply Company Limited in Toronto. On May 26 an incident occurred at this plant at approximately 2 p.m. A pipe used to transfer the material known as bentonite from a railcar to a silo ruptured and as a result the neighbouring properties to the east of the plant were blanketed with this material. The fallout extended approximately 400 feet downwind of the plant. An estimated 600 pounds of the material was released to the atmosphere.

My staff advise me that the unit was shut down within seconds of the incident. An on-site inspection was conducted by my staff in the afternoon of May 26, at which time samples of the material were taken for analysis and identification purposes. The followup inspection was conducted on May 29 and at that time staff advised company representatives that a violation notice under the Environmental Protection Act would be issued.

The violation notice was subsequently served on June 5. Further action will be considered pending a written submission by the company on the circumstances surrounding the incident. To prevent a recurrence of this incident the vent pipe which caused the incident was to be replaced with what is known as a bin vent filter by June 6. The company will also install additional five bin vent filters on each of the silos at the plant as soon as possible. Installation of this equipment will complete one phase of the company's existing abatement program.

My staff advise me that the material released and known as bentonite is not a toxic material. However, the results of the analysis of the samples collected will confirm the company's description of the material released.

Mr. Lupusella: Supplementary: In view of the minister's statement today, I would like to ask the minister the following three-part question:

1. The minister stated that the material released and known as bentonite is not a toxic material, yet the book called *Dangerous Properties of Industrial Materials*, fourth edition, states clearly that the toxic hazard rating of bentonite is completely unknown. In view of this, what was the basis of the minister's analysis?

2. Given the fact that 600 pounds of the material was released in the atmosphere and that this company has been polluting the environment for over 25 years with coal dust, is it the minister's intention to go beyond issuing a violation notice and actually prosecute the company in question?

3. Considering that the company has refused to comply with environmental regulations, why is the minister allowing the company to continue to pollute the residential area where the company is located?

Hon. Mr. McCague: As I said in the statement, we are doing an analysis of the product known as bentonite to find out the answers to the questions the honourable member is asking.

Ms. Gigantes: That's not what you said. You said you were finding out.

Interjections.

Mr. Speaker: Order. Just ignore the interjections.

Hon. Mr. McCague: Secondly, the violation notice has been given and charges are being considered. On the third part, as to why the plant is allowed to stay there, the honourable member knows that my ministry has been looking at the performance of that company carefully for the past two or three months when the member raised it in estimates. I do appreciate the fact that he brought this matter to my attention, although our staff had already been there.

LINDSAY NURSING HOME

Mr. Eakins: My question is to the Minister of Health. As the minister is aware, the Nursing Homes Review Board revoked the licence of the Lindsay Nursing Home. On appeal to the Ontario Supreme Court, this decision was reversed and the court ruling restored the licence. What then is the status of the numerous replies he has received in response to a proposal call for a new facility? What happens now?

Hon. Mr. Timbrell: I have indicated to my staff that I want to appeal that decision. So

all those submissions are pending until that is resolved.

Mr. Eakins: Can the minister then give assurance that there will be no undue delay in providing adequate nursing home facilities in the Lindsay area?

Hon. Mr. Timbrell: Yes. The member will understand that we must resolve the matter in the courts. Otherwise, we would be in the position of having to allow the previous operator to do renovations which we had demanded for some considerable time and which we feel were not done in proper time. We do intend to appeal.

INTRODUCTION OF BILLS

CO-OPERATIVE CORPORATIONS AMENDMENT ACT

Hon. Mr. Grossman moved first reading of Bill 122, An Act to amend the Co-operative Corporations Amendment Act, 1973.

Motion agreed to.

Hon. Mr. Grossman: I thought I might take a moment to inform the House with regard to some of the changes being made in this bill. The bill results from a series of changes recommended by the United Co-operatives of Ontario and the Ontario Co-operative Development Association, which together represent the majority of co-operative members in the province.

These changes are mainly of a house-keeping nature and are designed to correct anomalies and reflect changed circumstances which have developed in accordance with our efforts to clean up, change and amend necessary and overdue legislation in our ministry. We are anxious to have this bill proceeded with.

Mr. Nixon: You are going to proceed with this in the fall, I understand.

Hon. Mr. Grossman: The existing act exempts from audit requirements any co-ops which have less than \$50,000 in assets, \$15,000 in capital, \$100,000 in sales and fewer than 15 members. There are currently an increasing number of nursery school co-ops which often have very little by way of assets, no capital and limited sales, although usually they have well in excess of 15 members. In such cases, it hardly makes sense to require an annual audit. Consequently, the amendment exempts co-ops which have never issued securities and have less than \$5,000 in assets from the audit requirement.

In the existing legislation, the rate of interest on loan capital and dividends on share capital are limited to eight per cent. We feel

this is not realistic in today's money markets. We propose to raise that to 10 per cent. To ensure the incorporators will be members and users of goods and services of the co-op that they are incorporating rather than promoters, the legislation will be amended to permit incorporation by at least five members, including corporations "who shall be members" and to require verification by affidavit. This will remedy some abuses which have come to light recently.

The act now stipulates that before any securities are issued by a co-op with more than 15 members, the co-op must file with the minister an offering statement and obtain a receipt. This is to frustrate attempts by promoters to avoid disclosure. The amendment prevents a co-op from issuing a block of shares while it has fewer than 15 members and then transferring those shares to new shareholders, bringing the membership to more than 15, without filing an offering statement. It also prevents a co-op from accepting money on deposit from prospective security holders without obtaining a receipt for an offering statement.

In order to restore a right under the former legislation we propose to empower a co-op corporation to convert to a non-share corporation under part three of the Corporations Act.

Finally, there are also several amendments to ensure that co-op shares are issued or re-issued at not greater than par value so that the co-op principle of limited return on investment and return on investment on the basis of goods and services of co-ops will be followed. Of course, there are numerous other changes designed to clarify the intent of the original legislation, and to close loopholes which have developed over the past four years.

Mr. Nixon: Proceed with that in October, did you say?

DEBATE ON MOTION

Mr. Speaker: Before the orders of the day, I wish to comment on the incident of yesterday respecting the motion to adjourn the debate on the motion for the adoption of the report of the members' services committee.

It was suggested to me that as there was an agreement between the House leaders, of which I had been informed, to the effect that the chairman of the committee should move the adjournment motion, I should have ruled the acting House leader out of order.

This, of course, is not correct. An agreement between the House leaders does not change the standing orders or the provisional

standing orders unless moved in the House and adopted by the House. The House would expect that the House leaders would carry out the agreement at which they had arrived, but as no such procedural change had ever been adopted by the House, I point out that any member may move the adjournment of the debate, as the standing orders provide.

ORDERS OF THE DAY

SELECT COMMITTEE ON THE OMBUDSMAN

Resumption of consideration of the fourth report of the select committee on the Ombudsman.

Mrs. Campbell: Mr. Speaker, it gives me great pleasure to rise to enter the debate on the matter of the fourth report of the select committee on the Ombudsman. I have given a great deal of consideration to this particular debate because it does seem to me that somehow or other we have to come to grips with what seems to be an undercurrent in this House as it relates to this committee and to its functions.

I suppose perhaps the only way in this House to gain the attention of the assembly is to be somewhat abrasive, since nothing else works. If the members of this assembly do not wish to have a select committee on the Ombudsman, I think they ought to come forward and say so. If, in the alternative, they feel there should be a committee to engage in the review of the work of the Ombudsman, then it seems to me the reports of that select committee ought to be taken with some degree of seriousness by this House.

I am concerned that at this point in time we seem to use these periods as a sort of filler, like the old budget debates and the old throne debates. I, personally, am of the opinion that the work of this committee—and I tell you it is work—should not be treated in so cavalier a fashion.

[11:30]

Why did this committee undertake to go to look at the offices of ombudsmen in other parts of the world rather than stay home and make decisions here? Let me just point out to this assembly what we were asked to do, the obligations upon this committee:

The Ombudsman had asked for increased jurisdiction covering municipalities. We had, in effect, about two sets of authorities upon which to draw. One was all the written material about other ombudsmen. The other, Mr. Speaker, was the expertise of the Om-

budsman and his staff, because they had already visited all of these offices, and it seemed to me that we ought, indeed, to take a look for ourselves. I want to tell you that in visiting these various jurisdictions—you do not get the truth, that is you do not get the full picture of the operation; you can't do it by reading, you've got to be there is what I'm saying.

Mr. Germa: You have got to get the flavour.

Mr. Haggerty: Ask the member for Sudbury, he knows.

Mr. Germa: Certainly, I am right with the member for St. George.

Mrs. Campbell: Mr. Speaker, we knew from written materials that the ombudsmen's offices in the Scandinavian countries had jurisdiction over municipalities, but when we visited there, we found that what was written was not that which was in operation.

There were two basic factors: One, there was a very tentative approach of the ombudsmen in dealing with municipalities; and two, there was a very real situation that—for example in Stockholm, Sweden—when you talk about municipal functions, they were not all municipal functions but simply those which were carried out by a municipality as a direct agent, as it were, of the state government.

To my mind, the office of the Ombudsman in Ontario has somewhat similar jurisdiction only that his jurisdiction takes effect at a later stage than it does in Sweden, in that any appeal to the government of Ontario then fixes him with jurisdiction over that decision. Obviously, it relates to earlier decisions of the municipality.

We came to the conclusion that the jurisdiction should not be enlarged at this time. I would like to say that that is no reflection on the work of the Ombudsman of Ontario, but rather that as we sat in England and studied with the committee which relates to the municipal ombudsmen, we recognized the care with which that government had prepared and consulted with municipalities, both as to the personnel of the offices and also the function. It was the one place we visited where the committee which corresponds to our select committee, in fact showed signs of uneasiness with the office, and there was a sort of jealous regard of their authority. Of course, having seen that, having witnessed the experience in the Scandinavian countries, we came to the conclusion, that while an ombudsman's function was appropriate to a large municipality, nevertheless, this was not the route to go.

Another reason we sought some knowledge and expertise was because we have been charged as a committee with drawing guidelines for the operation of the Ombudsman. Again, hindsight is a very fine thing, but we have learned that we ourselves in this Assembly made a serious mistake in not setting some guidelines before the office started, because that has contributed immeasurably to the problems which we have to acknowledge have arisen between the Ombudsman's office and this Assembly.

We virtually told the Ombudsman to go out and create his own operation and he did. Ever since, some members in this House have been critical of him for doing just that. Now we are trying to work ex post facto on guidelines for that office.

Again, what did we have to go by? Very little, unless we saw the operation.

Very often it is only the civil servants and persons in an ombudsman's office who have the expertise, and that is why we do make so many mistakes in government.

It is obvious to me, and I am speaking now only for myself, that when one gives an office to a person, with the sort of power that our Ombudsman has, it is very important that the Ombudsman follows in precise terms the act which puts that office into place.

As we visited, we saw that this was indeed the way in which the operation took place in the other jurisdictions, so we learned something which may be of benefit to the people of this province, to the Ombudsman and to the Assembly.

My friend the member for Lakeshore (Mr. Lawlor) in his recent debate on the subject spoke at some length about the problems between the Assembly and the Ombudsman. There has been a tendency to try and hush that down. I think it has to be out in the open. We have to face the facts and we have to resolve the difficulty.

I am very hopeful that with guidelines which we will be working on if we are permitted to sit in August, we may come to grips with these difficulties.

The third matter which had to engage us was that we ourselves have come to the conclusion there ought to be some kind of resolution to the way in which the budget of the Ombudsman is reviewed. I don't think there's anyone in the House who hasn't been aware of the somewhat bitter interchanges that we had earlier on with reference to this matter. Our committee has recommended more than once that a committee such as ours, which has now some expertise in the field should be the appropriate committee to review that

budget. This is one of the items which has been consistently ignored.

It's interesting that in other jurisdictions the committees are actually performing that function. Perhaps they trust their committees more than we do. It is interesting too that in each case, save and except for the office of the Ombudsman in Edinburgh, there is a committee which works closely with the ombudsman and with which the ombudsman works closely and for the most part precisely. Here we seem to be labouring under all sorts of misapprehension.

I am very sorry that there are only two members of the government side in the House, one of whom is on the committee.

Mr. Mancini: Disgrace.

Mr. M. N. Davison: And an excellent member.

Mrs. Campbell: He is an excellent member without question, but I think I am preaching to the converted in his case. I would wish there could have been more government members who would stand up and frankly state their case—

Mr. Mancini: When the Minister of Revenue (Mr. Maeck) was the whip there were more government members here.

Mrs. Campbell:—about the Ombudsman, the office and the committee itself. As we sit in our committee, there's a great deal of work. I wonder at this point whether all we are doing is spinning our wheels. There are those who believe we shouldn't be sitting too much. There are those who believe that somehow we are involved in a make-work program.

We have an obligation under our mandate to study the report of the Ombudsman. We have one which has been released. We have a second one which we are told is to be released by the end of this month. Then there is the Correctional Services report which is not officially before us at this point in time, but I have been advised by the staff of Correctional Services that their reply and the replies of those ministers who have been involved in that report had gone to cabinet. I wouldn't expect that, if the response goes to the Ombudsman, he would sit on it for months; and so we face the inevitable with yet another report.

[11:45]

I suppose in a sense I have strayed from this report, although I trust I have covered the points which were made and the reasons for our study. It seemed to me that at this point in time somebody had to speak out and invite a debate on the realities.

Mr. G. Taylor: Mr. Speaker, I rise to discuss this report also, as my colleagues the member for St. George and the member for Lakeshore have done before me. In discussing this report and the office of the Ombudsman—it becomes a very difficult task—and we often had this problem when we toured the different offices throughout the world recently—to distinguish between that office and the individual.

We have had the individual in this office for two to three years, and the office has taken on the personality of that individual—it is natural that it would—as we also found that the other offices we visited had taken on, in some respects, the personality of the individual holding that office.

I do not want to say that the report we are discussing today is just one dealing with personalities. There are some hard facts in that report. There are some hard realities that we discovered, some positions made and some opinions formed. A great deal of work was put into the report.

The report is not, as I have heard, a justification for the trip that was taken by the members of that committee. Throughout their endeavours in the different countries, speaking with and listening to and discussing with the people on the street, with members of committees that have a status similar to that of this Legislature's committee on the Ombudsman and with the ombudsmen of those jurisdictions, the committee members learned a great deal. They were, as has been stated by the member for Sudbury, "getting the flavour" of the area. That is necessary.

One has to look, as the report states, at the culture, the parliamentary procedure and the traditions of the different jurisdictions where there are ombudsmen. One has to look at all those things before one can formulate the duties of an ombudsman in this area.

For our present Ombudsman, who is performing a gigantic task for the people of Ontario, we did insert into our legislative and governmental process an Ombudsman with no background or tradition of that office. We put him into a situation against an entrenched and long-standing civil service which had been in existence for many years and going about their business the way they felt they should.

We inserted an Ombudsman into a situation which immediately became adversarial, and we had some difficulties. As the report sets out in more figurative language, we spent many hours discussing the exact words that might be used in this report. It was done with painstaking accuracy and deliberation to get the precise words. When my

friend from Lakeshore brought up the use of that term "delicate flower," I think that is so figurative of the relationship between the Legislature and the Ombudsman. It is very delicate. We have seen in other jurisdictions as we travelled, this very close relationship, almost admiration, between the two operations. There, again, it is that admiration and respect for the two offices that is yet to be developed, and maybe through the process of these reports, through the process of our committee bringing forth recommendations, that admiration and respect for each other's position will come about.

In looking at our present office, it is said in the report that it will operate with a shadow of doubt because it does not have guidelines. It is those guidelines that this committee has been established to put forward. It is those guidelines we have tried to put forward. Those guidelines have not been acted upon by this Legislative Assembly and until they are acted upon that shadow of doubt will still exist.

The purpose of the committee will be meaningless unless they are acted upon, because that routine will continue—report of the Ombudsman, report of the select committee; report of the Ombudsman, report of the select committee—and we can go on with that procedure ad infinitum until the precise guidelines are formulated, put forth by this House and given to the Ombudsman as to how he is to conduct that office.

Otherwise, as the member for St. George has said, the Ombudsman will continue to operate the office as he feels it is necessary and within his interpretation of the statute that created that office. When I speak of that statute, it is a statutory office and statutory offices have to work within the framework of the statute they have been created by.

Indeed, and I've stated it before in this House on these reports, if the office is going to investigate bodies that have regulations to follow, bodies and civil servants that have administrative and statutory procedures to follow, and if they do not follow those procedures they are criticized by the Office of the Ombudsman, then that very office must follow its statutory procedures. That is very fundamental to that particular office.

Until this Legislature gives forth those guidelines and puts them down precisely, he will interpret them as it is most beneficial to that office. There may be some situations where it is beneficial to the individual he is serving, but, there again, is it the end that is justifying the means? It may continue that way.

Some may ask—and it has been spoken of in the different media—"Why did that committee have to travel so far?" The member for St. George has remarked on that very briefly. I can give you maybe a figurative situation. Yes, we had briefing material before we left. Yes, we could have read many articles on the ombudsman. In fact, when I read some of those articles I was amazed at the myths we had developed in this country and in this province as to the office of the ombudsman.

To emphasize that, I am sure no members in this House would play the game of hockey or would have even thought of the game of hockey had they picked up the rule book and read how it should be played. They'd say, "My God, that is a boring, boring game," and think of what Harold Ballard would do now if he had also picked it up.

Mr. Nixon: The last chairman of the select committee said he thought it was more like reading about sex.

Mr. G. Taylor: He would have gone immediately to Hamilton and played football.

Mr. Nixon: I think his alliteration is more moving.

Mr. M. N. Davison: Not necessarily more accurate.

Mr. G. Taylor: When we get down, even more precisely, to the people we visited, there were some other questions as to why we didn't bring them here. We saw in excess of some 60 individuals and I'm sure the cost of bringing those individuals here would have far outweighed the cost of that trip.

Mr. Nixon: How many were in your tour?

Mr. G. Taylor: There again, that's trying to be apologetic, and I am not apologetic. I think the material we gained for this Legislature on the running and operation of the operation of the Ombudsman in this province was extremely beneficial, because prior to creating that office, there had been, as is not the usual practice for this Legislature, no study of similar operations. It was just created by a statute of this Legislature and it asked the person to continue on and good luck to him.

When I look at some of the recommendations of this particular report and some of the other ones, I find they have still not been acted upon. I must say that in working on this committee I have not seen, on any other committees I have been on in this Legislature, such unanimity in the report they bring forth, such unanimity of the feelings of all the members from all the parties on this particular subject. It is an unusual thing to

see such unanimous support for the recommendations.

One might say we should make more recommendations. This report contains only two. One of the main and prime ones was that of increased jurisdiction. We have seen how increased jurisdiction has operated in other jurisdictions, and even though it was in the statute of the offices there how it was not acted upon. Particularly when we talk about the municipal field, some of the ombudsmen had the opportunity to delve into the municipal areas; but because they respected that municipal operation, they had the opportunity but they seldom exerted that opportunity, feeling that municipal operations were a very particular type of operation and should be left alone.

They had their particular elected officials who could perform those features of the ombudsman much more than expanding the present office and interfering with those operations and trying to solve the complaints of individual citizens. There again it was the personality, feeling and tradition of an office. Although it had the statutory power to get into the field it did not.

We have some very hard decisions to make on this, as we characterize many of the decisions we have to make. Are we going to get down to the point where these recommendations are going to be put into legislation and are we going to amend the legislation? That is very crucial to the functioning and performance of this very committee. If not, it might be that this committee can no longer serve its purpose and its terms of reference and maybe it should be wound down or discontinued; or asked not to sit if it is not going to carry out its functions, if the committee is going to report and the report will then gather dust.

We can add many recommendations—I have set out a few that do not appear here, but some that I would like to make to this Legislature—that may show even further consideration as to how this office should be operated. I've seen the correctional institutions report. There again, it's a difference of opinion as to my interpretation of the statute and that of the Ombudsman, and even that of some members of the committee. It was initiated on his own volition, as he interpreted the statute, and we had a complete inspection of the correctional institutions of the province of Ontario.

Is that to continue? Do we have him then investigating other ministries at great cost? Is that not a policy of government or is he interfering with the policies of government? Is he then setting himself up to decide on

the total operation of a ministry? Should that be spelled out? Specifically in the area of administration of boards, commissions and agencies, which ones should the Ombudsman have the right to look at?

Mr. Mancini: You don't even know how many you have.

Mr. G. Taylor: Maybe he might find out how many we have if we were to allow him to do all of those. We have seen situations in some jurisdictions where they spelled out and had a precise list of those agencies, boards, commissions and bodies that the Ombudsman was responsible for. We don't have that here. The office is still trying to decide what areas of jurisdiction it has.

We have seen numerous reports from the Ombudsman. They are down to approximately half-yearly. Some of the other jurisdictions have a situation where the reports came out on a precise day. One could expect when they are to be ready, again adding to the great advantage of the statistical data in those reports. It is no good if they're not comparable in exact, precise terms and precise areas of the particular part of the year. Now we are down to a report every six months. Should the statutes spell out a report at a particular time of the year so that it will form a more useful comparison to other years?

[12:00]

Then there are the time limits within which complaints can be received. As a member of this committee, I see being resurrected complaints of citizens going back six years. Should there be a time limit on what the Ombudsman can start working on?

Mr. Nixon: You won't get agreement on that.

Mr. M. N. Davison: Why don't you sit there and listen? You might learn something.

Mr. Nixon: I have been sitting here and listening. It's very interesting and a lot better than the last time when you were talking.

Mr. G. Taylor: Should there be a precise time limit? We have many statutes which we set up and where we put precise time limits in those statutes. If you don't come forward with your complaint within a particular time limit, then goodbye. We have many of those in the litigious field. Maybe, that should be inserted into the Ombudsman's field.

We have situations where the Ombudsman picks up the problem and continues it on, but where there is another form of alternative remedy, be it in the courts, which may be an expensive remedy. Should we insert into the Ombudsman act a situation where we say

to the Ombudsman if there is an alternative remedy, do not carry on with that problem? If it is one where the person has an alternative remedy, let him take that route before the Ombudsman takes the problem in hand.

There are situations where we hear complaints about reports not getting out or the office not working swiftly enough. Some people say it's insufficient staff. Some others would say put on some time limits. Maybe we should. When the Ombudsman makes a recommendation or goes to the ministry and says there's a problem, maybe the ministry should have to reply within a certain time frame as well so that he and the office know that the ministry is cognizant of the problem and is going to act on the problem. Maybe we should come firmly forth with a recommendation that the ministry should be required to reply to the Ombudsman within a particular time frame.

Another feature that was very noticeable was the difference in the letters sent out by the office of our Ombudsman and that of the other offices on non-jurisdictional situations. Does it take a four to five-page letter to tell an applicant, wanting some relief that he cannot give him that relief, couched in words that many lawyers would not possibly understand. It is a very legalistic four-page letter telling him no.

Mr. Nixon: Surmounted on a rampant griffin.

Mr. G. Taylor: On three trilliums. We had seen very precise letters in other jurisdictions where letters from the ombudsman say: "No, it is not my jurisdiction," or situations where they lift up the phone when the problem comes in and answer: "No, it is not our jurisdiction." We have seen statistically where a great deal of the problems and complaints received by the ombudsman are non-jurisdictional problems.

We look at the cost and the time used up in that office, should that area be precisely delineated so that the Ombudsman can say: "Sorry, that is not mine, goodbye. Go off to unemployment insurance where the answer to the problem is. Here's the number," instead of going into three or four pages to arrive at that conclusion.

There is one recommendation in this report about the budget staying with the Ombudsman committee. It is a recommendation of the committee. I may not entirely agree with it. I think there is some benefit in that budget being dealt with elsewhere, although I must say the committee itself has a greater knowledge of the operation of that particular office and thus can cast forth a greater degree

of information on the cost and the running of that office.

I give forth some other suggestions, Mr. Speaker. There were different jurisdictions we went to where the ombudsman could, in effect, discipline civil servants or bureaucracies for their maladministration, one might call it, or their transgressions of the administrative procedure of a particular civil service that they were operating in. Maybe that might be something this Legislature might consider. In the situation we have presently, if there is an error made it goes up; and if it's a type of ministerial responsibility, it's the minister's problem. There again, with very little discipline, maybe in conjunction with the civil service operation and its grievance procedure, it could come forward with the recommendations of the Ombudsman, so that some of these problems, which may be just strictly administrative, will not go unnoticed and continue in the future.

In some of the jurisdictions we visited the material that came forward—the ombudsman's report—was a code of civil service practice, similar to legal precedents. Again, it was felt that when the civil servants read that report, they would say, "Oh my God. Look what happened to Harry. Let's not have it happen to me. I want to correct my office so that I will not have any embarrassment come upon me or this administrative procedure that I'm carrying out."

There are some other matters. We have secrecy in our Ombudsman's reports and in the operation of the Ombudsman. Nobody knows who is being complained about, both on the administrative side and on the side of the complainant who is seeking some relief.

Mr. Haggerty: That's got to be changed.

Mr. G. Taylor: In some jurisdictions, it was open. The reports came in each day and it was available to everybody. It was open to the press and other individuals to see this. Do we insert that or do we stay with our program of secrecy?

Mr. Haggerty: It's got to be changed.

Mr. G. Taylor: Another area we found involved the informational process of the operation of the office itself. We have pamphlets. We have the Ombudsman going around speaking in different areas. We have members talking about it. Should we offer by, say the Ministry of Education, a program or a guideline saying, "Here is information about the office of the Ombudsman. Could you include that in your school program"; in your civics classes, or whatever other class it might be.

Mr. Haggerty: Civics would be good.

Mr. G. Taylor. The people would thereby be aware of the office and what it does for them and how it operates. If they knew its purpose, maybe the non-jurisdictional part of the workload would decrease if they were aware of the actual functions and duties of the Ombudsman in this province.

Undoubtedly the Ombudsman has received criticism from members of this House and members of the media as to its offices. We saw offices that were very close to the people in their physical location. Is the office of the Ombudsman as it is presently constituted physically removed from the people it primarily serves?

Our jurisdiction is no different from the other jurisdictions we visited. Without labelling him, the person was a person who generally needed the help of somebody. It wasn't a person who could go and and secure high-priced legal talent. It wasn't someone who could pick up the phone and talk to the old school ties. It was the people who do not have the everyday advantage of high-priced legal talent or some other method. In the legal profession, we talk about giving people neighbourhood legal clinics, neighbourhood law offices. We put our constituency offices where people can find us. Maybe there again, the office of the Ombudsman could do the same. It might necessitate a larger budget, but maybe he should be required—

Mr. Haggerty: Put legal aid in with him.

Mr. G. Taylor: —to put these neighbourhood offices about, rather than just having a phone system. There again, we saw the physical side of these operations. All of these features go to make up what is in this report. I recommend to you the features of this report. Sit and study it and get together in your own caucus with your own colleagues and maybe bring forth some recommendations.

One of the very tenuous things that was evident in some of the offices—I'm not so sure it would operate here—was that relationship between the office and the elected representatives. Some of the ombudsmen had to maintain the confidence of the Legislature. It was not a tenure appointment or for a period of time. Most of their terms related to the tenure of the Legislature that appointed them. There, again, that might be a very considered thing that we might do to implement a similar one. There are some who would say it would be difficult for them to get a person who would like the job for that short period of time, since we have more regular elections in this province, but the person who holds that office receives the support of the body

that is elected by the people of the jurisdiction, and if he has that support he knows it is continuing support and, with the 10-year appointment that is presently there, he is not looking over his shoulder all the time wondering whether they're going to be sniping at him.

Those are some of the recommendations I put forward to you besides the recommendations that appear in this formal report. I, like the member for St. George, and I'm sure some of my other colleagues on this committee, would hope that before too long the recommendations would be acted upon, or in the alternative give us directions and say that the work of the committee is no longer necessary, so that we are not sitting day after day, week after week, looking at these reports, because they are long reports, they are involved reports.

Indeed, we might even in the committee look at some other ways of dealing with these reports. I saw one jurisdiction where they had support staff who looked at the ombudsman's report, went over the report, came back to the committee and highlighted it and said: "Here are the things that you must look at," which significantly reduced the time spent by the legislators on the committee that is comparable to ours. Maybe that is a situation we might look at for our own use in this committee.

I will add one more feature to this report. Had I not gone on that trip, I would not have been given the opportunity. As we have seen around this Legislature—

Mr. Haggerty: You are well adapted to the labour, George.

Mr. G. Taylor: —around this Legislature, there are certain mottoes inscribed in the wood, one that I'm sure is particular to the Ombudsman's office and how he operates and they operate throughout the world. I noticed one very close at hand here, Audi Alteram Partem, which is indicative of the operation of the Ombudsman's office, but my friend from the Lakeshore and I developed great feeling for this one in Denmark—

Mr. Nixon: Maybe you'd better translate that, please.

Mr. Haggerty: Ask the member for Lakeshore.

Mr. G. Taylor: No, I'm not going to. I'll give you the translation. It has puzzled us for some time and I'll give it to my colleagues here. This was in their legislative building, and it was: "The one who understands the language of the birds can become a minister."

Mr. Ruston: That sounds right.

Mr. Nixon: That's what happened to St. Francis. Most of the ministers over there are for the birds.

Mr. G. Taylor: I leave you with that. If you solve the problems, we might not have to continue travelling throughout the world studying other jurisdictions.

Mr. Mancini: Mr. Speaker, I would like to make a few comments concerning the report on the Ombudsman which was presented to the Legislature by the members of the select committee.

It's been three years now since we've had an Ombudsman for the province of Ontario and I was one of the people—although I wasn't a member of the House at that time—who was very pleased to see that the government had taken the step to appoint an Ombudsman for this province. Although they kind of dragged their feet for a while, they finally came around and appointed an Ombudsman, which was needed for this province.

I would like to say that in my experience in the last three years, being a member of a legislative body and coming into contact with many people in the riding and across the province of Ontario, I've noticed that the people feel comfortable having someone they can go to with a problem or with a concern, someone who is at least an arm's length away from the government and someone who is independent of the government.

As a matter of fact, I've had the privilege of using the services of the Ombudsman myself. I know, in one particular case, I don't think we could have got any type of justice at all from the present government if it had not been for the Ombudsman.

[12:15]

Mr. Speaker, a great amount of the debate today has been centred around the need for guidelines for the Ombudsman. In my opinion, the Ombudsman should be able to investigate any matter which comes under the jurisdiction of the Ontario government, any of its boards, agencies or commissions. There should be absolutely no attempt to try to restrain the Ombudsman from investigating any of these matters which come under any of these agencies—

Mr. Haggerty: Open your books, Larry.

Hon. Mr. Grossman: Close my eyes.

Mr. Mancini:—boards and commissions. It should be stated in the regulations that a cabinet minister or chairman of a board, agency or commission, should reply to the Ombudsman within a certain amount of time. I can recall from personal experience a matter

that I turned over to the Ombudsman and we waited endless days for the minister to respond. Possibly this type of response needed the length of time that he took and possibly it didn't, but I think we would get a much fairer deal if it stated in the regulations that the members of the cabinet or the chairmen of these boards and agencies had to respond in a certain amount of time.

Also, I think there should be guidelines for the budget of the Ombudsman. I can well recall the bitter battle that took place last year between the members of the Legislature and the Ombudsman. Many of the points that the members brought up at those estimate hearings were good and valid points and they criticized the Ombudsman at that time for what they considered his excessive opulence. I believe that when any board or minister or anyone at all who is related to the government goes about the province and has his office furnished in a way people might consider excessively opulent, he should come under criticism. I believe he should be made to stop and I believe he should be made to operate under the rules of restraint just like any other arm of the government. I believe that the members of the committee were right in what they did.

Although the Ombudsman might have taken some of that criticism personally and he might have taken some of that criticism as unfair, I am one who believes that it was not. The members were not there to criticize the work that the Ombudsman had done, they were not there to criticize the areas of investigation that he wanted to undertake but they wanted the Ombudsman's office to be a human and humble office, one that any person in the province of Ontario could approach without feeling inadequate.

At that particular committee hearing, the Ombudsman made a strong defence for himself and he mentioned to the members of the committee there that evening that he had wished to have a management consultant's study done of his operation. He felt with this kind of study he would be able to make his large office more efficient and would be able to assist more people throughout the province of Ontario.

However he felt—and he stated to us—that the Board of Internal Economy had treated him shabbily and had treated him without due respect for his office. The way that I recall it, the Board of Internal Economy, which is controlled by the Tory government and which I believe has at least three cabinet ministers on it, had arranged for the internal audit to be done but had arranged for this in such a way that possibly the confidential

files of the Ombudsman might be open to the present government; and I don't think that we in this Legislature should ever compromise the office of the Ombudsman in that manner. I feel that if the Ombudsman felt it was necessary to have this management consultant's study done on the funds which should have been appropriated, there should have been no sly move or attempt by this government to try to get into the files of the Ombudsman.

I can well recall how furious the Ombudsman was that evening, and he informed the committee members that the Board of Internal Economy could keep its money and the qualifications it had set down, and that under no circumstances was he going to have any kind of management consultant study done which might jeopardize the privacy of his files and the way he operates. I believe the Ombudsman did the right thing—

Hon. Mr. Grossman: Really?

Mr. Mancini: —and that's why I believe it is necessary that strict guidelines be set up as to how we budget for the office of the Ombudsman. I believe that the budget should be set by the select committee. These are the people who have worked with the Ombudsman over a number of years. They know how his office operates. They know his jurisdiction well. They have been around the world and they have seen the offices of other ombudsmen. They have had the opportunity to compare his operation with others. I have the confidence in them that they would be able to set a fair and equitable budget for the Ombudsman.

Hon. Mr. Grossman: How did your member on the Board of Internal Economy vote?

Mr. Mancini: I am giving my own personal opinion of the report of the select committee.

Hon. Mr. Grossman: Then don't accuse the three Tory cabinet ministers on that committee. Include your member on that committee.

Mr. Mancini: Mr. Speaker, when the member for Parry Sound was the government whip, there used to be dozens and dozens of members there; now we only have three, and one's squawking.

Hon. Mrs. Birch: What has that got to do with it?

Hon. Mr. Grossman: How did your member vote on the Board of Internal Economy?

Mr. Gregory: If there were a competent speaker, there would be more members here.

Mr. Mancini: I'm sorry; I didn't hear that.

Hon. Mr. Grossman: He said if there were a better speaker today, there would be more members over here.

Mr. Mancini: I wasn't the only speaker today.

Mr. Eakins: The Tories should remember they had 31 away yesterday; so their record wasn't very good.

Mr. Acting Speaker: Order. Will the member for Essex South please continue uninterrupted?

Hon. Mr. Grossman: How did your member vote?

Mr. Mancini: There is no way that anybody can defend three government members.

Hon. Mr. Grossman: You have got five of your colleagues to listen to you.

Mr. Mancini: There is no way anybody can defend that.

Mr. Ruston: Three out of 57.

Mr. Mancini: Yes, three out of 57.

Mr. Ruston: No, there are four.

Mr. Mancini: Four?

Mr. Ruston: The member for Simcoe Centre is down here on our side.

Mr. Mancini: Oh, I see. I welcome him aboard. We are glad to have him here. There's a seat for him right back here next to me.

An hon. member: I don't want to remind you, but at most you only had five in here this morning.

Hon. Mr. Grossman: In fact, there are as many Tories listening to you as there are Liberals.

Interjection.

Mr. Nixon: This whole place ought to close down.

Mr. Mancini: I can well recall the good job that the member for Parry Sound did, and the government whip's office has suffered since he left.

One of the major duties charged to the select committee on the Ombudsman in the past few months was whether the responsibility of the Ombudsman and his jurisdiction should be expanded; he wanted to cover the municipal level and expand his office to do the same.

I am pleased to find out and I am pleased to hear that the members of the committee have opted against that proposal. I do not believe that it is necessary for the Ombudsman to investigate these local matters. I think that the Ombudsman's office at this time needs more experience and more time

to get its office together to find out exactly how and under what guidelines he wants to investigate the activities that are brought to his attention and come under the Ontario government and its agencies.

For the life of me I cannot understand at this particular time why the Ombudsman would want to investigate other areas. His staff at present is in the neighbourhood of 100 and I am sure, if he had to investigate these other areas, there would be a large increase in his staff and in his budget and pretty soon we would have a bureaucracy so big in the Ombudsman's office that it might become inefficient. When that happened who would investigate the Ombudsman's office for its inefficiency? I think we need a lean operation in the Ombudsman's office and they should get on to the matters they have already been charged with. In the future, if the members of the assembly feel that his office should be expanded, then I say we can consider that step.

I would like to congratulate the members on the select committee on the Ombudsman for the work and time they have put into their project. I encourage them to continue to sit on this matter.

Mr. Nixon: Five days a week.

Mr. Gregory: Five days a week for 10 weeks.

Hon. Mr. Grossman: When the House isn't sitting.

Mr. Eakins: Much has been said by the various speakers in regard to the report and I rise to speak very briefly, as the hour is getting along. I wanted to make a few comments as a member of that committee.

Hon. Mr. Grossman: John, there's only two Liberals in the House today and there's five Tories.

Mr. Eakins: Well I'll tell the minister, the average of the Liberals in the House today is much greater than the average of the Conservative Party yesterday.

Mr. Nixon: And the quality is always better.

Mr. Eakins: And the quality is tops.

Hon. Mr. Grossman: Not in ability.

Mr. Gregory: We will just have to admit that you are just average.

Mr. Mancini: Bring the member for Parry Sound (Mr. Maeck) back as whip.

Mr. Eakins: There was some comment made when the committee on the Ombudsman arranged a tour to look into the ombudsman function in various countries.

Hon. Mr. Grossman: Now the member for Essex South (Mr. Mancini) is leaving; let the record show that.

Mr. Mancini: Let the record show he is going to talk to the member for Brant-Oxford-Norfolk (Mr. Nixon).

Mr. Eakins: I support the trip the members took to look into these jurisdictions.

I remember when I served in municipal office, many people used to say, "don't go to the convention, save the money." Many of the people who did not take the time to attend the various conferences and conventions were the losers, because they were not keeping up with pending legislation and making their voice known to government. I feel the same way about this tour that the committee on the Ombudsman took.

As the Ombudsman has been in office for only three years, I think this was an appropriate time to visit some of the other jurisdictions to gain from the experience they had the benefit of receiving over a period of years, such as in Sweden where the ombudsman's office has been in effect since the 1800's, right down to Israel where it has only been in existence for the last seven years. There was a good variety of jurisdictions to visit and compare notes with.

I am supportive of the recommendations in the report, but I would like to express a couple of opinions. My colleagues have pointed out some of the differences in the various countries. For instance, in Sweden the complaints are received by the press. They can't print the names of those involved but they are free to report on the type of complaint. In other countries, however, the press is not involved at all.

One jurisdiction, Israel, impressed me very much, and I am sure other members would join with me in that. It is a joint function where the state controller and ombudsman's office is one office. It is given the status of a cabinet ministry, but is outside and independent. The state controller function has a staff of about 500, and the ombudsman function about 50. The ombudsman deals with anybody coming under the state controller's jurisdiction.

Dr. Nebenzahl, the ombudsman, is selected by a committee and appointed by the state. He is in his fourth year as ombudsman and is the second person to hold this office. He has never had a strong political affiliation, which I found very interesting. He sees the combined function as having a very great advantage. In fact, I would say it is unique in the world.

Complaints in Israel may be received in writing or verbally. The members of the Knesset, unlike England, can contact the Ombudsman on behalf of a citizen. I noted that Dr. Nebenzahl said that he does not see anybody personally, because he feels it would be unfair unless he saw everyone. I was very much impressed with the operation in Israel. As a result of the visit to the various jurisdictions we will have an opportunity to put together their comments and views which I am sure will be very helpful to us here.

[12:30]

One complaint that I hear in Ontario is— which I think sometimes is unfair in respect to the Ombudsman—the Ombudsman's office and, in many ways, his budget.

While the ombudsman's office in some of the other countries was very small in comparison to our own, I feel the Ombudsman here is certainly entitled to an office comparable to that of a cabinet minister. I don't think anyone should complain about that.

When I compared the ombudsmen and the members of the parliaments in other countries we visited, I found the members of this Legislature are physically better looked after, in many ways, than many of those members. I think this is comparable to the office of the ombudsman there.

One observation I made is the Ombudsman in Ontario, in three years, is perhaps better known, both in office and person, than in any other jurisdiction I visited.

Sometimes we hear complaints about the Ombudsman advertising the office and advertising for business. I found, in talking to some of the committee members and some of the ombudsmen's staff, that many jurisdictions would like to do what the Ombudsman has been able to do here, that is make the office very well known throughout his jurisdiction.

One recommendation regarding jurisdiction over municipal matters: As one who has served in municipal affairs, I believe that somehow and some day the Ombudsman's function should include municipal jurisdiction. However, I feel at this time the recommendation of the committee is proper. I feel the Ombudsman's office should iron out a few of the problems they have before moving to a further jurisdiction.

Some comment has been made about the time the office spends on non-jurisdictional complaints. This can be dealt with in two ways. The Ombudsman can simply say it's not our function, set it aside and let them look up the proper authority; or he can endeavour, as he is doing, to help out by referring them to the appropriate jurisdiction.

I think all members of this House realize that many people who contact us are confused as to jurisdiction, whether it's municipal, provincial, or federal. As a member I personally endeavour to help them out whenever I can by steering them in the right direction, rather than saying this is not my function. This might be looked upon as one of the faults of the Ombudsman, if you wanted to look at it that way, that he is endeavouring to help everyone and as a result perhaps has got bogged down with a lot of complaints that perhaps he could have redirected to other jurisdictions.

I feel we all have a job to do in creating a good liaison with the Ombudsman's office. I, for one, am going to do everything I can to create that good liaison, rather than have continual disharmony with the Ombudsman's office. I'm supportive of the Ombudsman's office and I think it's been very helpful, certainly in the jurisdiction I represent.

I would like to see a speeding up in the processing of the cases so that complainants can get results much faster than at the present time. This is one of the main reasons I would not, at this time, like to see the Ombudsman take on a municipal function.

These are just a few of the comments which I have had. I have found the visit to the other jurisdictions most helpful and as time goes on I hope we can draw on those experiences to help us here in the jurisdiction of Ontario.

Mr. Nixon: I thought I would make a few comments about the report. I feel very strongly about the matter pertaining to the Ombudsman, the committee, his jurisdiction, who's going to look after his budget and so on.

It's very difficult, really, for me to express my views as clearly and as thoroughly as I would like, because those views can very easily be misconstrued. I have a high regard for the members of the committee, and it goes without saying a high regard for the Ombudsman himself.

Hon. Mr. Grossman: Okay.

Mr. Nixon: Frankly, I believe he would have served the province far better if he'd simply stood for nomination to election in this House for any of the three parties and would come into the House and express his views with his unmatched style. He's obviously one of the brightest and ablest people in the law profession, perhaps in any profession, in the province. In some respects I think we have lost a good deal of his inherent and personal abilities by elevating him to this high office that is so easily misunderstood, and perhaps

to some extent, in my view, is misunderstood even by the Ombudsman and the committee.

Frankly, in perspective, I am disappointed at what we have done in the establishment of the office and in our relatively brief experience with the office. I have felt that the argument or the public discussion over the expense and the trappings of the office has been unfortunate, but in my view as well the blame rests entirely with the individual who received the appointment. There is no question in my mind that he is and was the ablest person for it, but I personally feel that the expense of the office and its size and its ramifications have gone beyond what I as an individual member who voted for the formation of the office had envisaged.

Frankly, I feel the same way about the select committee dealing with the Ombudsman. I almost feel that with the length of time they spend in their deliberations, with the staff they want and have assembled around them, and with the seriousness in which they take their responsibilities—

Mr. M. N. Davison: How do you assemble one staff member around a committee?

Mr. Nixon: —that we could very well do without the Ombudsman and let them deal with all of these problems. A person in the community who feels that he cannot be served by the government or be served by a private member could approach the Ombudsman's committee. They're in session all the time. Why can't they deal with these things?

I just feel that we have somehow established a system and an office, and ramifications around it, which are far more complex and enveloped in mystery and expense than we ever envisaged. I certainly am not prepared to commend the committee for their decision to travel all over Europe. I have listened to the members of the committee and as far as I can tell there are only two or three people here who aren't members of the committee. I've listened to them justify to themselves and anybody who would listen how important it was that they find out what is happening in all those countries.

I think, Mr. Speaker, you know my views on this. I travel at public expense myself from time to time, so I suppose I can be guilty of hypocrisy. But for that whole committee with all of their staff to assemble themselves and traipse through Europe finding out what Messrs. Ombudsmen are doing—

Mr. Lawlor: You are turning into a conservative.

Mr. Nixon: —I just think was a classic waste of money. For us to stand here and try to justify it is just bloody ridiculous.

Mr. Lawlor: One of the most purlblind members.

Mr. M. N. Davison: Nonsense. You don't understand the process.

Mr. Nixon: Just ridiculous. All right, I have unburdened my views in that particular matter and I would certainly feel like a hypocrite if I stood here and nodded to the chairman and the other members of the committee and said, "What a fine job you're doing."

Mr. Lawlor: Neanderthal.

Mr. Nixon: I think the concept of sitting for five days a week all through the summer dealing with the four or five annual reports that we've had in the three years of the function of the Ombudsman is once again a very questionable exercise.

An hon. member: Why don't you wait and see?

Mr. G. Taylor: No committee should sit. Cancel all the committees for the summer.

Mr. Jones: A waste of taxpayers' money.

Mr. Lawlor: Why don't you get on some committees and find out?

Mr. Nixon: Those are my views on those matters. As a private member, I put them forward. You see, it's useless to say I have a high regard for all of the individuals involved in it because you're bound to take it personally and I can't help that.

One thing I suppose I should express a view on is the Ombudsman's budget. I was listening with interest to my colleague the member for Essex South (Mr. Mancini) who indicated the Ombudsman had said that he was not treated with respect by the Board of Internal Economy. I wasn't sure whether this was in the review of his most recent budget, which took place in my presence on the board I guess about two months ago now, or perhaps the review previously when there was more public and private controversy about it. I trust it was not the most recent review, because frankly I could think of no reason why the Ombudsman would be concerned about his treatment at the board.

It may have referred to a previous occasion. I certainly hope that nobody comes before the board or is dealt by the board without adequate respect to the person's office and the person as an individual. Anything else is obviously regrettable and should not be allowed to happen.

I think, really, the concept of the Ombudsman's committee approving his budget is a

good one. I think that it is the same sort of thing that should apply to the Provincial Auditor, that the public accounts committee—which, once again, is chaired by a member of the opposition with representation from all parties—may very well have the principal responsibility to review the budget with the official concerned. I see nothing wrong with that and there may be other public offices where that would be useful. Certainly for the Ombudsman and the Provincial Auditor, it would have usefulness. It seems to me that it would be quite possible for the select committee, or the standing committee concerned, to review the budget in detail with the officer and the office concerned and approve it with their resolution.

It is quite possible for convenience that it would then come before the Board of Internal Economy with the approval of the appropriate committee. Perhaps that step could be eliminated, I don't know. I personally think that the Board of Internal Economy is the parallel or perhaps opposite construction to the Management Board of Cabinet. It is through the Board of Internal Economy and the Management Board of Cabinet that the recommendations for expenditure are printed in the estimate book and come before the Legislature, which of course has the final approval for the expenditure.

The Legislature does not have the power to increase the amounts by resolution, as we know, but does have the power to reduce them or give them basic approval. It seems to me that recommendation is one that ought to receive the consideration of the members of the House on all sides.

Mr. M. N. Davison: Will you argue that before the board?

Mr. Nixon: It was indicated by the member for Simcoe Centre (Mr. G. Taylor) that unless the House acts in a positive way in the recommendations that it may be that the committee ought to be wound down. Frankly, that idea is very much in my mind, not that my opinion will wind it down but at least it is an opinion which I have the right to express.

I personally think the involvement in the procedures of the Ombudsman by the committee have, in my view, had what you might call diminishing return. The Ombudsman concept, as I understood it, was that his office was there with sufficient research availabilities so that any citizen could approach him if he felt wronged by the bureaucracy or the powers of government.

I believe that we established, perhaps, too much machinery, too much review of the Om-

budsman and his office. I, as a member of the Legislature, would offer my advice to the select committee on the Ombudsman: that they should review their own concepts of their job. If they feel that this is going to require a full-time operation by that committee, then there is one member who disagrees with them. I am going to say so whenever I am asked and even when I am not; that's why I do so now.

I think that the controversy involving the Ombudsman has been unfortunate. I personally feel that our experience over the past three years has not indicated that we have had that many cases in the community that could not have been remedied in a good and useful way that justifies all of the expenditures and all of the involvement that we are getting ourselves into. The thing seems to be feeding on itself and growing in expense and complication to the point that its usefulness is, in my view, coming under question.

I simply say again—I suppose so that I can send it out in Hansard—to people who may feel that I have affronted them personally, that is not my intention. I have the highest regard for the individual and the individuals in the committee. Whether or not you accept that, I certainly say it sincerely. I believe that we have a problem involved with the committee and with the Ombudsman which we didn't have to have.

It is unfortunate, perhaps, that we didn't establish the office with more forethought. I was a member of the Legislature, and a leader of the party which was pressing for what we called a parliamentary commissioner in those days, and we had done a considerable amount of research which we felt would have been effective if our recommendations had been accepted. We have the best qualified person who could possibly have been found. We have a committee with the very best of intentions. I, for one, am not satisfied with the function of either of them.

[12:45]

Mr. Deputy Speaker: Does any other honourable member wish to participate in the debate? This then concludes the debate on the consideration of the fourth report of the select committee on the Ombudsman.

LIQUOR LICENCE AMENDMENT ACT

Resumption of the adjourned debate on the motion for second reading of Bill 96, An Act to amend the Liquor Licence Act, 1975.

Hon. Mr. Grossman: They're all gone.

Mr. Nixon: I'm quite prepared to speak.

Mr. Mancini: Yesterday we were debating Bill 96 which was introduced into this House by the Minister of Consumer and Commercial relations. The main and most important aspect of this bill is to raise the legal drinking age in the province of Ontario from 18 to 19 years of age.

I can recall last night how the Minister of Correctional Services (Mr. Drea) was citing how courageous this present Minister of Consumer and Commercial Relations was for introducing such a bill, and how courageous he was to stand up in the House and say that the drinking age must be raised.

Mr. Nixon: Now that he is 20.

Hon. Mr. Grossman: I was waiting for the member for Renfrew North (Mr. Conway).

Mr. Mancini: Where was the Minister of Consumer and Commercial Relations or his predecessor two years ago when the Jones report was tabled with the cabinet?

Hon. Mr. Grossman: Where were you?

Mr. Mancini: Where were the cabinet ministers who supported my private member's bill back in November? Where was the strong government action? It was nowhere to be found. As a matter of fact, they had to wait until a private member's bill forced them to act on such an important matter.

Mr. Gregory: Do you want a billboard?

Mr. Mancini: Not only that, they had a debate in cabinet numerous times, as was reported by the media.

Mr. Gregory: How do you know?

Mr. Nixon: We listen in. We have a tunnel.

Mr. Gregory: That's how you know.

Hon. Mr. Grossman: You sure do. You've done that for years.

Mr. Mancini: On numerous times there was a debate in cabinet, not about whether the private member's bill which I introduced would pass, but whether it would or would not be blocked.

Hon. Mr. Grossman: That's not true at all.

Mr. Mancini: Where is the courage the Minister of Correctional Services was talking about last night? It's nowhere. There was no courage at all. The government was backed into a corner and now this is its response.

Hon. Mr. Grossman: Why didn't you do it before the Jones report?

Mr. Mancini: It's typical of the actions we have seen by the government since the fateful 1977 election when the people of

Ontario said no way—for a second consecutive time, as my good friend from Windsor-Walkerville points out.

Hon. Mr. Grossman: You have stolen your bill right from the report of the member for Mississauga North (Mr. Jones). Where was your courage before his report?

Mr. Gregory: You have built your whole career on a private member's bill.

Mr. Mancini: Even though the government had recommendations from the select committee on highway safety to raise the drinking age to 19—

Hon. Mr. Grossman: And Terry Jones.

Mr. Mancini: —and all the statistics they had to back up their statements, still there was no government action. Not until they were backed into a corner on that fateful day on November 10, 1977, when they had to vote on private member's Bill 76. That's when it happened.

Hon. Mr. Grossman: You were here for two years. Where was your bill? You could have introduced a bill at any time.

Mr. Mancini: The private members' lottery system did not start until last year. This was the first opportunity I had to do something about it and I took it.

Hon. Mr. Grossman: The member for Brant-Oxford-Norfolk (Mr. Nixon) has been introducing bills for years.

An hon. member: That's leadership.

Hon. Mr. Grossman: You're riding on Terry Jones' back.

Mr. Mancini: We also have to witness in this House the third party, which has been so disorganized and disunited for the last few months that—

Mr. Gregory: Members over there ought to hear this garbage.

Mr. Mancini: —it can't get together on a major policy such as raising the drinking age. What do they do? They call a free vote. They still think it's private members' hour. For their information it's not private members' hour—

Hon. Mr. Grossman: Did you hear Alf Stong last night?

Mr. Mancini: —they should get together on this very important issue, because they do represent a lot of people in the province of Ontario—

Mr. G. Taylor: Remo, there's only one of them here. To whom are you speaking? Wait until they are here to defend themselves.

Mr. Mancini: —and they should give them the fine representation that they deserve.

Mr. Gregory: Pick on somebody your own size.

Mr. Mancini: I believe that we're going to be seeing a lot of free votes from the third party in the near future. I can bring to the attention of the third party, and to the attention of this Legislature, that there is a socialist government in this country—

Hon. Mr. Grossman: Be careful.

Mr. Nixon: Red Tories.

Mr. Mancini:—which has taken action on the drinking age. The socialist government of Saskatchewan lowered the drinking age from 21 to 19 then to 18, and after finding that the age of 18 was not satisfactory, they raised the drinking age back to 19. That's their socialist colleagues in Saskatchewan who did that, sir.

Mr. Gregory: That's where you got the idea from.

Mr. Mancini: This bill serves two good purposes, two very good purposes. It removes legal drinking from the high school age population of our province.

Hon. Mr. Grossman: We have been telling Stong that but he won't listen.

Mr. Mancini: No longer will people in our high schools be able to take a liquid lunch and then go back to the classroom and be an undue influence on the other students in the class.

Hon. Mr. Grossman: Page four of the Jones report.

Mr. Mancini: Whether it's page four of the Jones report, or page five of the select committee on highway safety report, or page 18 of some other report, that's not what's important. What's important is that the government had all those reports and didn't do anything about them. They just dragged their feet. It's a slow government. They had a problem and they didn't do anything about it, that's what's important.

Hon. Mr. Grossman: What do you think this bill is; Bill 96?

Mr. Nixon: The minister was out observing drinking habits at the ball game.

Mr. Mancini: The second most important aspect of this bill is that it brings public debate on the whole issue of alcohol consumption. Over the last few months, with the attention that the news media have given this issue, it's given everyone in this province and in this Legislature a good opportunity to discuss the whole problem of alcohol consumption, what it's doing to our people here in the province and what we

can do to minimize any of the great problems we foresee.

Hon. Mr. Grossman: You're moralizing.

Mr. Mancini: No, I'm not moralizing. We heard statistics from the Minister of Correctional Services last night.

Mr. Nixon: He is telling it like it is.

Mr. Deputy Speaker: Order, would the member for Essex South address his remarks to the chair and just disregard the interjections?

Mr. Mancini: Yes, I will. This is all very important. Fine, Mr. Speaker.

Hon. Mr. Grossman: Yes, come on.

Mr. Mancini: We heard statistics last night from the Minister of Correctional Services, who stated that 90 per cent—

Hon. Mr. Grossman: We're going to continue, though.

Mr. Gregory: Trying to ignore you is difficult.

Mr. Mancini:—of all his inmate population had alcohol abuse problems. He also stated that in the federal penal system 80 per cent of all the inmate population had alcohol problems. So we have all the statistics; we don't need any more statistics. There is one thing that is very certain, the government had all these facts before it. They refused to act until they were backed into a corner and they didn't even know until the very last day whether they were going to allow my bill to even have a vote.

Hon. Mr. Grossman: That is totally and completely false.

Mr. Mancini: The minister will have his chance to speak.

So, Mr. Speaker, without hesitation, I support this bill; and, without hesitation, I suppose I should congratulate the minister for having some courage, I guess—not much, I don't want to be too kind to him—to bring this bill before the House.

I would like to say that subsection 4 of section 2, where the bill allows people who are 18 years of age to continue to work on premises that serve alcohol, I think was a good move by the minister, because in this time of high unemployment I think we should do everything we can to keep our young people working. I support that aspect of the bill.

I would like to make one final comment. Many of the regulations that we are going to enact are not included in the bill. I was always under the impression when the government side of the House talked about the

package legislation and changing many of the rules that we had gone by before, that these things were going to be included in a bill.

I don't think it gave the members of this House a fair opportunity to debate and to state our views on some of those changes, such as the new regulation which the minister proposes to open up drinking on Sundays and on voting day. I think he should have given the members a little more authority to speak on those subjects. When it is done by regulation, it really doesn't matter because it is going to be done.

Hon. Mr. Grossman: Another private member's bill.

Mr. Mancini: Oh, another private member's bill for every government regulation that is made?

Finally, I would like to state once again my support for this bill and hope for a speedy passage so that the law can be enacted by December 31, 1978.

On motion by Mr. Young, the debate was adjourned.

On motion by Hon. Mr. Grossman, the House adjourned at 12:58 p.m.

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Second Session, 31st Parliament

Monday, June 12, 1978

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

MONDAY, JUNE 12, 1978

The House met at 2 p.m.

Prayers.

STATEMENT BY THE MINISTRY

POLITICAL CONTRIBUTIONS INQUIRY

Hon. Mr. McMurtry: Mr. Speaker, I am today tabling the report of the royal commission appointed to inquire into Waste Management Incorporated and related companies and individuals in dealings with this government.

Members will recall that this inquiry, conducted by Mr. Justice S. H. S. Hughes of the Supreme Court of Ontario, was established in May 1977. This followed a newspaper report and questions in the Legislature regarding a political contribution in 1974 by one of the relevant companies and the activities of the Ministry of the Environment in relation to landfill sites north of Metropolitan Toronto.

The investigation and hearings of the commission found no wrongdoing or improper conduct. The report of Mr. Justice Hughes says: "I have to say categorically that I am unable to find that there was any wrongdoing or impropriety or any improper influence brought to bear on members of the Ontario government or its public service on the part of officials of Waste Management Incorporated, Disposal Services Limited and affiliated companies in respect of applications for landfill sites by them from 1971 to the present day."

At another point in his report, Mr. Justice Hughes states: "I recommend no criminal prosecution or punitive action of any kind against any person arising out of this inquiry." In the final chapter he adds: "I am happy to have presided over a searching inquiry in a case of some notoriety and to have found no evidence of corruption."

In connection with the contribution to the Progressive Conservative Party of Ontario, the report points out: "There was in 1974 nothing improper in making large contributions to political parties and there was nothing unlawful about what was done."

Mr. Justice Hughes found no connection between the contribution and the activities of the Ministry of the Environment in this regard. He says: "All the evidence is to the

effect that no one at the Ministry of the Environment, from the minister down, knew anything about the donation until three years later; or that what was done was not as consistent with absence of knowledge or of influence as with their presence, and of the latter there is not a shred."

Mr. Justice Hughes has made two recommendations arising out of the evidence relating to the Ministry of the Environment. The government is now considering these recommendations.

Finally, in his concluding chapter, entitled Reflections, Mr. Justice Hughes makes observations about the registration of political parties and the limits on fund raising established in the Election Finances Reform Act, 1975, which members may wish to note.

Mr. Nixon: It's harmless.

ORAL QUESTIONS

DOW CHEMICAL

Mr. S. Smith: Mr. Speaker, I'll direct my first question to the Attorney General. Can the Attorney General respond to the request, which he somewhat avoided last Friday, to table the internal or external legal opinions which prompted the Ontario government to launch the suit against the Dow Chemical Company? Since this government has, from time to time, tabled internal opinions—and it's a good practice, in our view—would he table that for two purposes: first, so that the public can be guaranteed that this was not some type of public relations exercise from the beginning; and second, so that we can have those opinions around which to help construct new and better environmental legislation with teeth in it?

Hon. Mr. McMurtry: Mr. Speaker, to my knowledge there is nothing internally in any of the files that is inconsistent with Mr. Robinette's opinion. I haven't had an opportunity to peruse these files as far back as 1971 and with respect to any legal opinions that may have been circulated at that time. Certainly as of this time, I am confident that there is nothing contrary to what was clearly indicated by Mr. Robinette in his opinion to me, namely, that there was an arguable case. The major issue seemed to turn on the issue

of damages. But I will be happy to review this matter and to advise the Leader of the Opposition and the members of the Legislature further.

Mr. S. Smith: Supplementary: If the opinion of Mr. Robinette was basically that the arguable case, as the minister puts it, could at best be argued for perhaps \$1 million in damages—if that is really the only opinion that was in the possession of the ministry at any time, would the minister care to—

Hon. Mr. McMurtry: That's not what I said, and you know that.

Mr. S. Smith: I'm sorry. Apparently I have misunderstood the minister.

Hon. Mr. McMurtry: There are two issues: liability and damages.

Mr. S. Smith: I understood the minister to say that all the opinions within the ministry are somewhat similar to those of Mr. Robinette. That's what I heard the minister to say. If that is the case, if all the opinions felt as Mr. Robinette did, that the best the government could do was \$1 million, would the minister care to explain why the government sued for \$35 million and made a big show of it?

On the other hand, if the minister had other opinions which could legitimately have led him to believe that a \$35-million suit at that time was a reasonable legal course to follow, then would the minister be so kind as to table those opinions, for two reasons: first, so that we could see them and believe them and, secondly, so that we could construct better environmental legislation?

Hon. Mr. McMurtry: First of all, as I think the Leader of the Opposition appreciates, there are two issues in any lawsuit of this kind: the issue as to liability and the issue as to damages. These are two quite distinct issues. I don't think it's in the public interest for the Leader of the Opposition to—

Mr. Kerrio: To ask questions.

Hon. Mr. McMurtry: —to seek, inadvertently or otherwise, to confuse these issues. With respect to the issue of liability, the legal opinions throughout have been with respect to the fact that the government had an arguable case. The issues as to liability were dealt with by Mr. Robinette in the opinion that I have tabled. I will review that in relation to the issue of liability.

What I tried to make clear to the members of the Legislature is that the issue as to damages is a distinct and very different issue. As I said on Friday, at the outset it was feared that these commercial fisheries had been destroyed forever, or for at least 50

years. That was a very vital issue in relation to damages. It now turns out that, with the benefit of the passage of time, these fisheries may be opened as early as 1980 as opposed to being irretrievably lost. That obviously has an enormous impact on the quantum of damages that would be awarded by a court, even assuming that the action was successful.

Mr. Cassidy: What a bunch you are! That is only 10 years out of some people's lives.

Hon. Mr. McMurtry: The second major issue with respect to the issue of damages was the issue of whether or not it would be necessary or appropriate to dredge the bed of the St. Clair River. The wisdom, the best scientific advice as of the early 1970s, was that this would have had to be done. That was estimated at a cost of \$10 million.

With the ongoing scientific assessment of the situation there, the wisdom and the advice from the scientists is that this is not necessary, but would cause more harm than good by reason of the settlement of the sediment. This was established by the fact that these fisheries are likely to come on stream by 1980 or the early 1980s. Those are the two major issues in relation to damages. It was only with the passage of time that it was possible to ascertain what a likely quantum of damages would be. There is nothing unusual in that because in many lawsuits one determines whether there is an issue in liability and commences the action on the issue of liability, claiming a global amount for damages but not knowing because only the passage of time will determine what the likely damages are going to be.

Mr. Cassidy: Oh, no. The government said that for political reasons. It never intended to carry it through.

Hon. Mr. McMurtry: In this particular case, it's quite clear that the passage of time has indicated that the global amount for damages was, fortunately, what would have been awarded or assessed regardless of liability; because the court when called upon to assess the damages, regardless of any finding of liability, was only going to assess a small fraction of what was feared. Fortunately, the passage of time demonstrated that the worst fears of the government in relation to the damages were not as pessimistic as was reasonably believed to be the situation at that particular time.

Mr. Cassidy: Supplementary: I don't think the Attorney General's revisionist reinterpretation of history will stand up, because I think that \$35 million suit was originally picked for political purposes, but without the intention to carry it through.

I'd like to ask the minister, in view of the apparent inadequacies of the law which have been revealed during the course of the ministry's rather dilatory conduct of this particular suit, has the government been studying revisions to the law of Ontario in order to ensure that in future in such circumstances the polluter will pay, and will be liable for the damages which the government has been ineffective in collecting in the Dow case?

Hon. Mr. McMurtry: Obviously, the law and regulations in relation to environmental concerns of this nature or other areas of concern are under constant and continuing review by the government. It's quite clear, in my view, that they're quite adequate.

Mr. Cassidy: In other words, no; that means no. In other words, the Attorney General hasn't looked at it.

Hon. Mr. McMurtry: One could assume in the context of partisan politics not to admit, or find it difficult to admit, that the government ever does anything right. I've only been a member of this government for something under three years but I find it ironical that hardly a month goes by where we don't receive a brief from some segment of the industry in this province complaining about how tough we are in relation to our environmental regulations.

Members opposite support these concerns when it suits them. As the Premier previously pointed out, when it comes to cans and bottles where are their environmental concerns?

Hon. Mr. Davis: They are great environmentalists over there.

Mr. Cassidy: The government is not reviewing the law at all.

[2:15]

Mr. S. Smith: If I may ask a final supplementary, since the matter of liability and the matter of damages, as the Attorney General said, could be considered separately, and accepting that Dow did not admit liability—it seems a part of the deal was that it didn't have to admit liability to settle these damages—and so we can focus on damages.

For the sake of allowing the public of Ontario to understand what really went on in this instance, could the Attorney General provide to this House more detailed information concerning the makeup of that \$35 million? Apparently \$10 million was for dredging, which is now not necessary. The other \$25 million was for the fishery, I presume, which now turns out was only lost for maybe 10 or 15 years. It still seems to me

there is a lot more money than the \$250,000 involved. Could the minister table with this House how the \$25 million, apart from the other \$10 million for dredging, was arrived at and how he feels that the fishermen have been damaged over the 10 years? Could he table what the government damages have been and whether the \$250,000 has really paid for that?

Hon. Mr. McMurtry: Mr. Speaker, I will assist as much as I can by tabling a memorandum as to why it was felt advisable at that time to make a global claim for the \$35 million.

Mr. Lawlor: Mr. Speaker, would the Attorney General not be prepared to concede that the law at the present time is deficient with respect to those causal sequences in tort law and that this government's environmental law needs a fairly thorough revision?

Hon. Mr. McMurtry: No, Mr. Speaker.

Mrs. Campbell: Mr. Speaker, in view of the fact that the Attorney General has indicated that we have had an arguable case throughout, and that a good deal of the delay, as I understand it, was occasioned by the fact that we could not determine the parties, would he table the legal opinion which was given to establish against whom we had an arguable case to begin with?

Hon. Mr. McMurtry: I don't understand the question, Mr. Speaker. I think it was quite clear that the lawsuit was commenced against the defendants who were believed to be the appropriate defendants in the case. I don't know, specifically, what more the member is seeking in the way of information in that respect.

Mrs. Campbell: Mr. Speaker, if I could be helpful—

Mr. Speaker: In the interest of fairness, we will listen to the member for Beaches-Woodbine.

Ms. Bryden: Thank you, Mr. Speaker. I have a supplementary for the Attorney General. In the negotiations for the settlement, did the government specifically ask for reimbursement of the \$400,000 given to the fishermen to tide them over their period of unemployment as the result of the close-down of commercial fishing?

Hon. Mr. McMurtry: That was not a provable part of the government's claim.

Mrs. Campbell: Mr. Speaker, is it not a fact that the parties were not originally ascertained—that it did take some time to ascertain the parties against whom the action would be taken? That being the case, could

we know what the opinion was originally as to who the appropriate parties were against whom we had an arguable case?

Hon. Mr. McMurtry: Again, I would review the matter with respect to any problems that did occur, certainly with respect to matters of environmental pollution. The determination as to who is responsible, I concede, is always a very difficult task. I am quite prepared to share with this House the process with which the law officers of the crown and the very knowledgeable counsel who were retained went through in order to make that determination.

PROPERTY TAXATION

Mr. S. Smith: A question for the Treasurer, Mr. Speaker: Now that we have seen the end, at least for some considerable time, of the property tax reform idea, could the Treasurer share with this House what the future is going to be for some of the groups that were waiting for property tax reform? Sarnia and Windsor have been mentioned, and I would like to hear about them. But I specifically want to quote from the budget which says that, according to the Charter for Ontario, to reduce the municipal tax burden there would be "a basic tax credit to senior citizens enriched from \$290 to \$510" and this would be "in conjunction with the implementation of property tax reform." What happens to the seniors?

Mr. Conway: He is raising the rent.

Hon. Mr. McKeough: Mr. Speaker, that's a two-part question and if I knew the answer to either one I would be glad to share it with the House. I honestly don't know the answer at this moment to either one of them.

Mr. S. Smith: By way of supplementary, since the budget statement itself states very clearly that "we propose to build on this proven system to meet our commitment in A Charter for Ontario," and since it's outlined very clearly that the enrichment of the property tax credit for seniors will go from \$290 to \$510, albeit that it was supposed to be with the implementation of reform, is the Treasurer, in fact, prepared to stand behind this commitment from the charter, a commitment repeated in his budget, or have the seniors lost out completely as part of this lack of willingness on the part of the Treasurer to proceed with this package?

Hon. Mr. McKeough: Mr. Speaker, my colleagues and I stand completely behind the charter, which is one of the finest documents to have been produced in a long time.

Mr. Peterson: No one is behind you.

Mr. Warner: Don't stand behind it. Why don't you stand on it? It's the only thing it is good for.

Hon. Mr. McKeough: Whether that section of the charter will be implemented in the fall of 1978 for taxation year 1979 or somewhat after that, is a decision which has not yet been taken.

Mr. Cassidy: Mr. Speaker, in view of the fact that assessment equalization factors in the province have been frozen since 1970 because of the delays of the government in making decisions about market value assessment in general, and in view of the fact that the equalization factors are, in fact, a separate question and that that's what's hurting in western Ontario, is the Treasurer prepared to bring in legislation now in order to unfreeze the equalization factor, as this party has already recommended, and ensure that those municipalities that have been hurt by these delays can get a reasonable kind of arrangement in equalization from Ontario?

Hon. Mr. McKeough: Mr. Speaker, that's a question that should be put to the Minister of Revenue (Mr. Maeck).

Mr. Cassidy: Mr. Speaker, I will redirect the question, but I can't conceive how the Minister of Revenue has taken over the Treasurer's role of responsibility for equalization in municipal grant policy.

Mr. Speaker: Does the Minister of Revenue have a response to that?

Mr. McClellan: It is the boss's job.

Hon. Mr. Maeck: Yes, Mr. Speaker, I would be happy to respond to the honourable member. We don't have the equalization factors frozen in the province of Ontario, we have the assessment frozen; equalization factors are not frozen.

Mr. Blundy: A supplementary question for the Treasurer, Mr. Speaker: Given the Treasurer's previous statement that he could not provide transitional grants to certain municipalities which were seriously affected by the present transfer system, now that property tax reform has been shelved, is the Treasurer prepared to meet with the mayors of Sarnia, Windsor, St. Catharines and other municipalities so unfavourably affected to work out some future course to provide an equitable distribution for these municipalities?

Hon. Mr. McKeough: Yes, Mr. Speaker.

Mr. Cooke: When?

Mr. Laughren: Before the Treasurer decided to shelve property tax reform, did he have consultation with the Minister of Reve-

nue to discuss the problems in the assessment review courts in view of the fact that they are clogged with appeals and, in fact, are going to cause a shift to the residential sections as those appeals are won by the large corporate taxpayers?

Hon. Mr. McKeough: Yes, Mr. Speaker.

Mr. B. Newman: Supplementary: How does the Treasurer plan on accommodating cities such as have been mentioned by the member for Sarnia—Windsor, Sarnia, St. Catharines—in the way of alleviating some of the iniquitous tax burdens that the citizens have had to pay over the last three or four years?

Hon. Mr. McKeough: Mr. Speaker, it would seem to me that the most appropriate thing to do would be to have the meetings suggested by his colleague from Sarnia.

Mr. Cooke: When are you going to tell us something? We've been waiting for years.

Hon. Mr. Davis: He's being polite.

Mr. Peterson: Supplementary: Given that the council of the city of Cambridge has been meeting with the Treasurer over the past two years, how long do these municipalities have to wait before he decides to take some action and give some relief to the people who are paying these taxes?

Hon. Mr. McKeough: No one is more aware of some of the problems in some of the municipalities and of some of the home owners and/or tenants in some of the municipalities in this province. I think the statement speaks for itself. There is not a sufficient degree of consensus at this moment to proceed. How soon we will be able to proceed, I don't know. Nor is the provincial well so bottomless that we can simply say we'll solve some problems and not worry about creating others.

Mr. Bounsell: Just be equitable.

Mr. Speaker: The member for Ottawa Centre with his first question.

Mr. Cassidy: It's the second question, Mr. Speaker; but I'll take a third one if you wish.

Hon. Mr. Davis: You've never been known to be greedy.

NUCLEAR PLANT SAFETY

Mr. Cassidy: I have a question to the Minister of Energy, arising out of the letter which was sent on Friday by the chairman of the royal commission on the future of Hydro in Ontario to the Provincial Secretary for Resources Development (Mr. Brunelle), of which I assume the Minister of Energy is also aware.

In that letter, Dr. Porter raises questions and says he has serious concerns with respect to the safety of existing nuclear power stations in Ontario—information which had come to his attention during the course of the past week. He continues: "We are further concerned that information relevant to this vital subject may not have been brought to the commission's attention by the responsible organizations."

My question to the minister is: Is he aware of any information relating to the safety of existing nuclear power stations in Ontario which could and should have been brought to the attention of Dr. Porter's commission either by Hydro or by the Ministry of Energy but which was not brought to their attention?

Hon. Mr. Baetz: No, I am not, Mr. Speaker. I was just recently made aware of this letter. I will look into it and report back.

Mr. Cassidy: Supplementary: Will the minister advise the House as to what steps he has taken to investigate the safety of our existing nuclear facilities, and will he undertake an immediate investigation of the responsibility of Ontario Hydro, in order that the safety of existing nuclear power stations is ensured?

Hon. Mr. Baetz: I can certainly assure the House that I will advise the House of any appropriate information that we happen to have or that we can find out about. I will report back to the House.

Mr. Foulds: Supplementary, Mr. Speaker: Is the minister aware of the other study referred to in Dr. Porter's letter, a study commissioned by the Canadian Nuclear Association, which indicates some doubt about the viability of the nuclear option as an option? If he is aware of that study, could be table it in this House?

Hon. Mr. Baetz: I am not altogether familiar with that study, but since I am addressing the Canadian Nuclear Association tomorrow night in Ottawa, I am sure I will be able to get a copy of it at that time.

Mr. Cassidy: Supplementary: In view of the fact that the select committee on Ontario Hydro affairs will be looking into a number of these areas over the course of the summer, will the minister undertake that the information he does file with the House will be made available to the select committee so that it does not have to wait to look into the question of nuclear safety until after the publication of Dr. Porter's interim report, which has been delayed from June until some time in September?

Hon. Mr. Baetz: I can only assure the member opposite that we will table in this

House all the information that we feel is relevant on this particular subject. As I indicated a few days ago, the whole philosophy underlying safety in nuclear energy is for full publication of this information.

Ms. Gigantes: Supplementary, Mr. Speaker: I would like to ask the minister, since the tone of this letter conveys the clear feeling by Dr. Porter that there is information available to what he calls other responsible bodies which was not made available to the Porter commission, will he give an explanation to this House how such a matter can occur and whether the same kind of lack of information has been the case in this Legislature?

[2:30]

Hon. Mr. Baetz: I can again promise that I will pass on to this House any information we have that might be relevant to this subject.

Mr. Foulds: Supplementary: Does the minister not find it worrisome in the extreme that a royal commission set up by this House has had information withheld from it; and does the minister not feel that he should do more than merely pass on information that is available, but move heaven and earth to get the information that was withheld from a royal commission of this Legislature?

Hon. Mr. Baetz: If my investigations confirm that this is true, yes, I will be as indignant as I suspect the member opposite will be. We will take some steps to do something about it.

Mr. Warner: Check with the chairman of Hydro.

FRENCH-LANGUAGE SCHOOLS

Mr. Conway: My question is to the Premier. Has the Premier received from ACFO a request to arrange an emergency meeting to discuss relationships between the Premier and ACFO as a result of his intervention in the matter of Bill 89? If so, is the Premier prepared to entertain ACFO's request for an emergency meeting to discuss the matter?

Hon. Mr. Davis: I can't say whether I have received a request. It's possible I may have. I told the representatives of ACFO not too many weeks ago, if memory serves me correctly, that I was quite prepared to meet with them early in September, prior to their annual meeting here in Toronto in the latter part of that month.

If ACFO wishes to meet prior to the September meeting that had been suggested, subject to other responsibilities I've never been reluctant to meet almost any group and I certainly have never been reluctant to meet with ACFO.

Mr. Conway: Supplementary: As ACFO indicated over the weekend that one of its continuing concerns is knowing what the government's position is going to be with respect to that part of the Mayo commission report which recommended a French-language school board for Ottawa-Carleton, can the Premier indicate in the House now to ACFO, and to members of the Assembly, whether or not a decision on that very important matter has been reached and if it has been reached, what the result is?

Hon. Mr. Davis: I can tell the honourable member that no decision has been reached. If this is really what ACFO wishes to meet us about, both myself and the Minister of Education (Mr. Wells) would be delighted to meet with them. However, I'm not sure we would be in a position to give them any decision on this particular recommendation.

I also sense from the way the member has phrased his question that he obviously is in support of another school board in Ottawa for French education. I take that to note as representing the policy of the Liberal Party of Ontario.

FEDERAL HOUSING PROPOSALS

Mr. Cassidy: Could I bow to your judgement, Mr. Speaker, about the number of questions, because I had asked supplementaries prior to my first question?

Mr. Speaker: That's right.

Mr. Nixon: You can have a third if you want.

Mr. Cassidy: I have a question to the Premier arising out of questions which I asked in this House about a month ago to the Minister of Housing (Mr. Bennett), relating to the increase in the rent-to-income scale for public housing tenants and for senior citizens in the province of Ontario.

Could the Premier say, rather than acting in due course, as we were told at that time, Ontario is now intending to go ahead at full speed on the increase in rent-to-income scales? Can the Premier say how the government justifies a 20 per cent increase in the rent scale for senior citizens who are getting the guaranteed income supplement and a 32 per cent increase for a single-parent with two children who is earning the minimum wage in the province of Ontario? How does the government justify those very sharp increases in the rent-to-income scales?

Hon. Mr. Davis: The ministers of housing are meeting at this precise moment on a number of issues. I sense this is one of them. I think the honourable member opposite is

assuming something that really has not happened. There has been no decision made. There won't be any decision made until after the meetings today. When a decision, if any, is made on the subject we will inform the House. I think the honourable member is not only being premature, he may be erroneous as to the outcome.

Mr. Cassidy: Supplementary: Is the Premier aware, regardless of what he's just said now, that a month ago in this House the Minister of Housing stated Ontario had agreed with Mr. Ouellet that the rent-geared-to-income levels should rise to 25 per cent, but at that time he said it should rise in due course? Does that not appear to the Premier like a decision in principle which has already been taken on behalf of Ontario by his Ministry of Housing; and can he explain why the "in due course" is apparently turning into a decision that those increases should also take effect at a very early date?

Hon. Mr. Davis: Mr. Speaker, there has been no decision that any increases should take place at an early date. There has been no final determination of this by the government. As I said to the member, this is one of the issues that the ministers of housing from across the country are discussing, at this moment, I think, if they didn't do it this morning.

Mr. S. Smith: Supplementary: Would the Premier assure the House that should the rent review program continue and should there in fact be an agreement among the ministers of housing to settle at 25 per cent the rent-geared-to-income rents, that the way in which those increases would occur and be phased in, if they did, would at no time, in any way, be beyond those increases that would be permitted under the rent review guidelines such as may exist at the time?

In other words will the rent review, in effect and in spirit and action, apply to those houses as well as all others?

Hon. Mr. Davis: I think any discussion of this nature is premature until the Minister of Housing for this province, after consultation with the other ministers and the federal minister, suggests what may or may not become a national sort of approach to this situation. I think it is premature to have any discussion as to how any rent control program will work, even the program being advocated by that great free-enterprise Liberal Party of the province of Ontario, which is advocating its continuation for another two years, even knowing it will prejudice the tenants and the development of new accommodation in the province of Ontario I think.

Mr. Cunningham: You are against it?

Hon. Mr. Davis: Certainly you're prejudicing the tenants; you're prejudicing the whole program.

Mr. S. Smith: Make clear your position on the matter.

Mr. Duksza: Supplementary: Is the Premier aware that the informants at the Ministry of Housing have suggested that the memorandum of agreement has already been signed and that the minister himself has stated that the minimum for rents may be as much as 25 per cent—minimum, not a maximum?

Hon. Mr. Davis: I'll say once more, there has been no final determination by the government of this province on this issue. It is being discussed at this moment.

Mr. S. Smith: By way of supplementary, since it is reported in the press that the Minister of Housing is meeting with the provincial counterparts in this position in order to present Ontario's position at the provincial level, first to achieve some consensus and then go to the federal scene; if the Premier is familiar with that would he tell this House exactly what position the Minister of Housing is presenting to his counterparts from other provinces on our behalf? What position is Ontario taking in this regard?

Hon. Mr. Davis: I'm delighted to hear the Leader of the Opposition say the Minister of Housing is presenting a position on everybody's behalf.

Mr. Foulds: Maybe on your behalf, not on ours.

Hon. Mr. Davis: I'm delighted to hear that you've finally accepted that principle; that you finally have accepted that principle.

Mr. Conway: The question is, does Claude know what it is?

Hon. Mr. Davis: I may be quite wrong, Mr. Speaker, but I was under the impression—I could be wrong in this—that actually Mr. Ouellet was at the discussion or is at the discussions today; I may be wrong in that. If he is there and I am right, then perhaps it will be discussed with the federal minister of housing once again today.

Mr. Speaker: Final supplementary; the member for Ottawa Centre.

Mr. Cassidy: Is the Premier aware that in addition to jacking up the rent-geared-to-income scale to a flat 25 per cent or beyond, that the ministers of housing are also agreeing to increases in the income on which those rents are based from an adjusted basis to a gross basis? Would the Premier give this House a commitment that rather than putting

the balance sheet first in the provision of housing, the housing in the province, provided through Ontario Housing, be based on people's needs?

Hon. Mr. Davis: The needs of people have always been the paramount concern of this government. It is very easy to give that commitment. Not only has it been the case, it will continue to be the case.

Mr. Warner: Tougher to follow it up.

Hon. Mr. Davis: I would question whether the member can find a jurisdiction where they've had the same measure of success with respect to senior citizens' housing—or any other form of housing, for that matter—or where the people have been dealt with more equitably than in the province of Ontario.

Mr. Speaker: New question. The member for St. George.

Mrs. Campbell: Thank you, Mr. Speaker.

Mr. Speaker: Excuse me. They got out of turn there. I think the next should go to the New Democratic Party. The member for Oshawa.

Mrs. Campbell: I'm sorry, Mr. Speaker. I think the leader confused you.

Mr. Speaker: Order. The leader of the New Democratic Party thought he had put two original questions when in effect he had put only one. Then we went to the Liberal Party for a new question. The next sequence goes to the member for Oshawa.

HEALTH RECORDS

Mr. Breagh: Thank you, Mr. Speaker. I have a question for the Minister of Health. I would like to ask the minister if he has an explanation as to how confidential medical records from Wellesley Hospital were found blowing around a parking lot at Sherbourne and Richmond this morning?

Hon. Mr. Timbrell: No, but I will check into it.

Mr. Breagh: In the course of this investigation and in reporting back to the House, could the minister report on the procedures used at Wellesley that would allow this to happen to these records, which contain people's names, addresses and the precise nature of whatever surgery had taken place? Certainly, some of the records are not ones you would like to have spread around to the public. In addition, could the minister provide us with whatever guidelines his ministry might have sent out to hospitals that would allow such a thing to happen?

Hon. Mr. Timbrell: I would be glad to. If the honourable member would send me

copies of whatever he is waving about, it would assist us in making a speedier investigation.

SEX OFFENCES

Mrs. Campbell: Mr. Speaker, my question is to the Attorney General. Has he prepared any position on behalf of his ministry in response to the recent recommendations of the Law Reform Commission with reference to 1. the elimination of rape as a criminal offence, 2. the elimination of incest as between consenting adults and 3. the reduction of the age of consent?

Hon. Mr. McMurtry: No, Mr. Speaker. There is a provincial Attorneys General meeting at the end of this month in Edmonton, and we have been actively working on a response to the amendments to the Criminal Code that were recently introduced in the federal Parliament.

As regards the recent paper published by the federal Law Reform Commission, we certainly will be reviewing that over the summer, once we get by this particular meeting. But I can't say at this particular point in time whether we will have a formal response or not. As the honourable member knows, the working paper of the federal Law Reform Commission is not a product of the federal government. We normally don't consider a formal response until the federal government itself determines that it may be interested in moving in that direction. Certainly we are going to review those proposals very carefully. It may be an interesting subject for discussion during consideration of our estimates in the fall.

WORKMEN'S COMPENSATION

Mr. Bounsall: Mr. Speaker, I have a question for the Minister of Labour. Will the minister assure this House, even if the yet-to-be-tabled Wyatt report on the financing of the Workmen's Compensation Board contains various alternatives and options which the minister and the government may not be able to choose amongst and legislate immediately, that the minister will introduce legislation to be enacted this month, even if those long-overdue increases for injured workmen must be based upon the present act?

Hon. B. Stephenson: Mr. Speaker, I have already made that commitment to this House. Indeed, I have said that will be introduced before the end of this session. Specifically, the increases to the benefits will be the area which we will be concentrating upon.

Mr. Bounsall: Supplementary: When may we expect the Wyatt report to be tabled and

may we expect the legislation to be introduced that very same day?

Hon. B. Stephenson: Yes, in answer to the second question, and as soon as we can have it ready.

[2:45]

Mr. McClellan: May I ask the minister whether she will give us the same commitment that the increase she grants will take into account the full increase in the cost of living since the last WCB benefit increase, and adjust the rates accordingly?

Hon. B. Stephenson: Mr. Speaker, it most certainly takes that factor into account along with some other factors—yes.

TEACHER LAYOFFS

Mr. Mancini: Mr. Speaker, I have a question of the Minister of Education. I am sure he is aware of the seven week long strike that was held between the Essex county separate school teachers and their board. In view of the fact that this strike had to be settled by final selector, how could it be that only a few days after his selection was made, the board saw fit to lay off 19 teachers and cut many programs? Could the minister inform the House if these selectors take into account the board's ability to pay? If this is so, how could such drastic action follow his decision?

Hon. Mr. Wells: Mr. Speaker, it is my understanding that the teachers are presently going to grieve under the contract concerning this matter, and that there may be legal action involved.

I have met with the teachers' association. They have presented the situation to me and I think that the remedies for them are there in the contract and perhaps in a legal sense.

Mr. Mancini: Supplementary question: Mr. Speaker: Could the minister inform the House if Bill 100 has been contravened?

Hon. Mr. Wells: The contravention of Bill 100 could easily be one of the legal matters that would have to be considered. I am not a lawyer and I wouldn't venture to give an opinion on that.

Mr. Mancini: One more supplementary, Mr. Speaker: just to get some added information, could the minister inform the House in answer to part of my first question if these selectors take into account the board's ability to pay before they make their final selection?

Hon. Mr. Wells: I would have to ask the selector if he did or if he didn't.

Mr. Mancini: Isn't it standard policy?

Hon. Mr. Wells: There is no standard policy. If my friend will read Bill 100 I think the financial situation that pertains in the community is a matter that could be put before the selector. However, in a final offer selection he may not have taken this into account. I couldn't comment on that. We would have to ask the selector whether he did.

Mr. T. P. Reid: Supplementary, Mr. Speaker: Would the minister make a recommendation to the cabinet that in cases like this the cost of the pension benefits that result from contracts, which the province has to guarantee, be part of a requirement that the selectors take into consideration when they arrive at their decisions?

Hon. Mr. Wells: No, I wouldn't do that.

HOSTELRY INSTITUTE

Mr. Haggerty: Mr. Speaker, I would like to direct a question to the Minister of Industry and Tourism.

The minister, no doubt, has received a communication from the chairman of the governors of Niagara College of Applied Arts and Technology, Dr. Sturgeon, concerning reports that the Ministry of Industry and Tourism plans to establish an institute for the training of hotel and restaurant personnel at an estimated cost of \$17 million or \$20 million. Will this new program be included as part of the existing training program that is now available in community colleges, such as Niagara College? Or should I assume that it will be a duplicating program within the two ministries?

Hon. Mr. Rhodes: Mr. Speaker, the honourable member is correct: I have received that communication along with communications from other community colleges across the province since I have made it known that we were considering the possibility of establishing a hostelry institute.

The studies have been completed, and discussions are now being held between officials of my ministry and officials of the Ministry of Colleges and Universities who have the responsibility for the community colleges and the programs. As well there will be discussion with the board of regents of the community colleges.

It is not intended that there be a duplication of services whatsoever. It is simply an interest on the ministry's part to be able to provide sufficient training facilities to provide an adequate number of skilled people who are required in that industry at the present time.

Mr. O'Neil: Supplementary: Can we take it then that those responsibilities will be left with the different community colleges across the province?

Hon. Mr. Rhodes: I wouldn't want to say they will be left with them. If it can be worked out that they can, and I will be in a position to provide the necessary training—if they have the necessary facilities—then there is no point in having a duplication of services. However, if it is found that they are not able to carry out that particular part of the program as efficiently as we would like to have it, then I'm sure the Minister of Colleges and Universities (Mr. Parrott) and myself will be able to discuss in some detail how we can reach that final point.

Mr. Laughren: He has already made up his mind.

Mr. Sweeney: Supplementary: Does the minister understand at this point in time that the reason why the separate institute was requested was that the hotel and restaurant people were dissatisfied with the program that's presently being offered? If that's the case, does he understand that the present programs will be upgraded?

Hon. Mr. Rhodes: That is not correct and is certainly not my understanding. The hotel and restaurant people have indicated that the programs that are now being carried out in the community colleges are very efficient and that they do their job to the best of their ability. Something like 92 per cent of those persons who take the courses in the community colleges find employment.

Mr. Laughren: That is only eight per cent unemployment. That is lower than the average for the age group.

Hon. Mr. Rhodes: The difference here is that they are not meeting the needs.

Mr. McClellan: Is eight per cent the new target?

Hon. Mr. Rhodes: It has been identified that there are around 5,000 unfilled jobs. Therefore, the programs themselves are just not able to meet the demand. That's what we are working towards. We're trying to meet that demand.

Mr. Warner: It sounds like your unemployment target.

Mr. T. P. Reid: Why not use the facilities you have?

Hon. Mr. Rhodes: It's very difficult to hear the honourable member because he's filtering it through that thing under his nose. I don't know what he is saying.

Mr. Breaugh: That's a good one, but don't use it again. It's not that good.

Hon. Mr. Rhodes: If he has any comment to make, I'd say he should stand and ask an intelligent question for a change. I would simply state that we are not intending to duplicate any programs.

Mr. MacDonald: Are you criticizing the Minister of Health?

Mr. Cooke: You never give intelligent answers.

Mr. Breaugh: You never made that remark to the Minister of Labour.

Hon. Mr. Rhodes: We want to make sure that the needs are being met. If they can be met through Colleges and Universities, all well and good, because then the program will meet its goal, that is, to fill the vacancies.

Mr. Cassidy: Why do you keep fighting all the other ministers?

KINDERGARTEN PROGRAMS

Mr. Grande: My question is to the Minister of Education. Given the fact that there is some interest by some area boards in Metro Toronto regarding instituting full-day kindergarten, could the Minister of Education share with the House what is his ministry's policy regarding full-day kindergarten?

Hon. Mr. Wells: Under the present policy of the ministry, as my friend knows, compulsory attendance at school begins at age six. Therefore, kindergarten programs are offered but no one is forced to attend those programs. The Education Act, however, does allow school boards to offer senior kindergarten programs and junior kindergarten programs. There are presently many half-day programs and some full-day programs. A number of the full-day programs in northern Ontario are on an alternative day basis. There are a number of them in areas like Ottawa-Carleton where they are a part of the immersion program.

Our policy at the present time, as I think I reiterated in our estimates a short while ago, is that what a board does about kindergarten, be it half day or full day, is its business. As far as grant regulations are concerned, they will only pay for half-day kindergartens, beginning next year.

Mr. Grande: Supplementary: Could the minister tell us then on what basis does his ministry fund full-day kindergartens to some boards for approximately, I understand, 7,500 kids around this province and deny equal access to funds to other boards that may wish to institute full-day kindergartens? How does this inconsistent application of the policy of his government square with his understanding

of the principle of equal education opportunity?

Hon. Mr. Wells: It squares in this way in that if all boards in this province were to institute full-day kindergartens, we would have to find another \$65 million in grants. That \$65 million would not come in extra money, but would come from the regular program. In fact, boards would have to get less money for the total programs they are offering. That would not be a consistent thing to do at this time. Therefore, we have suggested that there is no extra money available for full-day kindergartens at this point in time. However, we would not take away anything that anyone has. Therefore, while it may be inconsistent, and I would certainly agree with that, the 7,500 or so pupils who are now in full-day kindergartens would certainly not have their programs jeopardized by removing any of that grant.

Mr. Speaker: The Minister of Health has an answer to a question previously asked.

OHIP FRAUD CHARGES

Hon. Mr. Timbrell: On May 30 the members for London North (Mr. Van Horne) and London Centre (Mr. Peterson) asked about the circumstances surrounding fraud charges laid by the police against Dr. Anthony Corrigan of London.

The question from the member for London North dealt with why it took, in his words, the Toronto office of OHIP "nearly three months to provide the claims in question" to the police.

On September 16, 1977, the London city police contacted the OHIP office in London and discussed the charges laid three days earlier against Dr. Anthony Corrigan by the London city police.

As the investigation proceeded, I am told that in December 1977, at the request of the London city police, the Ontario Provincial Police asked the professional services monitoring branch for the claims submitted during the year 1976 by Dr. Anthony Corrigan.

In January 1978 the OPP again contacted our professional services monitoring branch, this time requesting Dr. Anthony Corrigan's claims for the first part of the calendar year 1977.

Later that month, the OPP asked for the claims up to the summer of 1977.

It is worth noting that when a physician sends in medical claims, they are filed under the patient's OHIP subscriber number, not by physician.

Since physicians have six months after service to send in claims, and since after

that six months' more time is required to file claims by individual physicians in the computer, up to nine months can elapse before an individual physician profile is available on computer.

So, in January 1978, only the claims from Dr. Anthony Corrigan for the 1977 months of January, February and March were available from the computer.

It was then necessary for the four clerks in the OHIP professional services monitoring branch to pull together all of Dr. Anthony Corrigan's claims for the subsequent months. This meant searching through, by hand, thousands and thousands of claims received during that period, filed by patient number, to pull out the more than 6,000 claims which had been made by Dr. Anthony Corrigan.

This task took the four people several weeks to accomplish, and the record was turned over to the OPP late in February 1978.

Considering these facts, three months does not seem an unreasonable length of time to supply the information.

The second question from the member for London North was about "any . . . peculiar circumstances around this case which would demand that it be delayed for eight months before it was, in fact, dropped."

I know of no peculiar circumstances. I am advised that Dr. Anthony Corrigan left Canada on September 12, returning some two months later, in November 1977. There is no doubt this delayed the police investigations, and I have already explained the time required to draw the necessary information from the computer and from our records.

Finally, the member for London Centre asked who laid the original charges. Dr. Anthony Corrigan's case was referred for review to the medical review committee of the Ontario College of Physicians and Surgeons by the OHIP professional services monitoring branch on March 9, 1977.

OHIP requested the review because of what appeared to them to be an unusual billing pattern in this particular doctor's claims.

After an investigation by an inspector of the medical review committee—a doctor—the London city police were informed and laid charges against Dr. Anthony Corrigan—charges which, as the honourable members have already stated, have subsequently been dropped.

Mr. Peterson: Supplementary, Mr. Speaker: Doesn't the minister think there was something untoward when the amount in dispute was some \$120, which I gather was normal

with that number of billings and that number of pieces of paper? Does the minister not think he wants to be more precise on exactly who laid the charges and with what information in hand before that information was laid?

Hon. Mr. Timbrell: As I said, in the first instance, it was referred by the professional services monitoring branch in March 1977 because of some concerns about the billing patterns and in particular about the volume of visits being paid to residents in a particular home for the aged.

The inspector from the college, Dr. Milton, I believe, was brought into the review, since it had been referred to the MRC and, on her advice to the police, the charges were laid by them.

[3:00]

Mr. Van Horne: Because of the unusual nature, I would like to pursue this and ask the question: if this isn't an emergency—that is, someone's reputation being put in considerable jeopardy through the laying of the fraud charge—then what kind of emergency would lead the OHIP people to come up with the information in a shorter period of time? In other words, is this three-month period of time not disconcerting to the minister, that a person's time to wait would be at least that plus the other time taken up through the legal process, so that in fact we have a person charged in September and the charge dropped in May? That's a pretty long time and I am very curious about the slowness of this particular operation.

Hon. Mr. Timbrell: Well, the member will recognize, I am sure, that this is a rather peculiar aspect of this, inasmuch as the three doctors Corrigan left the country in early September which delayed things considerably. It wasn't until November—

Mr. Van Horne: One was charged.

Hon. Mr. Timbrell: Yes.

Mr. Van Horne: Just one was charged.

Hon. Mr. Timbrell: No, charges are pending against one of the others. But the point is that they wanted exact information and in order to give exact information we take it off computer. But that, as far as being exactly correct, is six months behind. In order to give it right up to the point which they wanted, it meant they had searched, which obviously takes a great deal of time. It was done, I can assure the member, as quickly as possible, recognizing the gravity of the situation.

Mr. Peterson: The minister said in his answer that the investigation was delayed because Corrigan left the country. Now, surely

that isn't necessarily the case because he would not have to be in the country in order for the minister to continue with his investigation. The minister also said that there were perhaps some irregularities in the billing procedure or at least that there were some irregularities in the number of bills submitted and the way they were submitted. But clearly that is not evidence of criminal culpability and indeed a charge—

Mr. Speaker: That's not a question either.

Mr. Peterson: Yes, it is—it's going to be—would you not agree?

Clearly a charge was laid and then withdrawn with all the subsequent embarrassment when in fact there was only about \$120 in dispute. Doesn't it speak more to the inefficiency of the billing system and the potential abuse inherently built into it than it does to any criminal culpability? Doesn't the minister think that particular example speaks very strongly to the need for a better and more efficient system of billing?

Hon. Mr. Timbrell: No, I don't agree. I think if the member will again check my answer he will find out that when our people were contacted for information, they did, given the nature of the system, react really very quickly to assist.

Mrs. Campbell: Given the nature of the system.

Hon. Mr. Timbrell: This was a peculiar situation in that the family, as it were, did leave and it was only a few months afterwards when they had returned that the OPP did then contact them and asked for further information. When they asked, they got the information as quickly as possible.

HYDRO CORRIDORS

Mr. Stong: I have a question for the Minister of Energy: Now that the people in the southern communities of the region of York have had an insight into what is in store for them in terms of the construction of the massive maze of hydro transmission lines through their area and more particularly at the entrance of the town of Richmond Hill, is the minister prepared at this time to consider alternative placements, including the burying of a mile and a quarter of those hydro lines through that corridor?

Hon. Mr. Baetz: Mr. Speaker, I am not ready to respond in any specific way to that question but certainly I will take it under advisement.

Mr. Mancini: Don't be too specific, Reuben.

PAPER MILL CONTROL ORDERS

Ms. Bryden: I have a question for the Minister of the Environment: Now that the Dow Chemical sellout settlement has proved that the court route for protecting our environment and making polluters pay is useless under our weak environment laws, is the minister prepared to step up the use and enforcement of control orders? In particular can he tell us what he is doing about one of the worst polluters on the Ottawa River, the Canadian International Paper Company at Hawkesbury, which I understand has met only the first two provisions of a 1974 order against it and has not met the December 31, 1977, deadline, and yet has been discharging BOD in 1977 at four times the 1965 guidelines and discharging suspended solids at almost twice the guidelines? Can he tell us what he is doing and whether he is considering allowing that company to extend its deadlines?

Hon. Mr. McCague: Mr. Speaker, would I be allowed to dissociate myself from that statement?

Mr. McClellan: Answer the question.

Mr. Speaker: It was in the form of a question. I listened very carefully.

Mr. McClellan: That's environment protection, is it?

Mr. Speaker: If the minister has a brief response I will allow him to make it; otherwise the time for oral questions has expired.

Mr. McClellan: That's very reassuring.

VISITOR

Mr. Speaker: I would like to bring the attention of honourable members to a guest in our gallery: Mr. John Gogo is the MLA for Lethbridge West constituency in the province of Alberta. Would you welcome him to our gallery, please?

REPORTS

HEAVY WATER PRODUCTION

Hon. Mr. Baetz: I am tabling this afternoon a copy of the document entitled, The AECL-Hydro Heavy Water Pool Agreement as requested by the Leader of the Opposition in the House on June 8, 1978. This document is already in the public domain, as indicated to honourable members on June 9. It was filed by Ontario Hydro with the Ontario Energy Board on March 6, 1974, as docket number HR1, exhibit 202.

Mr. Speaker: Point of privilege, the Leader of the Opposition.

Mr. S. Smith: The Minister of Energy has just attributed to me the request simply for that document. I would draw his attention to Hansard of June 8 which says, "Will you table in writing not only the agreement but any of the reasons why the pool agreement has been terminated and any documents and correspondence related to that agreement and to that termination?"

Will the minister be tabling that information, the reasons and all documents and correspondence related to that agreement as he was requested to do in this House?

Mr. Speaker: I doubt that it is a point of privilege; it is probably seeking additional information. If the honourable Minister of Energy would care to respond?

Hon. Mr. Baetz: I would agree to provide any reasonable information; yes, of course.

Mr. S. Smith: You mean you have information that is not reasonable?

STANDING ADMINISTRATION OF JUSTICE COMMITTEE

On behalf of Mr. Philip, Mr. Lawlor from the standing administration of justice committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill Pr26, The City of Thunder Bay.

Your committee begs to report the following bill with certain amendments:

Bill Pr13, The City of London.

MOTION

NOTICE OF DISSATISFACTION

Ms. Bryden: Under section 27g I would like to register dissatisfaction with the answer from the Minister of the Environment to my question—

Mr. Warner: A non-answer from the non-minister.

Ms. Bryden: Yes, a non-answer, really—and ask that the question be debated tomorrow night at 10:30.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Before calling the orders of the day, just to share with the House, while most of us are here, the order of business for today as set out on the sheet which we have on our desk, I want to indicate one change that has been agreed upon.

Following second reading of Bills 96 and 108 we go into committee of the whole. The order of calling legislation in committee of the whole has been changed somewhat. We

will start with Bill 86, then Bill 96, Bill 91, Bill 85 and Bill 180, if necessary.

It is also my understanding that once we get into committee of the whole House, any recorded votes that are required will be stacked for 5:45.

ORDERS OF THE DAY

LIQUOR LICENCE AMENDMENT ACT

(continued)

Resumption of the adjourned debate on the motion for second reading of Bill 96, An Act to amend the Liquor Licence Act, 1975.

Mr. Young: I rise this afternoon to support Bill 96 in principle, although being a bit unhappy with some of the provisions of that bill.

I was one of those who some years ago introduced a private member's bill in this House, on at least two occasions, to lower the age of majority to 18. It was debated in this House, although at that time it was not allowed under the rules of the House to come to a vote. My feeling on this was rather pronounced. I felt we should lower the age of majority and with it all the benefits that go therewith.

When the actual age was lowered in 1971, I think none of us realized the thing that was going to happen and that did, in effect, happen following that action. The 18-year-olds were given the vote and they were given all the privileges of citizenship. At that time and just before it, the industry moved in with its powerful lifestyle advertising to capture that group of 18 to 21-year olds and younger in order to make the profit they saw out of that group becoming consumers of their product.

The result was that we saw a tremendous upsurge in the drinking patterns of the younger group as a result of, in large measure, the lifestyle advertising and the feeling that was spread abroad that in order to assert adulthood, to find happiness and satisfaction in life all this had to be achieved through the haze of alcohol.

At the same time, governments right across the board, not only here in Ontario but everywhere, did not take this into sufficient account and they did not embark upon any kind of educational program to mitigate the results of the lifestyle advertising. We might have done a great deal if we had realized what we ought to do, but nobody seems to have taken that course.

I know it has been pointed out here time after time that some of the teenagers, before that time up to 21, always drank. Some did; but not the majority. And always, not drink-

ing in large numbers, that drinking was a bit furtive and it was rather seldom done. It was not a thing which was engaged in by the majority of young people under 21.

They were not, in large measure, in the beer parlours and the taverns during those years. They were not allowed there by law and they did not find their way into those places except perhaps on a few occasions where a young person was able to borrow somebody else's birth certificate or in the cases where the young people looked much older than they were.

But with the law and with the advertising, young people came flooding into the drinking spots and along with that, drinking became more or less common—as we heard time after time in this House—in the high schools. It entered that particular phase of life and spread from the 18-year olds down to the 17 and 16-year olds and below that.

The results are apparent today. I'm not going to dwell on them. We've heard a great deal about them.

[3:15]

The one thing that's rather interesting. The detoxification centres and the ARF clinics are finding that while they got less than two per cent of their patients from that younger age group prior to 1971, today they're getting about four per cent—double the number of young people—as clients.

We find today that about 40 per cent of boating accidents are related to alcohol, and the vast majority of those involve young people. We find that in fatal traffic accidents 43 per cent of the 14-to 64-year-old age group has been drinking, but 68 per cent of the 18- and 19-year-olds have been drinking—a very high proportion. We also know that there has been a marked increase in snowmobile accidents. Snowmobiling became popular about this time, and a great number of those people who are killed in alcohol-related accidents on snowmobiles are, of course, the younger people.

At the time when we began to see what was happening, this government commissioned a group to look into the whole drinking-driving problem. They reported in August 1974. I just want to read a couple of excerpts from that report, commissioned by the government of Ontario at that time. The report says this:

“The dilemma facing government is that two separate activities [that is, drinking and driving, both okay by themselves], which it is seen to sanction and profit from, combine to form a hybrid activity that is a criminal offence and has damaging consequences. The

government therefore has the responsibility to establish a public awareness of the drinking-driving problem and to become actively engaged in effective countermeasures. Protection from antisocial behaviour is one of the primary responsibilities that a government owes to its citizens."

The report goes on to say:

"It is possible to identify three distinct groups of drinking-driving offenders. These three groups are: 1. young drivers, 16-24 years. This group is worthy of special attention in that they are inexperienced at drinking, inexperienced at driving, inexperienced at drinking-driving. In 1973, the proportion of young drivers in alcohol-involved collisions was higher than that of all older age groups. [This was two years after the law was passed.] While the proportion of drivers in alcohol-involved collisions is remaining constant for the older age groups, the proportion of young drivers in alcohol-involved collisions is increasing." That was 1973.

The report of the Addiction Research Foundation, which came at a little later time, in 1974, using the 1973 figures, says this:

"Prior to the change in the drinking age, young drivers had low incidence of alcohol-related collisions compared to older drivers. Further, the proportion of total collisions where alcohol was involved ranged from about two per cent among 16-to-17-year-olds to about five per cent among 20-year-olds. [This was prior to the law being changed.] With the change in the drinking age, the incidence of alcohol-related collisions increased dramatically. In comparing the period prior to the change in the age of majority (January 1968 to July 1971) to the two years after the change in the drinking age (August 1971 to August 1973) alcohol-related collisions increased 162 per cent among 16- and 17-year-olds, 339 per cent among 18-year-olds, 346 per cent among 19-year-olds, and 156 per cent among 20-year-olds. These increases are in marked contrast to the increases of only 20 per cent experienced by 24-year-olds, a category of people not affected by the change in the drinking age."

Bringing the figures up to 1975, we have this report by Paul C. Whitehead, PhD, University of Western Ontario, who was commissioned by and his report published by the Department of National Health and Welfare in Ottawa. He says this: "Large numerical increases in alcohol-related collisions occurred among 18- and 20-year olds during the first year after the legal change. Such increases are not manifest among drivers aged 16 and 17 [It didn't happen the first year among

that lower group.] or by those aged 24. In subsequent years, collisions involving alcohol continue to increase among 16 to 20-year-olds, but do not increase among 24-year-olds until the third year after the change. Total collisions involving 18 to 20-year-olds increased abruptly in the first year after the change and again during the third year."

These are the figures which he gives for the years surveyed, from 1968 to 1971 and from 1971 to 1975, the years before and after the change. He goes on to say: "Alcohol-related collisions increased by 469 per cent among the 18-year-old drivers and 445 per cent among the 19-year-olds, while their rate of total collision increased 66 per cent and 61 per cent respectively. Sixteen and 17-year-olds experienced a 304 per cent increase in alcohol-related collisions and a 50 per cent rise in total collisions." In the first year after the change, an increase was not apparent, but within two years it started to rise up very steeply.

Twenty-year olds show a somewhat lower rate of increase, namely, 180 per cent for alcohol-related collisions and 37 per cent for total collisions. Twenty-four-year-olds at this time register much lower increases for both types of collisions. When we compare all young drivers with a 24-year-old comparison group, we find that the younger age categories demonstrate an increase in alcohol-related collisions that is six times as great as the 24-year-olds and an increase in total collisions that is almost twice as great as the 24-year-olds. Nevertheless, the standardized increase in the total number of collisions among younger drivers exceeds the increased number of alcohol-related collisions by a ratio of almost five to one.

More than that, Dr. Whitehead points out, the data clearly indicates that alcohol-related collisions are associated with a greater degree of damage than those that do not involve alcohol. The result of all this is seen in the figures, part of which was quoted the other day in this House. In 1967, the 16 to 20-year-old group had 5.5 per cent of all alcohol-related collisions. We changed the law in 1971. In 1973, the figure for 16 to 20-year-olds in alcohol-related collisions was 15 per cent, three times what it was in 1967. By 1975, that same group showed a 37.2 per cent of all alcohol-related collisions.

It is still rising. Following the decrease in the voting age, many of us had hoped that the increase in drinking-driving and the increase in the number of collisions in which that younger group was involved would perhaps steady and then decrease. Instead of

that, we have seen a steady increase of that proportion from 5.5 per cent back in 1967 to 37.2 per cent in 1975 and it is still rising.

Then the startling figures also show that the 18 to 19-year-olds are 70 times more likely to die in an alcohol-related accident than are the average non-drinking drivers. The 16 to 17-year-olds are 165 times more apt to be involved in alcohol related collisions than the average non-alcohol-related driver in this province.

These are the figures that startled those of us on the select committee on highway safety. While I point out that I was one of those in the early days of my membership in this august assembly to introduce bills to lower the age of majority, I faced these facts—

Mr. Nixon: Including the drinking age?

Mr. Young: At that time, I don't think many of us thought very much about the involvement of drinking in that whole process—

An hon. member: We were looking at the voters.

Mr. Young: We just didn't think about it too much and didn't consider what might happen. We felt the young people would handle alcohol as well as the vote, I think as well as anything. But these figures certainly have brought some of us to realize that something should be done. So the suggestion was made that the drinking age should be raised from 18 to various figures. Actually many of the jurisdictions that have faced this wanted to raise beyond the age of 18 to 19, 20, 21, but politically it was rather a difficult thing to raise it more than one year.

One thing that emerged in our select committee findings was that those years from 16 to 19 are the crucial years in a driver's history if he starts at 16. In the first three years, his accident record drops rather dramatically, and by the end of five years he is down to about the average for the rest of his life. But those first three years are crucial. The first two years the drop is not that much but by the end of the third year, when he is 19, the drop is more dramatic—he has overcome some of the bad habits that he built up during those early years of driving.

We felt, and I think all those who have looked into this carefully feel, that if a young person begins to drive at 16 and then doesn't drink until he is 19, he at least has a tremendous advantage in that he has formed better driving habits than he will have by 18. His chances of survival and his chances of not killing someone else, and his chances

of being able to handle both the alcohol and the driving are also much improved.

So we came to these conclusions because of this evidence. Certainly I was impressed and I believe that today this legislation which is before us is important legislation in the total package. Let me stress that fact: that it is a total package which our committee recommended. We must not think that simply lowering or raising the drinking age will have a magic effect. If we push it from 18 to 19, that's part of it. If we could push it to 20 politically, it would be better still according to the records. But we are not asking that because likely that may be very difficult for them to do.

Along with raising the drinking age, we recommended the probationary licence which the ministry has already accepted. However, I am not happy that our recommendation for a full two years of probationary licence has not yet been fully adopted by the ministry. It is a matter of regulation and we wait with bated breath to see what is going to happen when the minister makes his announcement in this regard.

Then, of course, another thing which we recommended was that the lifestyle advertising on TV be banned and the minister has already announced that this is going to take place. How far the banning will occur, we don't know yet. We are waiting again to see what is going to happen there, but we have the minister's word that that kind of persuasion of young people—linking alcohol with the good life—will be cut out in Ontario advertising.

Then there is a program of education which must be undertaken, and again the minister has indicated that this is going forward.

There is the matter of the alert device: the person who has 0.05 to 0.08 on his breath, as shown by the alert device, will be ruled off the road for 24 hours. The whole emphasis here is to prevent an accident which might well happen. All research shows that once a person passes the 0.04 mark, he becomes pretty dangerous, and by the time he has reached 0.08 he is beyond the place where he is safe on the highway in any way we might define that phrase.

[3:30]

Then, of course, the other thing was the frequent recommendation which we made for both the social drinker and the person who is an incorrigible drinker, who just can't overcome his own habit and needs a very great deal of help. These together, we think, will help tremendously in changing the pattern

of drinking-driving. But let's not be under any illusion that simply by raising the age to 19 we are going to solve that problem at all.

What our committee did, of course, was to recommend these matters. We have not the power of legislation; it is up to this Legislature to balance cost, balance the civil rights involved in some of these recommendations—some people are disturbed in that regard—and balance what their program might be and then bring forward the legislation. But we would hope that all the legislation we have recommended would come in and perhaps as something more which we had no time to look into.

I think also we have to recognize that the public is ready for this change. It is interesting; I had, as all the members had, a letter from the—

Mr. Nixon: Except the public directly affected.

Mr. Young: Yes. Many of the 18- and 19-year-olds are not too happy.

But the Ontario Interfaith Liquor Legislation Committee, representing the Anglican, Baptist, Lutheran, Presbyterian, Pentecostal, Roman Catholic, Salvation Army, and United Churches, has recommended to us that we should immediately create legislation which would prohibit the legal sale of alcoholic beverages to people who are under 20 years of age, and subsequently for people under 21 years of age. In other words, they want to get it right back to 21, which, of course, as I pointed out, would likely be a difficult proposition to carry out.

Then we had a survey carried forward by the ARF people that says this—and the survey is a pretty extensive one across the province: 68.3 per cent favoured raising the drinking age to 19 or over, while 26.5 per cent favoured the present drinking age of 18, and only 1.8 per cent wanted it under 18.

The interesting thing here is those aged 18 to 29 expressed a 36 per cent opinion in favour of leaving the drinking age at 18, while 57 per cent wanted it raised to 19 or over. Of the people aged 30 to 49 years of age, 73.1 per cent wanted it raised to 19 years of age or over, as did 73.8 per cent of the people aged 50 or over. Those aged 18 to 20 years of age, in the additional sample interviewed, were 61 per cent in favour of the present drinking age, as my friend has just pointed out, but 34 per cent wanted it raised to 19 or over. So over one third of even the young people themselves did want the change made.

An interesting thing happened. This survey showed that 26.5 per cent favoured the present drinking age of 18. In the questionnaire which I sent out in my latest report, I asked the question: "Shall the drinking age be 18, 19, 20 or 21?" This is what I got; exactly the same proportion, 26.5 per cent right on, said it should stay at 18. Nineteen, only 9.2 per cent; 20, 19.3 per cent; and 21—45 per cent said it should be back up to 21. So the vast majority did want the drinking age raised, although the majority of the young people concerned wanted it to remain the way it was.

So by and large, according to the surveys we had, and certainly by the surveys which this government has already taken, there is no question that the people of Ontario are ready for this legislation.

I think the thing which more than anything else makes us realize the importance of this legislation, is not only this tremendous increase of drinking-driving, death and injury on the part of the young people who are drinking, but also the fact that they are killing others than themselves in these accidents. And this spells tragedy for themselves, for their families and for others and their families who may be perfectly innocent. We're dealing in human life. While I know there's no way we can balance things and say we can prove so many people will die next year because of the 18 age level and less will die because of the 19 year level, the fact remains that all statistics do show that a significant number of young people will live, because of the action which is being taken here today, who otherwise would not have lived if the law had remained as it was.

Young people will still drink. I don't think any of us are under illusions that this will stop drinking among young people. But over a period of several years, I think that younger group will gradually be weaned away from their dependence, which they seem to have today, upon alcohol as the factor which gives them a happy, carefree life, and wealth and prosperity in the future, particularly if the education program is carried out the way it ought to be done. The cutoff will be at 19 and, from that point on, alcohol will become a factor in their lives. But, by that time, as I pointed out, at least those who start driving at 16 will have established good driving habits.

The records show that at that point they're much safer drivers and they will be safer drivers from that point on. Perhaps their own ideas of what constitute health and happiness will have been a bit more carefully formu-

lated. While I say that I'm not too happy with some of the clauses of this bill, on this main part of the bill I stand today to support the raising of the drinking age to 19, and in principle to support Bill 96.

Mr. Nixon: I was very interested in the remarks of the member who just spoke, since I served on the committee on highway safety with the honourable gentleman as chairman. Certainly I recall being very much impressed by the statistics that were presented to us and particularly by the views expressed by the Addiction Research Foundation. I had the feeling that sometimes they were expressing an opinion rather than a view that was backed up exclusively by the statistics associated with their research. In this instance having to do with the drinking age, they certainly took a strong stand before our committee, one that was so strong that we really felt compelled to include this recommendation in our report.

One of the interesting aspects was their feeling that young people, particularly young men, have difficulty coping with learning to drink and learning to drive at the same time. We don't really mean the action of raising the glass to the lips or turning the key in the ignition, but all of the things associated with it. The other thing that stuck in my mind was the fact that young women are not unnecessarily troubled by the combination of these two learning experiences.

With regard to the advertising which we have criticized so strongly, the quality of life-type advertising, I feel that the essential criticism should be directed to the macho-lifestyle advertising. Nobody finds a young girl drinking too much as anything but an offensive situation; yet a young man drinking too much is usually associated with all the virility of a young man and a two-fisted experience in life as it really is. The peer pressure on young men to drink is far, far greater than on young women. There is still the attitude in the community, which, and I hope is strengthened and not weakened, that applies a lot more social pressure against young women drinking. Maybe they object to this but that is certainly the way I perceive it.

Mr. Grande: Don't be a sexist.

Mr. Nixon: Accident statistics show clearly that the young women are not a threat on the road and that accidents associated with alcohol do not involve them statistically in any way that should really be brought to our attention. They're sort of the innocent bystanders in this part of the legislation because

it's the young men who clearly are responsible for the statistics which we have.

Mr. Grande: Why do you make it a double standard?

Mr. Nixon: The honourable gentleman who is interjecting, whose name I can never remember, has obviously missed the point. This is not an observation of mine, other than it is an observation of the statistics that are present and available for any interested member to peruse.

It happens to be a difference in our social customs in this jurisdiction; and it is an interesting aspect, particularly when the member is considering, as he should and must, some more control on the thrust of advertising in this jurisdiction. The concept is of a bunch of the boys getting together to throw around a football, and have a few Blues, or whatever, or a bunch of the boys getting together to have a few hands of rummy or something, or getting together to fix the boat. It is not the girls hanging around to file their nails or to go shopping, or something like that—

Mr. Warner: Or to fix the boat.

Mr. Nixon: The concept of a bunch of the boys getting together to have a few brews is really—I wouldn't say it was as a menace, because I find the concept particularly attractive sometimes on these boring afternoons right here. There have been a number of members from this very House—maybe some of the ones who are not in their seats right now are having a few brews somewhere.

Hon. Mr. Grossman: The Speaker won't even allow coffee in here.

Mr. Nixon: Frankly, I hope so. I would hate to think they are all spending their time in irrelevant pursuits.

Mr. Hall: Would you mind naming those of us who are here?

Mr. Nixon: The member for Lincoln (Mr. Hall) is in his place.

Mr. Warner: How unusual.

Mr. Nixon: It is a matter of concern that a lot of the control legislation, in this jurisdiction anyway, obviously has to be directed towards the protection of young men, or the protection of the community against young men, because the community expects young men to be two-fisted, hard-drinking people. I believe that is regrettable.

There are other aspects in this legislation which concern me. I am glad we are pulling the act together so that it is not legal for people to be walking down the main street or in a public place with an open bottle, or even with a glass of liquor in their hands. It seems ridiculous that, after the last series of

amendments, that became legal. There have been instances, which the minister is probably aware of, where the police have been mocked by the inadequacies of the legislation.

On the other hand, the minister no doubt saw a few days ago at the opening of the Stratford Festival the pictures in the newspapers showing some of his very high-class friends, no doubt from Toronto, with their lace cloths spread on the tables at Stratford and their ringed fingers around icy goblets in which there was wine. They were what you call *alfresco*. I think, under our laws, you are not supposed to do that on the grass. It worries me that our laws are so strange that we can permit these people—and I would include myself with them if I had the time and the wherewithal—to have a picnic on the grass at Stratford, to watch the swans stream by on the beautiful Avon, and to have some ice-cold champagne. You just can't drink ice-cold champagne out of a brown paper bag. I am sure the honourable minister would agree.

Hon. Mr. Grossman: I've never tried it.

Mr. Nixon: It seems to me the only place that strange little aspect of the law is enforced—and my honourable friend the member for Oakwood (Mr. Grande) should concern himself with this—is when perhaps some Italian families take some of the wine they made in their own basement, over to Centre Island and want to have a picnic there. That is when the constabulary seem to be a little concerned about it.

Hon. Mr. Grossman: It's in my riding.

Mr. Nixon: Okay, then, the minister should be concerned about it. I wish we could somehow use our collective wisdom to pass some sort of a law which will permit the drinking of wine at a picnic. It is ridiculous that we cannot have a statute that will permit that. I can't see anything wrong with that. Why do we continue to keep calling that illegal?

Certainly the minister's friends from Rosedale, when they go out to see Shakespeare, are not bothered by that, and I would expect that the cops in Stratford are not instructed to poke around to see who is messing around with an open wine bottle down there by the swans and the River Avon. Even in Niagara-on-the-Lake there is quite a nice spot, they tell me, overlooking Lake Ontario just where the Niagara River comes out on a park. The place is littered with those expensive corks that pop all over the place, they tell me. I think we ought to legalize that sort of thing. [3:45]

There is one other matter that concerns me that is not dealt with specifically by the

amendments in this bill, but it is dealt with by the—

Mr. Speaker: The honourable member can't continue to talk about something that isn't in the bill.

Mr. Nixon: It should be in the bill. Actually maybe it is—there is some fine print in the bill I still haven't read—but it has to do with our local option methods. I don't want to spend a lot of time on this but the chief electoral officer is here and he's the expert on local option in these matters; he knows all of the instances where the voters' list has been very small indeed, as a matter of fact vanishingly small. I believe the smallest was two on the voters' list in a referendum held recently.

Hon. Mr. Grossman: Did they get 60 per cent?

Mr. Nixon: The arithmetic would get complex if the man and wife didn't agree, but it's not my argument. It's that where a municipality is presented with the various alternatives in a liquor vote, there should be an alternative added whereby the municipality can vote in favour of the sale of alcoholic beverages in their jurisdiction without at the same time giving the liquor board the right to approve a licensed establishment. There are many areas where the community is probably not that keen to have an establishment open up either with or without food and serving liquor, but they find that the community customs, mores, do require the sale of alcoholic beverages at certain community functions such as hockey dances at the South Dumphries community arena.

Mr. Speaker, you may never have been to the St. George community arena but believe me it is a very fine establishment indeed, and there are a number of social events which are of the highest calibre. You, sir, coming from Schreiber, would feel right at home there. I would take this opportunity to invite you, sir, to some of these events. The minister as well, if he wants to come, but—

Hon. Mr. Grossman: I would feel right at home as well.

Mr. Nixon: —but for a time we had a certain difficulty with the liquor licence board in approving what had become the custom of the community. I don't want to go into that in detail but this has now been regularized by the passage of an affirmative resolution under the local option statute. I think the whole thing is absolutely ridiculous—but that's another speech which I have made before and undoubtedly will make again under other circumstances.

I do believe that the municipality should have had an opportunity to vote whether or not they could have liquor for sale at these public functions without at the same time approving the licensing of retail outlets. This may or may not be something that they would want to approve, but I feel if you are going to have local option the spectrum of alternatives is not sufficient.

The bill before us I intend to support. I have some concerns, as every member here must have, about the drinking age. It's either too high or too low depending on where it is at the present time. I think it is judicious for us as members of the Legislature to raise it to 19, whatever 19 means when the statute is finally carried. I think that is probably something the force of public opinion—if not our own good judgement—is requiring at this time.

Mr. Bounsall: Mr. Speaker, I am very very concerned about the amount of drinking and the degree of alcoholism that we have in our society. Therefore with that very heartfelt concern, it may seem a bit of an anomaly that I rise to speak in opposition to the increase in the drinking age.

We should never have decreased the drinking age from 21 to 18. I opposed that. I wasn't here in the House, but I opposed that move at the time. Having done that, however, are we justified in increasing it? For what reason are we justified in increasing it? Will that increase have any effect whatsoever; or are we just kidding ourselves that we are doing something about the drinking problem by fiddling with the ages of when you may legally commence to drink rather than attacking the problems which cause people to drink, attacking the societal pressures, the stresses and boredom which give rise to that drinking? Or should we be attacking—and I am sure we should be—the peer pressure which occurs with the 15-, 16-, 17-, 18- and 19-year-olds in our province? Should we be attacking the causes of that peer group pressure which creates the feeling they should be drinking?

That, I feel, is where we should be addressing our efforts. I am very much concerned that on the passage of this bill, by just increasing the drinking age from 18 to 19, many people in our society will tend to say, "There, we've done that" and will sit back and relax. Yet we are even further away from the type of educational program, the very sensitive stuff that should be going on in our public schools and in our high schools—

An hon. member: And in our homes.

Mr. Bounsall: —to educate young persons about the seriousness of drinking; why it is

people drink; and that so many people use drinking as a crutch—not a security blanket, which has a positive connotation to it, but as a crutch to solve the problems of their life, instead of looking at themselves and their problems and trying to remove or solve those problems.

One may have problems such as a very boring work place, which one can't get out of very easily. The solution for that person is not to drink before they go to work because they can't face it, or to drink after work because they have just gone through one of the most boring experiences of their life—and unfortunately it occurs day after day. Those persons should find some other outlet for the abilities which are the basis for their boredom in a particular work place, one that does not offer a challenge.

I am afraid that by fiddling with the drinking age, raising it from 18 to 19, we are going to feel we have accomplished something in Ontario, and further remove the sensitive, sane discussion which should be taking place with our young people, and with the adults in our society, about why it is we drink; look individually at why we drink; and to see if some other solution can be found when we know about the dangers to our health from drinking, and that the resulting alcohol problems are among the major problems of our society at this time.

Having surveyed my constituents a couple of years ago, I am very well aware that the majority of them would be appalled, if I wasn't explaining in words and concepts that they will understand, if they thought I am taking the position that the drinking age should not be raised. Of the people replying to my questionnaire 75 per cent wanted the age raised, no question about it.

Interestingly enough, most of the other 25 per cent who said "no" gave the comment, "Enforce the current drinking age," implying, as we know the case to be, very widespread under-age drinking—undetected perhaps because of laws that are unenforceable. Those are the ones who said "no."

We are recognizing that problem. If there is widespread under-age drinking at the moment, let's not kid ourselves that increasing the drinking age by one year is going to affect that fact one iota. All that will occur when we have increased it by a year is that more illegal drinking will take place.

If there is enforcement, as these people would wish, on those who are drinking illegally, what is going to happen is that there will be more hassling and harassment of 18-year-olds in our province, a hassle they do not get now, by the forces of authority in

our province, the police. We have enough problems in certain areas, not in all areas, in retaining respect for the police. Why would we add a further opportunity for a loss of respect for police in our society by increasing the drinking age and providing a further hassle point between the police, who are invariably in a different age group than the youth they will be hassling. I see more problems that way in our youth understanding our society and being able to get along in it because of the enforcement of an increased drinking age. I don't want to see any increase in that cynicism about the authorities in our province or any increase in the hassling of that particular age group in our province.

Alcoholism, if it results, and it seems to in too many cases—a surprising number of cases—is a social problem, not an age group problem. The problem just isn't going to go away by increasing the age. It's a social attitude and a reflection of the social environment in which one lives or the pressures which a person has exerted upon him.

One week ago today, last Monday morning at 10 o'clock, I had a question hour period with two grade eight classes in Oakwood School in Windsor. The drinking age was one of the questions that they wanted to deal with in depth. They were quite interested in what my stand would be if I participated in the debate and if a vote should take place. I covered with them some of the things I'm mentioning here today.

The consensus of that class—these were children aged 12 to 14—was that the drinking age should not be increased. They weren't drinkers yet and none of them is necessarily planning to be a drinker or to become an alcoholic or to become a drinking problem in our society. All that will happen is a forced increase of illegal drinking in our province.

Their question to me was why would we have an act come into force that is inevitably going to be more breached than what it is at the moment? I must admit for grade eight students they had a pretty fair logic in that argument which they were presenting.

Responsible drinking and drinkers occur at any age—at 18 as well as at 30, 45, 55 and 80. Responsibility is not tied to an age. We do insult to the youth of our province, those 18 year-olds, when we say in this bill: "You are not responsible. You are not capable of looking at the drinking problem and deciding what to do about it. You're not responsible enough to decide whether you should have a drink and how much."

We do insult to that group in our province, that age group in our province. We should never have lowered it, but having lowered it you don't do insult to the integrity, the responsibility and the thought processes of that age in our province.

If any real progress is to be made about drinking and alcoholism we need to attack the problem and what causes it, deal with the cause and remove the cause. For some people, it's stress. What in heck is wrong with our society that we put so much stress on people that they must escape in this way? What is it about our work places—boredom in so many instances—that causes people to feel they must drink to face it or to get rid of the thought of it once they get away from it?

We should be attacking our whole work place concept and what is required of people to perform a useful job in our society; involve people in the decisions around their jobs and involve people as far as possible in that job; not only in the decisions but how best to create the end product which should be resulting.

[4:00]

Let's attack the problem, let's not attack the results of having the problem. I fear the whole program of attacking the problem is being set back by thinking that we have done something—taken a step forward by increasing the drinking age.

I've been aware of some of the arguments made, that increasing the drinking age by and large gets the drinking out of the high schools. It may. Statistics show that only two per cent of the 19-year-olds are in our high schools in September, so there isn't a very large group of them is on our high schools. But if the illegal drinking is as widespread in our society as we hear, I again don't think we've solved the problem.

What are you going to have, Mr. Speaker, if the 18-year-olds in your grade 12 or grade 13 classes have endeavoured by some way to have a liquid lunch and are now back in the high schools in the afternoon? Do you think the teacher, who's trying to fill their heads with something good, something positive and is talking to them and teaching them about society and how to relate to it through whatever particular course he or she is teaching, is going to turn those people in and blow the whistle on them? Of course they're not. You're not going to have enforcement at the teacher level in the high schools any more than you have now, Mr. Speaker.

It shouldn't be happening there. Any teacher who has that reaction to it needs

more help than the pupils in the class who are drinking under age, having endeavoured to acquire in whatever ways a liquid lunch. We're not going to get it out of the high schools. There's going to be no real enforcement there.

If we have pictures on the drivers' licences—which are coming, I gather—and the bar and tavern owners say you either have to show that or the age of majority card, which is available through our liquor stores, if all that happens and if it's enforced by the tavern and liquor owners more so than it is now, then we will have less drinking by that 18-year-old group in our formalized drinking places in the province.

Mr. Speaker, I'm not going to be personal because I don't know, of course, between you and myself, but I would say to the members in this House, when most of us, by and large, were at that age, the drinking age for most of us at that time was 21. I ask the members of this House, can anyone honestly stand up and say in this House that they did not take a drink before age 21?

Mr. Bradley: I can't believe the member for Scarborough-Ellesmere (Mr. Warner) did.

Mr. Bounsall: Hansard might note that the Speaker half rose. Maybe he wasn't sure what he was drinking prior to age 21, whether it was alcoholic or not. Maybe it was only—

Mr. Bradley: Freshie, right?

Mr. Bounsall: Yes. How many of us can stand and say in this House that before the age of 21, when we were legally able to drink, "I never went into a pub or a beer parlour or what have you in this province and bluffed my way through as being age 21"?

Mr. Nixon: We've got to include the press gallery.

Mr. Warner: I couldn't get away with it.

Hon. Mr. Grossman: The Premier can.

Mr. Bounsall: The Premier can, eh?

Mr. Foulds: The member for Port Arthur can.

Hon. Mr. Grossman: The member for Port Arthur, the member for St. Andrew-St. Patrick.

Mr. Bounsall: Oh, come on. I see the grins over there when all this is rolling out.

Mr. Foulds: He couldn't. He's too short.

Mr. Bounsall: We all drank illegally.

Hon. Mr. Grossman: I can't do it now.

Mr. Warner: You were just too short.

Mr. Bounsall: I would say there are very few persons in this House who have not drunk

illegally, so what do we think increasing the age by one year is doing?

Mr. M. N. Davison: Criminalizing it.

Mr. Bounsall: I agree with those grade eight students; there is just going to be a bit more of illegal drinking, as we all did—perhaps not very regularly, but from time to time we did.

Mr. Bradley: Speak for yourself.

Mr. Bounsall: There are so many—I see the big grin from the last interjector. I'm not here for the purpose of comparing how many times we did this, but it occurred.

To those who say, "It will get the problem out of our schools," I don't think the problem is solved in that way. It's still going to be there. Those who say, "The high school dances have disappeared. The things which we remember in the past, that we all toddled up to on a Friday night and enjoyed so much, have all disappeared." No one wants to come to a high school dance because he can't purchase alcoholic beverages at a bar in the school. Therefore, the older ones in the school go out and drink somewhere else and wouldn't be caught dead at a high school dance. Therefore, that has finished high school dances.

Do they honestly think that increasing the drinking age to 19 is going to bring all that back—those high school dances that we remember nostalgically? No, in those areas and communities where those have disappeared, they are not going to return. The social milieu, what 18- and 19-year-olds do with their time has changed. What we think of nostalgically in the past is gone. It has been lost and will not return. Anybody who thinks it will is just kidding himself.

But at those high school dances on the Friday nights that we look back to with so much nostalgia—although the school didn't have a bar anymore than they do now—there was one heck of a lot of alcohol consumed around the corner of the school and behind the bushes, no less than what is being consumed now.

The point that I am making to those who look at it nostalgically and think this will make it come back, is that the high school dances have disappeared—and there was drinking at them anyway. There was drinking at them when the drinking age was 21.

Mr. Haggerty: Even at the beach parties.

Mr. Bounsall: Let's look at the other side of the coin. Let's say we have scrubbed drinking from our schools by this change. There is still a fair proportion of our young people in colleges and universities who are

there at age 17. They are the more academically adept—I won't say bright—among our young population. These are the people who have indicated, either by hard work or by more finely-tuned thought processes than their peers, they are able to be in that position at a younger age. Are we saying to those people who are now at college and university, you are going to have to wait a year and a half, maybe two before you can legally take a drink? Are we going to say to them your thought processes are good enough to have you in that situation at age 17 but you are not responsible about making a decision on whether to drink and how much to drink until you have reached age 19?

There are also many 18-year-olds at both of those institutions I mentioned. What you have done is moved a problem from the high school to the college and university level where it is assumed that people have a bit more responsibility. I don't know why that assumption is necessarily made but it is there in our society. We are saying there is going to be a portion of our colleges and university students not able to have a drink and not responsible to decide whether or not they should and how much. That is a real insult to the youth of our province who are in colleges and universities.

What are the authorities going to do about it? Are they going to enforce that strict separation on college and university campuses and pubs; that strict 19-year-old line which is going to result from passing of this legislation? Because I am so very concerned about drinking and the alcoholism which so often results, I hope that there is enforcement at whatever age it is. But I can see the problems that will occur in those locations, in picking and choosing among bright people—on the basis of age for heaven's sake—which one of them can drink and which one of them can't drink; it makes no sense whatsoever.

Mr. Nixon: Do you think it should be on the basis of IQ?

Mr. Bounsall: I might say in conclusion that I sat on the highway safety committee, as did the previous two speakers. One of the recommendations in that report was to increase the drinking age. I must say I had a most uncomfortable time from time to time in that committee in deciding whether or not I could sign the report or whether or not I should make a dissent at that point. I want to share with the assembly why I did not make a dissent at that point and why I felt I could sign the report with that in it. There are basically two reasons why I was

able to sign that report or not make a dissent at that point.

From the very narrow viewpoint of highway safety, with all the facts and figures we were presented about the drinking-driving problem, I felt that a committee charged with looking at one whole sector of its work, the drinking-driving problem, could make no other recommendation. But it was a very narrow mandate we had. When one placed the drinking-driving problem in the context of the whole society—again, I could not recommend it in terms of the whole of society. If there was one committee and if it was being responsible, being faced with the facts and having to comment on the drinking age, the highway safety committee could not do other, in the narrowness of its mandate and the narrowness of its view, than find that drinking is detrimental to our young people as they are driving.

It was finally quite clear to me that, faced with the facts, that was what I had to recommend on that committee. The member for Yorkview (Mr. Young) has certainly outlined quite capably in his remarks the problems that we learned on that committee about drinking and driving. There is no question, for our young people, that the more we separate the drinking age from the learning-to-drive age, the more society will benefit in having fewer crashes and fewer injuries and deaths. Without question, that was the conclusion we had to draw. As members of that highway safety committee, saying "What can we do for highway safety?" and having already decreased the speed limits and caused safety belts to be mandatory in the province, with drinking-driving as the major problem left in this province, we could not do other than to recommend as much of a separation as possible. But that assumed, of course, that from age 16, when most people start to learn to drive, to age 19, when the bill before us would allow them to start drinking, that no one was going to drink illegally in that prior period. We thought about that on the committee as well and we instituted various other suggestions in that committee. Anyone drinking under the legal drinking age, whatever it is, whether impaired or not—just found drinking—whatever else might happen to him because of being found in that situation, would have his probationary licence be reinstated.

I had real difficulties on that point in that committee. The probationary licence is an early intervention system only, to have the bad habits of the early driver brought to the attention of that early driver as soon as

possible. If we were interested, as we were, in separating the drinking age and the driving age, surely for most people that same three-year period should have been the length of the probationary period. I almost dissented in the report on the drinking age for that reason alone. I could have done it there, or under the probationary licence period. If one is going to have an effect, the period between the starting-to-drink age, which will be 19 if this bill passes and as was our recommendation in the report, and the learning-to-drive age, which is 16 for most drivers, should be identical with the probationary period.

Mr. Samis: Except Wednesday nights.

Hon. Mr. Crossman: Depends on how he behaves tonight.

Mr. Bounsall: The current situation before the ministry is that we have a two-year period, and the minister is trying to decide whether or not to make it one or two years, which I gather is the situation. It really should be three years to have the proper effect, because that is a three-year period if we are going to bring it up to drinking age 19.

Mr. Bradley: The member for Cornwall is not listening.

Mr. Samis: I'm listening very carefully.

[4:15]

Mr. Bounsall: We did a lot of other nice things in that highway safety report which spoke to the drinking-driving problem: The Alert system, which just gets people off the road, if they are over 0.05. There are ways in which people can be tested to see whether they are just social drinkers or problem drinkers as they turn up on our highways. There are ways we know in which they can not only be separated, but also dealt with. That whole thing as a package would be useful in Ontario, of which increasing the drinking age to 19 is only one part and basically the most unimportant part. It is the rest of the package that makes those recommendations useful.

I have gone on for longer than I intended. I would end up by saying that if real progress is to be made about alcoholism we have to attack alcoholism and the drinking problem, the whys and the wherefores. We have to remove the causes and talk sensitively and meaningfully to all people in our society, not just our young people, about the crutch that alcohol is; what it is they are doing when they drink; do they really feel that insecure about themselves and do they really feel that

bad about themselves that they have to resort to the use of that type of crutch?

That is what we should be doing. I fear that progress in that area is being set back or delayed because of what people think to be progress in fiddling with the age, rather than dealing with the problem and helping to remove the problems which cause the drinking.

Mr. Haggerty: I want to add my comments on Bill 96. I listened with interest the other night to the member for York Centre. I concur with his views that he expressed last Thursday evening. I am deeply concerned about the matter of raising the age of majority for drinking purposes only from 18 to 19. I am not convinced that it is going to solve the problem by moving it ahead one year. I think next year we will be introducing further amendments to the bill. It will be age 20, and the following year it will be 21.

We are holding many of our young adults on a shoe-string, dangling them up and down. We don't know what direction we should follow.

The matter of drinking and alcoholism is a serious problem in the province of Ontario. I have listened to other members discussing the problems and quoting statistics and facts which do relate to the number of fatal accidents that happened on our highways, not only in Ontario but across Canada. Other health problems are related to alcoholism and there is no doubt this adds a costly item to our health bills in Ontario.

As to the carnage on our highways, Canadian studies have shown that alcohol is involved in approximately 40 per cent of the highway fatalities and about 25 per cent to 40 per cent of cases of non-fatal highway injuries across Canada, which is rather alarming. It is also noted in statistics and evidence has indicated that over 75 per cent of the fatally injured drinking drivers had a blood alcohol concentration of 0.1 or greater, that is, in excess of the 0.08 level which is legally defined as impairment.

We have seen that alcohol, as indicated by previous speakers, is related to crime in Ontario and medical problems. Alcohol was involved in more than 40 per cent of all murders in Canada between 1961 and 1974. That is alarming. Alcohol is also frequently involved in suicide and suicide attempts. Studies indicate that about 25 per cent of attempted suicides are related to a drinking problem. It can be included in this particular area; alcohol is one of the problems here. Alcohol is also related to people committing suicide in the whole general population across

Canada. One of the major reasons that would encourage people to move in that direction is if they were under the influence of alcohol. It adds to the violent criminal behaviour in Canada.

Other studies relate to a recent roadside survey conducted by the federal government which disclosed that in the late evening one out of five drivers was under the influence of alcohol and one in 20 was legally impaired.

When you look at the bill it doesn't actually get down to the root of the problem that is facing society. We as legislators, and the law enforcement agencies, have concentrated more effort on drunk driving or persons who have been legally charged for impairment. There is nothing in the bill, Mr. Speaker, An Act to amend the Liquor Licence Act, 1975, to change the person's ways of thinking or living to suit the code of moral ethics, but as legislators we are compelled to change the law to suit the person. I find that this relates more to this bill than any other bill that is before the Legislature.

I do not believe that the raising of the drinking age to 19 is the solution to the problem of the consumption of alcohol. I think the matter of the consumption of alcohol and its related problems lies directly within the family and the parents. I have enough confidence in our 18-year-olds today. They are better educated; they are mature, but when I use the word "mature" I am suggesting that they follow the principles that are set down by parents and other members of our society that drinking is the answer to all our problems.

I can see that the bill before us doesn't cover every area relating to the enforcement of the Liquor Control Act. Perhaps in the near future almost every person entering industry for work each day will have to have a breathalyser test because, again, studies have indicated the influence of alcohol as it relates to the driving of an automobile also relates to the number of accidents in industry. Industry is deeply concerned about the matter of drinking by persons entering into their plants daily and it is causing a serious problem.

I can recall making an appeal to the Workmen's Compensation Board with regard to a gentleman who had a serious accident. His prognosis wasn't that promising. But every response that I received from the Workmen's Compensation Board was that his problem wasn't related to the accident but was related to drinking. After reviewing the medical information and consulting with the family physician and arriving at some of the prob-

lems with the gentleman, I appeared before the board to appeal his case.

I remember one of the board members throwing out the interjection that his problem was drinking. I said to them, "What is causing that problem? What is the cause of it?" Too often our society doesn't look at the root of the problem. What is driving people to drink?

I thought that I had better be prepared for the appeal that day. When the board member threw the interjection I said, "I like to quote from the good book." So I threw this quote to him: "Give strong drink unto him that is ready to perish and wine unto those that be of heavy heart," and I based my argument upon that.

The board member was not quite satisfied; he kept throwing in the interjection about drinking. I said, "What is the cause of it? If you lose your job and have no source of income, I suppose that drinking is the easiest route to take and to dissolve yourself on that matter—to perish."

Then I threw him another quote from the good book and I will read it: "Let him drink and forget his poverty and remember his misery no more." The more I look at society today, the more I am concerned about this.

Mr. Nixon: How about "Take a little wine for your stomach's sake"?

Mr. Haggerty: That is a good quote too; with a little honey.

I am concerned about this particular matter of the problems of alcoholism in Ontario. I don't have to quote the huge profits of the Liquor Control Board of Ontario; last year alone they had about \$395 million in gross sales. You find very little of that spent in rehabilitation, Mr. Speaker. I think about \$10.69 million goes to the Addiction Research Foundation. The detoxification centres receive a little over \$3 million.

We don't go to the root of the problem: What is causing the drinking problem in the province?

I have some strong reservations about drinking, but then again I suppose it is based upon the person's choice whether he wants to drink or not. I think many of the problems that are caused by heavy drinking in Ontario are caused by those persons perhaps living in poverty, who have no hope of being elevated to some other level in our society. Then we have those at the other end, at the top level, who are being pressured with the stress involved in day-by-day business. In this particular area it's a matter of a few drinks a day, but I suppose it all adds up at the end of the year although if you have a certain

tolerance level you can live with it. Beyond that level it is going to cause other problems in our society. I don't have to tell you, Mr. Speaker, about the problems and the costs in Ontario's social and community services or those related to health. It is an enormous cost.

I suggest to the minister that the bill doesn't go far enough. It doesn't deal with the issues themselves. There is nothing in there to indicate some form of education program in our schools—and I am talking about grade levels and secondary schools. I think we are lacking a program in this area to teach a respect for alcohol; there is nothing in this area.

The minister hasn't gone far enough. I suppose there are other areas we could get into but other members have spoken on the bill. I am not convinced that raising the age of majority for drinking purposes to 19 is going to solve the problem. The problem, again, relates to the family and that is where discipline has to take place, within that family.

Again, I suggest the minister must provide enough facts, enough information to the schools to warn future adults of the possibilities of the hazardous problems that may exist in heavy drinking. When you buy a package of cigarettes today it has a warning that they are hazardous to your health. We see nothing of that related to the problems of alcoholic beverages.

I suggest to the minister that this is one direction he should be moving into, better informing the public of the serious effects over-indulgence in alcohol can cause to the individual.

I am not too happy with the bill, but as a number of my constituents have informed me they think that raising the drinking age to 19 is going to solve the problem I will support the bill, but honestly I don't think that is the answer.

[4:30]

Mr. Grande: Mr. Speaker, I rise to speak on this bill, Bill 96, An Act to amend the Liquor Licence Act, 1975, and my particular feeling on this bill is that I will be voting against it.

I am not going to be very long. As a matter of fact I am going to be rather brief because a lot has been said. It appears to me that the two reasons that have been mentioned over and over again as to why there is a need for this kind of bill, particularly the clause which raises the drinking age from 18 to 19, are, first, that it would take liquor, booze, out of the high schools and, second,

that because of the fact that there are so many accidents involving young people who apparently have been drinking.

Those are the emotional reasons which cause the minister to draw the conclusion that in order to stop young people from either killing themselves on the road or from drinking in the high schools what we should be doing is bringing in the punishment technique and saying, "We are going to control your behaviour because we are going to raise the drinking age so you will not be able to do it until you are 19."

I happen to think that the negative principle embodied in this bill—and, by the way, it happens to be embodied in every law; law is punitive by its very nature. I happen to think that it's not the correct approach at all. I happen to think, Mr. Speaker, that if we were really interested in getting liquor out of the schools, if we were really interested in stopping 18-year-olds from drinking, then perhaps the logical step to take is to ask ourselves the question, "Do we force our young people to stay too long in the school system to begin with?" We should ask ourselves the question, "When does the age of maturity really come about? Is it some magic number, at a magic age of 18, or 21, or 19, whatever it is?"

Mr. Lawlor: It's 183.

Mr. Grande: Is there something magic about a particular period in our lives where somehow we will be considered to be adult? I don't think that that magic number exists. I have known people in their so-called middle age who are not mature. I have known students of 14 and 15 who are very mature and very much capable of making their own decisions and acting in a responsible way.

Therefore, for this legislation to be coming before us and for us to be saying to our young people in this province that we really do not trust them, that we really do not think that they are responsible enough for their actions and so therefore we are going to curtail their actions, I think that is indeed the wrong tactic.

The only big reason is that so many young people drink and then drive and so therefore they get into accidents, accidents that will destroy the individual, accidents that kill. That's the emotionalism—the human life there. Who on earth would get up in this House and say, "Well, I am for killing people." No one, of course.

However, I don't suffer from the perspective of having been on the select committee—of having been fed a tremendous amount of information so from that information I would

lose the perspective of the whole society within the province of Ontario. I happen to think that, once again, if we are serious about curtailing the drinking driver, and the drinking driver who is 18 years of age or under, then it would seem to me that rather than stopping that particular individual from having a drink what one does is increase the age at which a young person can drive on the road. You don't give a 4,000- or 5,000-pound weapon to a young person who is not responsible, who is not yet mature. There is where the real problem lies.

As my colleague the member for Windsor-Sandwich (Mr. Bounsall) was suggesting, we have to be tackling basic causes here. I truly have had enough with just tackling the surface symptoms.

It is a fact that within the educational system, when students are in grade eight and go on to the high school system at 13 or 14 years of age, we ask them to make a monumental decision. That decision is, "What am I going to do with my life in terms of my educational goal, my educational pursuit?" Somehow, we believe that students at that age are capable of making such a decision.

When students go to the high schools, we tell them, "You can choose the courses you think you may want to take; the courses for which you have a particular aptitude; those you are best in." Those courses will determine the vocation of that young person. In other words, in the educational system we can say to students, "You are capable of making decisions that will affect your life," and yet we are saying to them at age 18, "You're not able to decide in a responsible way"—thousands upon thousands of them do act in very responsible ways—"whether you do indeed want to have a glass of wine."

I talk about a glass of wine because that happens to be part and parcel of my culture. I grew up at age six, seven, eight, with my father encouraging me to have a glass of wine and at this particular point in my life I certainly do not abuse the stuff. As a matter of fact, I don't even think about it. It's part of the attitudes that we have, which somehow indicate to us that prior to a particular age you cannot touch the stuff and after that particular age you can get bombed, as the expression goes.

I really do not think that that's the way things ought to be. There is a progression; there is a decision-making process; and every step of the way counts. There is no magic age of 18 or 19 or 21, at which that maturity comes about.

The other evening the Minister of Correctional Services (Mr. Drea) was trying to suggest, to me at least on this side of the House, that 90 per cent of the inmates of Ontario correctional institutions have a problem with drinking. He left it at that.

Hon. Mr. Drea: I didn't say that; you know it. Get it right.

Mr. Grande: Of course, the emotionalism that is raised, the implication, is that the reason why 90 per cent are there is because they have a drinking problem?

Hon. Mr. Drea: That's not right.

Mr. Warner: That's what you said.

Hon. Mr. Drea: No, I said alcohol-related. I specifically said it wasn't a problem. Now get it right.

An hon. member: Pay attention.

Mr. Warner: Look who's talking. You missed the message on coffee.

Hon. Mr. Drea: If you are going to use me to bolster your case, get it right.

Mr. Grande: The minister then ended his comments by saying that the Minister of Consumer and Commercial Relations displayed courage in bringing about this bill.

Hon. Mr. Grossman: You got that right.

Mr. Foulds: One out of two isn't bad.

Mr. Samis: That's not what he showed the day he read it to us.

Mr. Grande: Well, if he displayed courage in bringing about this bill, then I say that that courage is rare indeed. The Minister of Consumer and Commercial Relations and all the people on the other side of the House and at the other end of this side of the House, decided that this legislation was going to be brought in three years ago. It was coming.

Even though I do realize there are concerns across this province about drinking, about the abuses of alcohol, I really, truly, do not think that by singling out the youth in the province it's going to have any effect whatsoever. It is an attitudinal problem. It is a problem of the whole society. It is an educational problem, Mr. Speaker, and you do not encourage maturity in an individual, you do not encourage individuals to be able to make good decisions, by punitive approaches.

Mr. Bradley: I rise in support of the bill and many of the provisions within the bill.

Speakers to this point have dwelled on the raising of the drinking age as being the most controversial and perhaps the most important or contentious aspect of the bill. I

think if we examine it carefully we find that it is only one aspect of the bill and that the minister has attempted to incorporate in the bill many positive steps that he hopes—and I think members of this House hope—will serve to alleviate at least part of the problem with drinking in the province of Ontario.

Mr. Lawlor: And certain negative ones too.

Mr. Bradley: Those of us who support the raising of the drinking age to 19 recognize that it isn't the entire solution by any means, that it's only one small part of the solution. If we look back 10 or 12 years, I cannot agree with those speakers who would suggest that the drinking problem among young people was as great as it is today, particularly among the very young group.

When I began teaching school I can recall that students in the 12-, 13- and 14-year-old age group spoke little about drinking, discussed it very little and did very little drinking. There were very few problems with drinking among those students within elementary schools and junior portions of high schools. It was something that was confined, at least by law, to those who were over the age of 20. Therefore, those who tended to break that law were those who would be one, or two, or perhaps even three years under the age of 21, if there was a breaking of that law.

At the present time, we see a trend towards younger and younger people developing alcoholic habits. As a teacher until 1977 I could see this trend coming about. Students now in the elementary grades, or in the junior high school grades are more and more drinking at dances and other social activities; more and more are smuggling alcoholic beverages into school premises for whatever reason, consumption and spreading them about. The entire problem seems to have reached almost a crisis, at least according to many of the parents and teachers and others who are observers of our society.

Raising the age to 19 does not remove these possibilities. However, it does alleviate part of that problem—particularly looking at the high school level and the habit that some have of going out in the lunch hour, consuming certain quantities of alcohol and returning to the classroom.

[4:45]

The member for Oakwood, or perhaps it was the member for Windsor-Sandwich, made a rather interesting point. One of them indicated that it is very difficult to assume that secondary school teachers are going to want to assume responsibility for enforcing

the liquor legislation in the province of Ontario by drawing to the attention of the principal, or ultimately to the police authorities, the fact someone has consumed alcohol under the age of 19 and is at that time in a classroom.

Nevertheless, there are those within the teaching profession who are prepared to assume responsibility for ensuring that the laws of the province are upheld, indirectly or directly, and will find this a benefit in terms of the other students in the classroom who do not choose to partake of alcoholic beverages before coming to that particular classroom. It may have some effect at least in making the teaching of lessons just a little easier and the discipline problem within the secondary schools a little better than it has been in the past.

I recognize this as not only my experience in the teaching profession for a number of years, but also from my experience as a coach in hockey and baseball. It used to be that we took our midget age players, who are 15, 16 and 17, to tournaments out of town. When the age was 21, there was very little discussion of the potential for drinking or there was very little danger of that happening, of them getting into premises where they would be served alcoholic beverages or being able to procure alcoholic beverages at this time.

At the present time, it's very difficult to take different teams of that age, 15, 16 and 17, to tournaments without the knowledge that somehow they're going to be able to obtain alcoholic beverages. The focus will be on something other than the sport they are involved in and much more on the kind of rowdiness that might take place when they are out of town. This presents a real problem. Despite the onerous activities and duties that are part of being a member of the Legislature, I still have managed to find some time to coach a team again this year. I find that I simply am not in the position of being able to look forward to taking that team out of town for any overnight tournaments, simply because there is no real insurance that they are not able to procure alcoholic beverages somehow because they are very close to that legal age of 18.

The argument can be made, I suppose, that 19 does not improve the situation that much. It does, however, improve it a little bit. The chance of a person 19 supplying liquor to someone under age is just a little less than it would be in the case of a person 18. Most people who are of the age of 19 are either out in the work world or have graduated and are participating in activities in post-second-

ary education facilities. Therefore, it does diminish that possibility, even a little bit.

The minister has suggested as well the problem of drinking and driving, as have various committees, particularly the committee on highway safety. I think we recognize with more and more young people of the age of 16 now having their own vehicles, or with access to vehicles than was the case in the past and with the drinking age presently at 18 and the ability to procure alcoholic beverages fairly easily under that age, there is a tremendous increase in accidents. The death toll is appalling and the number of accidents, including personal injury, is appalling in this particular age group. It is reflected in the amount of money they have to pay in terms of premiums on the problem of drinking and driving among the young people in this province.

An interesting observation as well in terms of the physical fitness of young people is the age at which the waistline begins to expand since the the drinking age has been reduced from 21 to 18. When the age was 21, one often noticed people about the age of 23 or 24 beginning to accumulate a good deal of excess weight around the waist, often due to excess consumption of alcoholic beverages. We find now that the fitness of young people has diminished to a certain extent when one sees a pot belly on a person who is 19 and 20 years old from consumption at the younger age. Whether that is sufficient in itself to ensure support of this bill is questionable, but it is a sad observation nevertheless.

It is a sad commentary—the member for Windsor-Sandwich (Mr. Bounsall) discussed that—that when members of the Legislature go to elementary schools or secondary schools to discuss issues of a provincial nature, one of the issues asked about the most is drinking. I can recall having members of the Legislature visiting when I went to Grantham High School in St. Catharines. As a matter of fact the member for Windsor-Walkerville was a guest speaker at one time. He was on one of the committees on youth at that time. We have had several committees on youth activities. At that time I cannot recall any questions which were directed to him concerning drinking ages and the problem of drinking. It simply was not the issue that it is at the present time.

I think it is rather a sad commentary that so many of our young people now are concerned about when they can start drinking legally. Perhaps this is partially because of the kind of advertising we see—the lifestyle advertising that the minister has now suggested will be reviewed very carefully. Per-

haps there are other factors—the drinking age being one of them. Nevertheless, it seems to me to be a rather sad commentary that this is the case.

I pay tribute to my friend, the member for Essex South (Mr. Mancini) who brought forward a bill in the fall which initiated action. Also the member for Mississauga North (Mr. Jones), who was given credit by the Minister of Consumer and Commercial Relations in his release. When I produced a little article for a newspaper that I produce each week, I substituted the name of Terry Jones with Remo Mancini to ensure that the proper credit was given for initiating the action in this House.

Mr. Warner: More fair than the Tories, they wouldn't do that.

Mr. Bradley: The minister now has been compelled as a result of the member for Essex South's initiative to bring forward this kind of legislation under the pressure of the people of this province.

Hon. Mr. Drea: That is called the de-Stalinization of Remo Mancini.

Mr. Bradley: The minister, in fairness, does not look exclusively at raising the drinking age as being the final solution to this problem. I do support a provision he has made which I think is a commonsense provision. That is, allowing those who are the age of 18 and who must work in premises where alcoholic beverages are sold to continue to do so—

Mr. Warner: If they can get a job.

Mr. Bradley: —in order to earn more funds for various reasons.

I think the provision that we must have a card with a photograph on it or a licence with a photograph on it is going to make it easier for those who own premises, or those who retail liquor, beer and spirits, to determine those who can legally purchase these. No longer will they have the excuse that some kind of proof was provided but they did not have the photograph on it. I think this is a positive step which will have some results in enforcing this legislation as it presently exists, as well as when the age is raised to 19, as the member for Windsor-Sandwich suggested was necessary.

I also strongly support the stronger penalties which will be imposed on those who own these premises for serving those who are under age. I think anybody strolling into many of the licensed beverage rooms in this province would find that they are serving people under age. Although I don't find occasion to do this often, I have been told by other members of the Legislature who find

time for this activity that the number of people under age who are presently being served—

Mr. Warner: Next time we will wake you up and ask you to join us.

Mr. Bradley: —in these premises is rather startling. I am told there are 15-, 16- and 17-year-olds being served at the present time. Only through more meaningful penalties and stronger enforcement are you going to find any improvement in this regard. The minister has provided for this in his bill and should be commended for that, even though it was done at the prompting of the members of the opposition.

I know the police authorities have had another problem involving the abuse of alcohol, and it is a genuine problem in terms of enforcing it in parks, and that is determining whether the container is open or closed.

Unless the police officer or someone in charge of enforcing the liquor law were to see a person actually consuming the alcohol, there was very little he could do about it. As soon as the police officer turned his back the alcohol would continue to be consumed. There has been open taunting of police officers in this regard. We have overcome this problem for people who wish to use these facilities without being bothered by large groups of people who have consumed alcoholic beverages in excess and are not interested in any constructive activity. I think it was necessary, so that the police were able to enforce this to provide for those who could responsibly consume alcoholic beverages and those who choose not to do so at all.

As a member of a municipal council, I can recall that municipalities often had problems in their own recreational facilities with those who might choose to consume alcoholic beverages and as a result of consuming them in excess caused many problems for the other customers who are there. By providing enabling legislation for various municipalities to prohibit alcohol in specific parks except under licensed conditions or arenas or other recreational facilities we are at last giving them the chance to be able to enforce a law which they felt was very important to again allow the responsible majority to enjoy these facilities in some kind of peace and quiet.

Also the provision to bar those who are well-known troublemakers in a community from licensed premises gives a break to those who wish to drink in moderation and in some kind of peace and quiet, even though sometimes these facilities have music which is certainly not defined as allowing you to enjoy peace and quiet. At least it allows the owner to prohibit those people from entering the

premises or allows him to eject these people from those premises on a legal basis.

The bill itself does not solve the problem of alcoholism or of near-alcoholism in Ontario. It will not eliminate cirrhosis of the liver or other diseases which are associated with alcoholism or the consumption of alcohol in excess, but it does provide us with a step in the right direction. With the rest of the package the minister has announced it will have some effect, I believe, in alleviating this problem.

Education is necessary and the minister has indicated in his statement that he feels that much more education is necessary, and not only in the secondary and elementary schools. Time and again we keep saying the schools should be doing this or doing that. But there is also the kind of education that can take place in the home and in clubs or other organizations to which people belong. Of course there is also the setting of example by the adult population for those who are young, and by people in the family to assist in alleviating this problem.

I support this bill. I see no real problems with it. In committee we may find certain provisions that have to be adjusted slightly, but I see no real problems with this specific bill. It is a step in the right direction and I commend the minister and the government for accepting the advice of the opposition.

Mr. Warner: Mr. Speaker, I am sure the members will be disappointed to learn that the pressures of this place necessitate that my three-hour speech be limited to 10 minutes. However, we will try—

Hon. Mr. Grossman: It's usually the reverse. Your 10-minute speeches take three hours.

Hon. Mr. Drea: Resign.

Mr. Warner: I knew the members would be disappointed.

Mr. Samis: Don't provoke him.

Mr. Warner: The minister, who perhaps now is trying to persuade his friends from Rosedale to attend the Blue Jay games in addition to the Stratford Festival and by so doing help to get us beer in the ballpark—I know he is working hard on that. Perhaps some of his cabinet colleagues will contribute along that line too, since there is a bit of a split in the cabinet, I believe, over that.

Hon. Mr. Grossman: Unanimous, no split. Nothing like your party is going to be on this vote.

[5:00]

Mr. Warner: I am very pleased to take part in the debate. I am also pleased to know, as I have sat through almost every speech

that has been made on this bill, that all the members who have spoken have shown their concern over the issue. I think it's safe to say that every member of the assembly is concerned about the issue, although each member may define the issue a bit differently and may have a different solution to the problem.

I'm extremely disappointed with what the government has brought forward. I think it is making a mistake. I think it's one of two things: Either they don't understand the problem well enough or they're simply taking the easy way out.

As you recall, Mr. Speaker, there was a bill a while back—I don't remember the date of it—from the member for Essex South which received a great deal of publicity at the time. It proposed raising the drinking age to 19. His bill dealt solely with that matter. It created a great deal of interest in the public. Like other members of the assembly, I received telephone calls and letters from people interested in the issue. Some were in support and some were against.

I would have to say honestly it was a 50-50 split between those opposing and supporting the private member's bill of the member for Essex South (Mr. Mancini). So it was easy for the government, over the kind of reaction they got, to simply mirror that bill instead of addressing the problem. I think that's the key to it: they're not addressing the problem.

I will be opposing the bill on the basis that the government is simply tinkering. That's all it's doing. In fact, it may be playing political games with it instead of looking at all the problems that are involved and trying to deal with them in a very straightforward way and trying to get at the root of it all.

The root of it is lifestyle. It's a lifestyle that we may not be able to easily identify in all of its forms, but it's a lifestyle. Just for a moment or two I think it's noteworthy to take a look at some of the lifestyle problems that we have foisted upon ourselves.

The good member for Cornwall (Mr. Samis) mentioned earlier Canada's national magazine, Maclean's, and what it does towards the advertising of alcoholic beverages. It's not just that so many pages are taken up with ads, but it's the nature of those ads.

We have one manufacturer, Premium, saying: "The reward of achieving . . ." There's something significant about that. We achieve if we're allowed to drink. It's a sign of achievement. It's also a reward. It's out of their ad on the second last page of the June 12, 1978, edition.

In the same magazine, on page 63, it says: "The only thing more rewarding than giving it is sharing it—Seagram's Crown Royal."

Hon. Mr. Grossman: Say that again?

Mr. Warner: "The only thing more rewarding than giving it is sharing it—Seagram's Crown Royal."

Hon. Mr. Grossman: It sounds like socialism.

Mr. Warner: Socialism is so much deeper, I wouldn't expect the minister to understand it.

On page 39, Dewar's Scotch Whisky advertises: "You deserve a Dewar's." Again, the concept of reward.

The one that really grabs me is the one that's placed on page 11 by the minister's good friends; it talks about mixing: "You just add water and mix." The ad goes on, and what it's trying to do, of course, is to promote the company. It's not a liquor ad. It's an ad placed by Imperial Oil. It shows a cocktail glass with a stir stick in it, and it's talking about oil. That's how far we've gone in this society that we not only try to get classy, slick ads on drinking, but we try to get that associated with all other products because drinking is such a highly prized ability in our society.

Mr. Samis: We used to settle for a tiger in the tank. Now we are up to this.

Mr. Warner: I think that is pretty sad.

Hon. Mr. Grossman: I suppose that is the government's fault.

Mr. Warner: As my friend said, it was a tiger in the tank and now we want scotch in the tank. That is the movement that has taken place, even to the front of the magazine and its covering article, which I gather is the single's myth. There is a story here about the myth of being single.

Hon. Mr. Grossman: Do you want us to censor that?

Mr. Warner: The picture on the front is of a young woman resplendent with a glass of wine and a cigarette in her hand.

Hon. Mr. Grossman: Do you think we should censor that?

Mr. Grande: It would be more useful than some other things you have censored.

Mr. Warner: Again, the connection that has to be made is between the story on the singles and the drinking. It is obviously in a bar because one can see in the background the bar table, bottles of beer and other drinks.

Hon. Mr. Grossman: Do you favour censorship?

Mr. Samis: The minister is bringing out green herrings.

Mr. Warner: Why I bring it to the minister's attention—

Mr. Grande: The minister is not listening.

Hon. Mr. Grossman: After two hours?

Mr. Warner: When the minister is ready to listen, what I am trying to bring to his attention is the fact that this kind of lifestyle advertising not only promotes drinking in our society, but says it is something we should work towards, something we deserve, drinking is a reward for us. I am really quite offended by that. What we seem to have got away from is the fact that drinking—

Hon. Mr. Grossman: Did you write Maclean's about their cover?

Mr. Warner: They are not the only culprit and the minister knows it, but he probably is not going to do anything about this.

Hon. Mr. Grossman: I am not going to censor it.

Mr. Samis: He can't anyway and he knows he can't.

Hon. Mr. Grossman: Are you going to write a letter to the editor? I will look for your letter to the editor about this.

Mr. Warner: He is not going to do anything about the lifestyle advertising.

Mr. Foulds: Would the minister stop heckling? Does he want this bill through?

Mr. Warner: Surely the kind of thing the government should be taking a look at and this Legislature should be taking a look at is all of the ingredients that go into our attitudes about drinking in our society, starting from the very beginning.

I will recall to the Speaker and the minister what has been related to me from my children, both of whom are pre-schoolers. They have had, I would say, an excellent reaction to those ads on television by the cancer society about the problems related to smoking cigarettes because of the statements they will say to me: "I am glad you don't smoke cigarettes. Smoking is bad for you. Smoking is bad for your health, isn't it, Dad?"

Obviously, their exposure to television and those ads, coupled with the fact that they took the cigarette ads off television, has been a very positive thing in the life of my children. I don't understand why we can't parallel that kind of approach with alcoholic beverages.

The minister has put nothing in the bill to deal with that. He has never made a state-

ment to deal with that, and that is part of the roots of it.

Hon. Mr. Grossman: What section of the bill?

Mr. Samis: He wouldn't know.

Mr. Warner: If he really wants to get serious about the problem, that is one of the things he should take a look at. He should take a look at what he is going to do in the schools. How serious is he about the problem in the schools? I would think if the government was really serious about what it perceives to be a drinking problem in the schools, it would treat it the same way it says it is going to treat drinking while driving.

When one drinks while he drives, presumably the government is now going to get tough. They haven't been in the past but they are going to be in the future. Those drivers who are out on the roads and have been drinking while driving are going to get clobbered by the law before they clobber someone else in their car, according to the government. We have yet to see any evidence or much evidence of it.

Mr. Cunningham: On the Don Valley Parkway.

Mr. Warner: But that is going to happen. We also know if he is drinking while working—unless he is an executive, in which case it is excused as part of the job—the worker on the assembly line who has a problem with drinking is sent home. There are often repercussions for him. I don't understand why we don't take the same approach to those who are supposedly learning.

If they are in the classroom and have been drinking, do something about it. Get them out of the classrooms and find some suitable way to punish them for what they have done. But don't use it as an excuse to single out the 18-year-olds as a class, as a group, and say to them, "You're responsible for the problems in our society. You're responsible for all the drinking problems and we are going to punish you for it."

Hon. Mr. Grossman: We didn't say that.

An hon. member: But the legislation says so.

Mr. Warner: That's precisely what the minister is doing in this bill. He is not addressing the problem.

Hon. Mr. Grossman: Don't be silly.

An hon. member: You are not even addressing the bill.

Mr. Warner: I have said to the minister before—I said it back in the fall of 1975; it wasn't the present minister—"Get tough

with the drinking drivers. Get them off the road. Impose a jail sentence if you feel it's warranted."

Hon. Mr. Grossman: You will support our other legislation?

Mr. Warner: "But don't allow those people driving around on the roads after they have been drinking too much."

Hon. Mr. Grossman: You will support our legislation in the fall?

Mr. Warner: The government didn't see fit to do that but it did see fit to bring in a seatbelt law, and after the seatbelt law had been in for a year—I applauded; I supported the legislation—

Hon. Mr. Grossman: Progressive government.

Mr. Warner: —and after the seatbelt law had been in and the speed limits had been lowered, the Minister of Transportation and Communications was able to stand in this House and present a report which said that the accident rate and serious death rate had declined, because—

An hon. member: Serious death?

Mr. Warner: —of the seatbelt law and lowered speed limits.

Mr. Bradley: The former member for St. Catharines doesn't agree with that.

Mr. Warner: The government was willing to take a tough stand on that one and intermittently they actually enforced the law on seatbelts. I wish they would do it more thoroughly.

Mr. Speaker: Meanwhile, back to Bill 96.

Mr. Warner: Well the relationship, I am sure—

An hon. member: We are getting there.

Mr. Warner: I don't want to say that the Speaker wasn't listening, but the relationship is if the government is willing to be tough on that, then why can't it be tough on the drinking and driving?

Hon. Mr. Grossman: In the fall.

Mr. Warner: In the fall! It's always in the fall. But a year ago or more than a year ago we had the seatbelt legislation and it has been quite good.

Hon. Mr. Grossman: Will your caucus be split on that too?

Mr. M. N. Davison: Yours is split also.

Mr. Warner: If the minister has a problem in the bars with minors—

Interjections.

Hon. Mr. Grossman: Another free vote?

An hon. member: You are never split over there?

An hon. member: Beer in the ballpark, Larry.

Mr. Warner: Mr. Speaker, this isn't the time to discuss the minister's split personality. If there is a problem in the bars with minors being served, then he should solve that problem by dealing with those who are breaking the law. Don't solve it by moving the age up a year. The minister knows as well as I do that almost every teenager in this city can give you a list of the bars to go to where you will be served.

Mr. Bradley: That's right.

Mr. Warner: They know it; they know which ones will serve them and which ones won't. Crack down on those bars that are serving minors. Do something about the establishments instead of taking it out on the 18-year-olds. That's the place. The minister should deal with the problem he has at hand, but he is not doing that. It's far easier to simply raise the age by a year.

Let him do something about the educational system. How is he going to handle the dissemination of material that's necessary so people have a little different perspective about drinking and don't view it as a reward, don't view it as something to achieve the moment they turn 18 or 19 or whatever age the minister decides on? There has to be a different approach to alcoholic beverages than what we have now.

I wonder if the minister's aware—I would imagine he is—of the pub system in England where a couple of things operate. For the most part it's cheaper to buy beer and alcoholic beverages in a pub than it is to get it at the retail store, the liquor outlet.

Hon. Mr. Grossman: Is it 10 minutes yet?

Mr. Bradley: It was up at 5:09.

Mr. Warner: The minister is interested in the time more than my speech obviously, so I—

Hon. Mr. Grossman: Right! Carried, carried.

Mr. Warner: —will address my remarks through the chair to the member for Scarborough Centre (Mr. Drea) who always listens to everything I have to say.

Hon. Mr. Grossman: He didn't even hear you say that.

Mr. Warner: In England what they attempt to do, Mr. Speaker, is to say that the alcoholic beverages are going to be a little cheaper in the pubs than they are in the retail stores and then control the hours that

the pubs would be open, so the pub closes at supper time and workers when they finish their job go home; they may come back to the pub in the evening but they go home; they are not going straight to the local pub to sit there and drink.

Hon. Mr. Grossman: Are you in favour of that? Is that your party's position?

Interjections.

[5:15]

Mr. Warner: And secondly, while at the pub, rather than being waited on at the tables, if they require a beer they go to the bartender and ask to have a beer. They don't have the situation we have in some of these places that are nothing more than watering holes, where they come around and put two, three or four beers at a time on your table. I understand that's illegal, but it's done. Even if the person's head is resting on the table they will still plant two, three or four beers on the table in front of the person. Totally illegal though I imagine it is, they still do it. There's no law against it.

The approach in England has always been quite different. You want the beer, you go up to bar and ask the chap to serve you one. Also, the pubs are usually within walking distance from the person's home, people don't have to get in their cars.

Mr. Cunningham: That would take a lot of rezoning.

Mr. Warner: What does that involve? It involves a different approach to planning, obviously.

Hon. Mr. Grossman: Do you agree with that? Are you in favour of that?

Mr. Warner: You can't do all of that unless you are willing to tackle the entire problem, which the government isn't willing to do. The government simply is not willing to do it.

Interjection.

Mr. Warner: The government would rather single out the 18-year-old and say that he or she must be 19. Raise the drinking age and then say the problem has gone away, we have solved the problem. That's a lot of baloney.

Hon. Mr. Grossman: We didn't say that.

Mr. Warner: Quite frankly, it really is.

Hon. Mr. Grossman: And in conclusion; to sum it up.

An hon. member: Have you been in an English pub?

Mr. Warner: The minister probably won't want to comment on this, but I think the

government has got to take a look at the hours of service, the hours that the bars and pubs are open. They are willing to adjust it for the airlines now, to accommodate the businessmen so they can have a drink while in the air between cities.

Hon. Mr. Grossman: Only businessmen fly, right?

Mr. Warner: —but is the government willing to take a look at the hours of service in the bars here in the city and throughout the province and think about cutting them back during the week, Monday to Friday? I doubt it.

Hon. Mr. Grossman: What's your position?

Mr. Bradley: You're the government.

Mr. Warner: The system here is we ask questions, the minister answers them, remember that.

Hon. Mr. Grossman: What's your position?

Mr. Warner: My position, to the minister, **Mr. Speaker,** is that the minister should table in here—

Hon. Mr. Grossman: That's a position.

Mr. Warner: —every single aspect of this drinking problem we have in Ontario and how he intends to deal with them. I would certainly be quite happy to challenge the minister, I'm able to do that and I am willing to do that.

Hon. Mr. Grossman: What are the hours?

Mr. Warner: I am willing to draft a list of all of the components of this drinking problem that we've got in Ontario and suggest how we approach it.

Hon. Mr. Grossman: I look forward to it.

Mr. Warner: I will have to do it because the government won't do it.

Mr. Bradley: The minister can't even control the liquor board.

Hon. Mr. Grossman: When will I have it?

Mr. Warner: That's the whole difference here. This bill is going to be debated some more; it's going to be passed, because the majority of members in the Assembly will pass it. The government will proclaim it, and the government will say: "There; we wash our hands of it. The problem is solved. Now that we have moved it from 18 to 19 the problems are going to dissipate somehow and we don't have to do anything more."

Mr. Bradley: We won't let them do that.

Mr. Warner: I say the government is wrong. I will oppose this bill because it is short-sighted; because it is piecemeal; because it does not address the real problem. It is tinkering with the system, nothing more.

I will welcome the day when the government or a committee of this Legislature deals with the problem in depth; deals with it thoroughly and can recommend a procedure, not just to the Legislature but to the people of Ontario, whereby we can alter our lifestyle over a period of a couple of generations, we can alter our lifestyle and by so doing help solve the problem of alcoholism instead of singling out 18-year-olds and attacking them as being irresponsible.

Mr. Bradley: Bernie, I mentioned you in an earlier speech.

Hon. Mr. Crossman: So you don't have to speak, Bernie.

Mr. B. Newman: I don't intend to be at all lengthy. Practically everything that one could possibly think about has been said, not once, twice, but a half a dozen times. Some of the things I will bring up will I think be new because they are the results of a questionnaire that I sent out in my own constituency. I'll try to show members the thinking of different age groups—the high school student, the community college and university student and the general public.

I don't care how many laws we pass in this province concerning alcohol and its control, we're not going to resolve the problem of alcoholism. I can recall that I grew up in the days when practically every second house in certain sections of the city was a blind pig. They sold their own brew, their own alcohol. I can recall aircraft landing at the airport in the city of Windsor, flying it over to Detroit at some remote airport, unloading their cargo and coming back to the Windsor area for a second load.

Mr. Haggerty: That's free trade.

Mr. B. Newman: I can recall when they used to smuggle alcohol into the United States by means of boats in the La Salle area and other areas of the Detroit River. We were dry then, we had an alcohol problem. We introduced two per cent beer, we still had a drinking problem. Even though there was two per cent beer, there was always the stronger beer available in certain establishments.

We didn't have the sale of alcoholic beverages—I shouldn't say alcoholic beverages, we didn't have whisky and the exotic names for liquor and whisky available to the public, but they got it. There was no problem getting the thing after some fashion. It's a problem that only you yourself can start trying to resolve. If the will isn't there and if you can't leave that temptation to get involved in the better life as advertised in television,

you're not going to resolve your own problems.

I happen to be fortunate—or unfortunate, take it as you will—as one who doesn't have that problem because as a youth I was involved deeply in physical education. As a result, I found better ways of burning up my energy and spending my spare time. But I don't think others should live the way I live. If they want to live and enjoy the good life by consuming any type of alcohol-containing beverage, that's entirely up to them.

I was on the select committee on youth that looked into this problem. Even that committee at that time was split as to whether we should lower the drinking age or leave it at 21. We did make recommendations. I happened to be one at that time who didn't want the drinking age lowered. I thought it was good enough at 21.

Mr. Bradley: A man of foresight.

Mr. B. Newman: As I say, I don't think that because I don't want it that others shouldn't have it at the age they wish. When the Mancini bill was first introduced, everyone was all hepped up with the raising of the drinking age from 18 to 19. Then all of a sudden some political bodies in the county thought that since we've taken 19—how about taking 20 instead, we'll go half-way between 19 and 21. Several of the councils in the county of Essex suggested that the drinking age be raised to 20. Sandwich South was one, Kingsville another, and also Essex county separate school board. All passed resolutions suggesting that the drinking age be raised to 20.

I sent out a questionnaire, and I identified the questionnaire in sending it to high school students, to get their reaction as to whether the drinking age should be raised or lowered; to community college and university students or post-secondary students; and to the community generally. I don't think this is indicative of the thinking of all the secondary school students, but this is the sampling I sent out and here are the results of the questionnaire sent out.

I sent out the questionnaire to 472 secondary school students. The question read: "Should the drinking age remain at 18 or should it be raised?" In reply, 54 per cent of the high school students said that it should remain at 18 and 46 per cent said it should be raised. When I asked how high it should be raised, naturally the 54 per cent that said it should remain at 18 said that it should be 18. The others were split between 19, 20 and 21.

When the same question was asked of post-secondary school students—that is, students at the community college and the university in the city of Windsor—"Should the drinking age remain at 18 or should it be raised?" 27 per cent of the post-secondary students said it should remain at 18, while 73 per cent said it should be raised. Asking them to what extent it should be raised, 22 per cent said the age should be 19, 10 per cent said it should be 20, and 41 per cent said it should be 21.

We can see that the high school kids didn't want the drinking age raised, but the community college kids and university students—I shouldn't call them kids—wanted it not at 19 or 20 but up at the top of the figures I've indicated; that is, 21.

Mr. Samis: They wanted to keep those kids out of the bars.

Mr. M. N. Davison: Of course, those kids are all 25.

Mr. B. Newman: When I asked that of the community in general—

Mr. M. N. Davison: Based on 12 responses.

Mr. B. Newman: —I received 4,098 returns, or 16.3 per cent of the questionnaires that were sent out were responded to by the citizens in Windsor-Walkerville. Asked "Should the drinking age remain at 18 or should it be raised?" 22 per cent of the residents in Windsor-Walkerville said it should remain at 18, and 78 per cent—3,212 out of 4,098—said it should be raised. To what age? Twenty-two per cent of the residents said to keep it at 18, three per cent said to raise it to 19, 14 per cent said to raise it to 20, and 61 per cent said to raise it to 21. I didn't indicate any other figures other than 18, 19, 20 and 21, but 10 people indicated they wanted it at 25. But the majority wanted it raised to 21. The high school students said to keep it at 18, the community college and university students said to raise it to 21, as did the general public. I don't think any of these types of figures were provided in the debates up to now; so I thought I would let the members of the Legislature know how one riding reacted to it.

I will vote for the bill raising it to 19. I don't think it is the resolution to the problem. I think we'll have it regardless of what age we raise it to or to what age we lower it. I would prefer to have the age raised, because at least with 19 it will be out of the high schools to a greater degree than it is today. We hope it will lessen the number of accidents on our highways as a result of making it maybe a little more difficult. Mind you, if you want to get an alcoholic beverage, there

is no way of stopping the individual from getting the beverage. He'll find a way of getting it.

Hon. Mr. Grossman: Mr. Speaker, I have listened now to three days, I guess, of some of the members opposite suggesting—quite inaccurately, I might add—that this government has come to the conclusion that young people are irresponsible and can't handle liquor, and that we're taking all the sins of the population out on the 18-year-olds.

However, I noted that those persons who had given more study to the history of the development of this legislation, who had read the Jones report, or who had sat on or read the report of the highway safety committee, did not deal with it on that basis.
[5:30]

Indeed, they dealt with it much on the basis that the Premier dealt with it last November 10, when subsequent to the private members' vote he said as follows: "The rationale"—and this is what I think has to be explained to young people—"is that when you are 18 years of age, you are in a school environment where those ages run from 13 to 18. The bulk of their social life is within that same peer group. The influence of the senior members of that group, their habits and their lifestyles, have an impact on those who are a year or two or three younger."

That is exactly what we have been saying throughout this dialogue. We have not been saying, at least on this side of the House, that young people have failed any sort of test. We know the figures and the figures indicate all the things that some members have referred to. The member for Yorkview (Mr. Young) and others have quite properly read out those figures. They obviously show some increase in alcohol-related accidents by young people and obviously an increase in the use of alcohol by young people.

Mr. Grande: Isn't that the test the minister is talking about?

Hon. Mr. Grossman: However, what we are talking about is to what extent the alcohol involvement in high schools in creating those figures. To what extent are the 15, 16 and 17-year-olds being unduly influenced in a way that they wouldn't otherwise be influenced by those 10 or 11 per cent of the people in high schools who are able to drink lawfully.

As we said many times, we are not entirely sure that this will cure all of those problems. We have been very clear in saying that this is not being held out as a cure-all and an end-all. That simply isn't the case. I want to quote again from the Premier's (Mr. Davis) statement of last fall.

Mr. M. N. Davison: He doesn't do too good on statements after private members' bills.

Hon. Mr. Grossman: He said, "I want to make it clear that I don't believe raising the age itself is going to resolve what is a significant social problem."

Mr. Samis: What about the Brampton charter?

Hon. Mr. Grossman: "I was impressed by the discussions I heard this morning. I heard people, who felt as I did in 1971, that with the age of majority should go the legal right to consume alcoholic beverages." The Premier went on interestingly to ruminate on the wider and larger problems, as some other members have this afternoon. I believe the member for Windsor-Sandwich, who is not supporting this legislation, expressed some of these same views.

The Premier went on: "But I want the public to also understand that, as parents, if we feel that we can really pass off some of our responsibility for leadership and direction by legislating away the situation, then we really are fooling ourselves. Parents and those of greater experience in terms of age have a responsibility not just in terms of the guidance they give or the leadership, but also in terms of the examples they set."

That is precisely true. At no stage in this dialogue have we been suggesting we can turn things around, take an onus which is properly on the shoulders of parents and lies in the homes and in the schools and solve all those problems by this piece of legislation.

We have through the debate been critical, quite frankly and openly. My colleague, the member for Mississauga North (Mr. Jones) has appeared in untold numbers of schools and has told those schools directly that if they have problems with youngsters drinking on the front lawn, if they have problems with students coming back after having had too many drinks or even a single drink for lunch, then it is within the power of those schools to solve that problem.

Government is now again faced with the problem that, in spite of our repeated efforts, some schools have not reacted sufficiently strongly. It is an age-old problem as the member for Windsor-Walkerville (Mr. B. Newman) indicated. Alcoholism is a problem that is with us and will likely be with us for a long time to come. There are no easy answers to it.

If there are answers, those answers are obviously going to lie in the homes and in the families and, to some extent, in the schools. As long as we blindly ignore what the figures show us with regard to the presence of some

alcohol in high schools, then I think we are derelict in our responsibilities if we do not act.

It is clear that raising the age to 19 may have somewhat less effectiveness than going to 21, but at the same time we think we should look closely and move carefully in this area.

Mr. M. Davidson: It will have no effect at all. Why don't you be honest about it?

Hon. Mr. Grossman: If it isn't working five or six years from today, then it is time to look again. We either abandon the 19 trial or experiment, or we go higher, up to 20; that's the time when you assess it.

Mr. Warner: You won't run a trial of beer in the ballpark.

Hon. Mr. Grossman: Lest anyone think that we think the problems will go away this November or, I guess quite properly, next March or April, we do not think that. But we do have the opportunity now to reflect back and say that 10 years ago, before the drinking age was lowered from 21 to 18, there appeared to have been a heck of a lot less alcohol in the high schools than there is today. Now we feel it is time that we moved the age up one year and see whether reducing the amount of lawful drinking in high schools to two per cent of the high school population—

Mr. M. N. Davison: In September.

Hon. Mr. Grossman: In December—may begin to move us back to that situation 10 years ago, when there was a heck of a lot less alcohol present in the high schools.

Mr. M. Davidson: You have no figures to substantiate that.

Mr. M. N. Davison: There are more drugs in the high schools.

Hon. Mr. Grossman: We hope it will work. But to do nothing in the face of that situation would, I suggest, be an abrogation of our responsibilities. It is peer pressure, it is there—

Mr. Makarchuk: There's a little bit of advertising involved too. Don't forget that.

Mr. Warner: Why don't you take on the ads?

Hon. Mr. Grossman: —it is giving access to a lot of alcohol to a lot of young people who might, at drinking age 19, not have that access or availability.

Mr. Makarchuk: There's a good profit motive there too.

Hon. Mr. Grossman: I want to emphasize once again: No one on this side of the House

has suggested that young people have failed any test, that they have not been able to handle their liquor responsibility—

Mr. Grande: You just did.

Hon. Mr. Grossman: —because those problems go throughout the length and breadth of age groups in our society.

Mr. Warner: Nonsense. That's what the bill says.

Mr. Samis: That's why you brought the bill in.

Hon. Mr. Grossman: But we do think that a longer-term solution is the type of introduction to alcohol, if you are going to have any at all, that my friend the member for Oakwood had and indeed that I had in my home and so many people have had. That is likely a better way to have alcohol introduced and handled and dealt with than the current fashion where, quite frankly, our perception is that it is very prevalent in high schools where it was not 10 years ago.

Mr. Warner: Promoted by the ad agencies.

Hon. Mr. Grossman: It has been pointed out that most of the arguments have been covered on all sides of this issue, and I might say that one of the ones I did want to deal with in wrapping up was the argument that we should have a single age of majority. In looking for some guidance, I looked back to what is, for me at least, a rather unusual source and came upon the remarks made in this august assembly by Mr. Singer, the then member for Wilson Heights, I think it was then. I quote Mr. Singer; this is June 24, 1971, page 3203:

“What real relationship lowering the drinking age to coincide with the age of majority has, I do not know. Does it make any particular sense that a person should not be able to drink until he has the right to make a contract? Does that make any sense?”

He goes on to say further:

“Why does the minister take refuge in the thought, and why do his colleagues take refuge in the thought, that all of these things have to be done together? If you are old enough to fight a war, surely you can be old enough to vote? If you are old enough to do a variety of things, surely you might be old enough at 18 to have a drink?” That's interrogative, I might say. In any case, the member at that time certainly rejected all of those arguments.

Mr. Samis: Some authority, Larry.

Hon. Mr. Grossman: I might say that quite apart from those who accept the argument of Mr. Singer, I also want to say that I think

the public of Ontario is entitled to a little bit more leadership from any government—

Mr. Warner: We aren't getting much from you.

Hon. Mr. Grossman: —than to have that government say, “Listen, we think it is nice and consistent and easy to have one single age.” I don't think those persons who agree with us that there is a high degree of alcohol involvement in the high schools would be satisfied with an answer that said: “We think if you can vote and make contracts and fight for your country, you should be able to drink. We want it consistent. We are not prepared to raise the others; so we are going to stand pat on that.”

I think they are entitled to have the leadership from this government that says: “Yes, we understand that there will be some persons who have some difficulty with this concept, with the breaking up of this consistent age, but we do acknowledge a problem, and a specific one: alcohol in high schools.”

Mr. M. Davidson: An overall problem.

Mr. M. N. Davison: This is an exercise in fear.

Hon. Mr. Grossman: “Therefore, we will proceed and not fob off our responsibility on something called a nice consistent age of majority and we will act. We will have the courage to move in there and act.”

That is precisely what we've done. We acknowledge this is a difficult area and I think the difference in feeling—

Mr. Grande: Ah, you are inconsistent in one speech.

Hon. Mr. Grossman: —that many people have gone through is reflected by society at large.

I referred back to the debate on lowering the age of majority in 1971. I was astonished to find out it was passed on July 27. Lord knows what they were doing sitting on July 27.

Mr. Bounsell: It was just prior to the election. There was a whole backlog of legislation.

Hon. Mr. Grossman: That was before the election. But I wanted to quote Mr. Singer again.

Mr. Warner: Why do you quote people who are not here?

Hon. Mr. Grossman: He said: “As my leader indicated, we will be offering an amendment that will bring into effect the act and probably the sections relating to voting age and drinking age immediately.”

Mr. Singer further stated: "While this is going on and we say hurrah for the government, this is long overdue. The government is no more ready for this now than it could have been two years ago."

Mr. M. N. Davison: Boy, do you love the year 1971. Weren't those the good old days?

Mr. Samis: Why don't you quote seatbelt legislation?

Mr. Foulds: Why do you quote the deceased like that?

Hon. Mr. Grossman: Such was the temperament in 1971.

The member for what was then Essex-Kent, now called Essex North (Mr. Ruston), went on to point out in the same debate, and I quote: "In a survey that I have had done in my own riding, there was some reluctance to approve this although as far as the adult population is concerned it is almost 50-50—a little lower for drinking."

Mr. Foulds: No legislator should be held responsible for statements he makes on July 27.

Mr. Bradley: Very selective.

Hon. Mr. Grossman: So it would be safe to say that there was a fair amount of sympathy. It was the tenor of the times and indeed, the bill passed in under two hours. It could have been on account of the date, July 27, but the entire age of majority bill affecting drinking, contracts and so on, passed in two hours.

Mr. Warner: Only because you weren't here to be provocative.

Mr. Haggerty: You weren't here making a speech then.

Hon. Mr. Grossman: I wanted to quote some of the remarks made by the member for Lakeshore (Mr. Lawlor) in that debate. However, as is always the case with the member for Lakeshore, he had three pages in this Hansard, 1971. I understood none of it. But he apparently supported the bill then and I was happy to find his support for the change we're making today.

I have a couple of quick comments with regard to the comments made by some of the members who have spoken earlier.

Mr. Samis: That's your fault, Larry.

Mr. Warner: That's your responsibility.

Mr. Samis: That's your deficiency.

Mr. Duszta: I'm glad to see you admit your inadequacies.

Hon. Mr. Grossman: The member for Kitchener (Mr. Breithaupt) pointed out the problem with the age-of-majority cards. I want to assure him that when the photo-

drivers' cards come into effect we will be using those cards and for those persons who do not hold drivers' licences, those same cards will be adapted to serve the dual purpose. I would point out his remarks that he has confidence in the ability of the local police forces to act responsibly and effectively—

Mr. Cunningham: Especially in Kitchener.

Hon. Mr. Grossman: —to the member for Brant-Oxford-Norfolk (Mr. Nixon). He pointed out quite reasonably earlier today the problem in some public parks as opposed to the stadia where some members of this assembly and others have been noted imbibing in Stratford in a public setting. I suppose, at the present time, all we can do is one of two things:—

Mr. B. Newman: Use soft drinks.

Hon. Mr. Grossman: —rely upon the good judgement of the officers involved and—

Mr. Foulds: It certainly wasn't at the Shaw Festival.

Mr. Makarchuk: That's a part of the problem.

Hon. Mr. Grossman: —secondly that we understand—

Mr. Makarchuk: It's known as a cultural experience.

Hon. Mr. Drea: It will be a cultural experience.

Hon. Mr. Grossman: —and I know the members of this House will understand, the problems in drafting some legislation which will work to cover all of the instances that we're talking about. The legislation should permit those persons who are consuming alcohol in a public park, Centre Island being one, to do so in certain circumstances. We would, quite seriously, be pleased to entertain any suggested drafts to the regulations—

Mr. Warner: Why don't you do it?

Hon. Mr. Grossman: —which would be able to take in all the instances while not permitting that consumption in public parks which would create difficulty—for example, what we've seen in the provincial parks. Yet the legislation should permit the consumption of alcohol in those settings which are very appropriate in those same parks.

Mr. Warner: What a flimsy excuse.

Hon. Mr. Grossman: We have tried and have not been able to come up with it. If any members have any comments or suggestions with regard to how by regulation we may deal with that, we would be very happy to accommodate that.

[5:45]

The member for Hamilton Centre (Mr. M. N. Davison) and other members have pointed out the need for education and wider steps to solve the problem in society at large. I would refer him just for a moment to page eight of my statement on introduction of this legislation. I said as follows: "We also think that education is important in the attitudes of young people toward drinking. The Canadian distilling industry has agreed to finance a conference next year to explore ways to improve curriculum guidelines on alcohol education in our schools."

Mr. Bounsall: Abdicate to the liquor companies.

Hon. Mr. Grossman: "And I am pleased to announce this conference will be jointly sponsored with the Ontario Association of Curriculum Development. In addition, my colleague, the Minister of Health (Mr. Timbrell), will be proposing the allocation of funds to reinstitute a television advertising campaign on alcohol moderation—the 'Be your own liquor control board' ads."

Mr. M. N. Davison: You can't leave education to the liquor companies.

Hon. Mr. Grossman: "It is our hope that between the government and industry we can provide the public with more information on the dangers of alcohol abuse for the whole population, not just minors."

The point I wish to make quite clearly is that we now have an initiative in development of some teaching resources on a wider basis and a better-funded basis and curriculum guidelines for the schools.

Mr. Warner: You won't take on the ad agencies.

Hon. Mr. Grossman: Secondly, the Minister of Health is stepping up the "Be your own liquor control board" advertising campaign—evidence, I suggest to you, of our intention to solve and deal with the wider problems.

Mr. Warner: You won't confront them.

Hon. Mr. Grossman: The member for York Centre (Mr. Stong) complained as did some others, about the lack of policing of our current regulations. I have in front of me a list of just some of the hotels and taverns that have had their licences suspended in the past year for serving minors: The Wallaceburg Hotel in Wallaceburg, 10 days; Elmhurst Hotel, Newcastle, 10 days; Rivalda Tavern, Toronto, 15 days; Kingsway Hotel, Chatham, 21 days; Colborne Hotel, Sarnia, 21 days; Cornwallis Hotel, Cornwall—the member for Cornwall has left—30 days.

Hon. Mr. Kerr: No he hasn't.

Hon. Mr. Grossman: He has just moved, sorry. And on and on. It is a rather lengthy list.

Mr. M. N. Davison: How many in Metro?

Hon. Mr. Grossman: The final point I would like to deal with—

Mr. M. N. Davison: How many on the list?

Mr. Warner: What is the total on your list?

Hon. Mr. Grossman: With regard to the remarks of the member for York Centre and the member for London North (Mr. Van Horne)—do you want to sit and listen to them all?

Mr. M. N. Davison: Give us the number.

Hon. Mr. Grossman: The member for London North complained that liquor control board outlets and brewers' retail outlets do not ask for identification and that licence holders under the Liquor Licence Act do not ask for identification.

I would like to point out to the House that we did a survey of licensees. A total of 2,860 replied, an outstanding return. By the way, 54 per cent of the licensees who responded were in favour of increasing the age.

Mr. Warner: What were the bars?

Hon. Mr. Grossman: Seventy per cent of the licensees said that they already used the age-of-majority cards.

With regard to liquor control board stores and brewers' retail, the brewers' retail, for one, keep a record of the number of people that they ask for identification and the number of people it turned away. Last year the brewers' retail alone in 1977 challenged 203,339 persons who were trying to buy beer.

Mr. Foulds: Were there any repeats?

Hon. Mr. Grossman: There were 73,927 turned away for being under age or for lack of suitable identification. So of those charged with the responsibility of selling those beverages, 70 per cent of the licensees who responded are age-of-majority card premises, while on behalf of the Brewers' Retail, and the Liquor Control Board stores, I can assure members that they are watching carefully. The figures have been presented to you and they are there for your information and advice.

Finally, I can only reaffirm to the House that I would hope most people would read carefully, before we get to committee stage, the Jones report, the highway safety report and the debates that have gone on in the

last few days in this Assembly and last November 10. I would ask members to reflect upon the problem and to really understand that this government believes this small step—indeed it is a small step—

Mr. Warner: I was right. You won't take on the ad agencies. Not a single word about them.

Hon. Mr. Grossman:—can have some effect in the high schools. We believe it can. This small step is simply pointed towards that peer pressure in high schools. We will be dealing with the wider problem in other sections of the act, other than the drinking age section, in other legislation and in the guidelines for advertising.

Mr. M. N. Davison: Thousands of 18-year-olds are out working and not in the high schools.

Mr. Warner: You make marshmallows look like cement.

Hon. Mr. Grossman: In closing, I want to disabuse anyone of the understanding or belief that we think the minors have failed any tests or that we are picking on them. We simply think this is one small step worth trying at this time.

Mr. Speaker: All those in favour of second reading of Bill 96 will please say "aye."

All those opposed will please say "nay."

In my opinion, the "ayes" have it.

Motion agreed to.

Ordered for committee of the whole.

MUSKOKA AND PARRY SOUND TELEPHONE COMPANY LIMITED ACQUISITION ACT

Hon. Mr. Snow moved second reading of Bill 108, An Act to acquire the Assets of the Muskoka and Parry Sound Telephone Company Limited.

Mr. Speaker: Does the minister have a statement?

Hon. Mr. Snow: Very little, Mr. Speaker. When I introduced the bill about two weeks ago, I made a statement to the House at that time explaining the necessity for this bill, which is somewhat unusual, to take over the assets of a private telephone company. I believe that statement and the compendium of information and background that were tabled with the bill pretty well set forward the reasons and the total situation of the company at this time. It is unfortunate that this company is unable to maintain anything close to a satisfactory level of service to the 800 square mile area and the 1,500 or so subscribers that the company has. It is with

regret that I find we have to take the action this bill brings about.

Mr. Cunningham: I sense that the minister and the ministry may have been reluctant to involve themselves in this particular activity, and I do sympathize with them. They are concerned about the people in that area who have not been receiving proper or adequate services. I know they have made an effort in the past to try to negotiate with the owners of the company. It's regrettable that this legislation has to come forward, but I believe it's a necessity if the people in the area are to obtain the services they require.

Certainly I don't think there's anybody in the House who would argue that the telephone today is not a necessity. I would like to ask the minister—and this may eliminate any necessity on our part to see the bill go to committee—to indicate to us what his intentions are after acquisition, whether it's the intention of the government eventually to dispose of the company to Bell Canada, or failing that to try to operate it at a profit or to keep the costs comparable to that of Bell.

The only other concern I have—and possibly I don't understand it—is with section 6 of the bill. I am somewhat concerned about the ministry's commitment to spend \$50,000, that that amount of money will have a priority as opposed to other debts that might have been incurred prior to the expenditures of those moneys by the province of Ontario. If that's the case, that may be somewhat unfair. I am unclear on that and I seek the minister's guidance. Above and beyond that, we are supportive of the bill.

Mr. Foulds: I rise in enthusiastic support of the bill. In fact, I suspect that my enthusiasm for the bill is far greater in ideological terms—

Mr. Makarchuk: At a government takeover?

Mr. Foulds:—than either the minister who is moving the bill or the critic, because we have to recognize that the bill is no more and no less than a nationalization bill, even though it is one small area of nationalization.

Hon. Mr. Snow: Inco's next. If we get this one through, we are going to try Inco.

Mr. Foulds: Is that a commitment?

Mr. Laughren: They're privileged.

Mr. Foulds: I would have liked to have seen us include Bell Canada within the geographic boundaries of Ontario.

Mr. Makarchuk: We are moving that amendment.

Hon. Mr. Welch: Let Hansard note that the minister had a smile on his face.

Mr. Foulds: Even if that were not necessary—and I am speaking rapidly so we can get the bill passed—I certainly would have liked to have had the Capital Telephone Company Limited, which has the telephone system in Maberly, directly north of Kingston, and is a wholly owned subsidiary of Bell, brought under public ownership. This small telephone company, operating in Ontario, has assets that include two executive aircraft, as well as five fishing trawlers that it leases to the Newfoundland and Labrador Development Corporation; it is obviously a very profitable operation. Once in a while, I would like to see the Tory provincial government, and the Liberal federal government, nationalize a profitable corporation for the benefit of the people of Ontario, as well as the losing ones.

Hon. Mr. Kerr: Then it would no longer be profitable.

Mr. Foulds: Ironically, the government has found circumstances where this process, nationalization, is not so repugnant to them as it likes to indicate in its dogmatic rigidity when it attacks the New Democratic Party.

There are four clear statements in the minister's statement of June 2, which I won't repeat because of lack of time, that indicates those reasons. One of them is very clear: Where the public good is greater than their commitment to private enterprise, because private enterprise, unfortunately in this case—

Mr. Laughren: There goes Inco.

Mr. Foulds: —is inefficient and unworkable, they will move. I commend them for that, because there are circumstances, no matter the good intentions of the private individual owning the company, where no service has been adequate.

We in this caucus have talked to some of the people in the region. I have talked to the member who ably represents the riding.

Mr. Laughren: Name one.

Mr. Foulds: The Minister of Revenue represents Parry Sound. You will remember, Mr. Speaker, my good colleague from Nickel Belt is one of the fans of the Minister of Revenue.

In a sense it is a pity that the private individual couldn't have made a go of it.

Mr. Bradley: He could make a go of it for what he has paid for his licence plates.

Mr. Foulds: What worries me, frankly, is that we are going to take it over, through the Ontario Telephone Development Corporation, which has extensive powers that we should use more frequently, and then sell it back to private enterprise once we have upgraded the system and made it profitable. I would hope, even when the Conservative government does that with the collusion of the Liberal Party, that they do that not to Bell Canada but to another independent or consortium of independents—

Mr. Bradley: It must be nice to be perfect over there.

Mr. Makarchuk: We are not apologizing for being perfect.

Mr. Foulds: —because a number of the private companies, such as the City of Thunder Bay Telephone Department, make a very good job of their operations.

But there are arguments when safety, health, emergency and fire calls are necessary, and they are necessary in this area, are not getting through in this system. It's not just public convenience, it is public safety and health that are at stake in this case, and we enthusiastically support the government in this action.

It is a pity that section 2(2), with its extensive powers, is necessary in the act. I wouldn't have thought that section was necessary. It would never have struck the socialist hordes to include such a section in the bill, even when taking over Inco. But obviously it is necessary, and we thank you for giving us the model for when we come to power.

Mr. Laughren: It's a bit too confiscatory for us, but we will live with it.

Mr. Foulds: We would like to see, as I said, the Ontario Development Corporation used more, not just as a holding company but, as it was originally intended back in 1955 and 1960, as a development corporation for the development of good telephone service throughout the province where that is not now happening.

On motion by Mr. Sweeney, the debate was adjourned.

On motion by Hon. Mr. Welch, the House adjourned at 6 p.m.

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 Breagh, M. (Oshawa NDP)
 Bryden, M. (Beaches-Woodbine NDP)
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 Cassidy, M. (Ottawa Centre NDP)
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 Grossman, Hon. L.; Minister of Consumer and Commercial Relations
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 Kerr, Hon. G. A.; Provincial Secretary for Justice and Solicitor General (Burlington South PC)
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 MacDonald, D. C. (York South NDP)
 Maek, Hon. L.; Minister of Revenue (Parry Sound PC)
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 Mancini, R. (Essex South L)
 McCague, Hon. G.; Minister of the Environment (Dufferin-Simcoe PC)
 McClellan, R. (Bellwoods NDP)
 McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs
 (Chatham-Kent PC)
 McMurtry, Hon. R.; Attorney General (Eglinton PC)
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 Rhodes, Hon. J. R.; Minister of Industry and Tourism (Sault Ste. Marie PC)
 Samis, G. (Cornwall NDP)
 Smith, S.; Leader of the Opposition (Hamilton West L)
 Snow, Hon. J. W.; Minister of Transportation and Communications (Oakville PC)
 Stephenson, Hon. B.; Minister of Labour (York Mills PC)
 Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)
 Stong, A. (York Centre L)
 Sweeney, J. (Kitchener-Wilmot L)
 Timbrell, Hon. D. R.; Minister of Health (Don Mills PC)
 Van Horne, R. (London North L)
 Warner, D. (Scarborough-Ellesmere NDP)
 Welch, Hon. R.; Minister of Culture and Recreation, Deputy Premier (Brock PC)
 Wells, Hon. T. L.; Minister of Education (Scarborough North PC)
 Young, F. (Yorkview NDP)



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Tuesday, June 13, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, JUNE 13, 1978

The House met at 2 p.m.

Prayers.

PROPERTY TAXATION

Hon. Mr. Maeck: Mr. Speaker, on a point of privilege and information for the members of the Legislature. Yesterday in question period I answered a question from the leader of the third party in which I indicated that equalization factors were not frozen in the province of Ontario.

Mr. Breough: And of course they are.

Hon. Mr. Maeck: I wish to correct that statement. They are frozen in the province of Ontario—

Mr. Breough: Absolutely.

Mr. Wildman: A small mistake.

Hon. Mr. Maeck: —under section 96(2) of the Assessment Act.

DEATH OF SCHOOLBOYS

Mr. Havrot: Mr. Speaker, might I ask leave of the House to rise on a point of privilege. I would ask all members to join with me in expressing our sorrow and condolences to the families of the 12 youths who drowned so tragically while canoeing last weekend at Lake Timiskaming on a school outing. The religious faith of these parents has probably never been so strongly tested as in the past two days.

I would ask the honourable members of this House to join me in assuring the parents of those brave boys from St. John's School at Claremont, that they and their sons are in the thoughts or prayers of people across Ontario.

STATEMENTS BY THE MINISTRY

CONSTITUTIONAL REFORM

Hon. Mr. Davis: Yesterday, the Prime Minister of Canada tabled a white paper on constitutional reform. I also had an opportunity yesterday to discuss the federal government's proposal with the Hon. Hugh Faulkner, who had been asked by the Prime Minister to meet with me.

The paper that was tabled yesterday deals generally with an approach to constitutional

reform. I was pleased to see, in this introductory paper, a recognition of a number of points which had been put forward in recent years by Ontario and other provinces—I need only refer to its emphasis on the need to improve the practices of our federation through a clarification of existing responsibilities and elimination of duplication.

Because the details of the federal proposals will only be released later this month, it is too soon to comment in specifics on the federal action. Once the detailed proposals are made known, this government will give them intense study and will take a constructive and open approach into the intergovernmental discussions which will follow. I expect that this province, and myself, will take an active part at both the premiers' conference in August and the proposed federal-provincial meeting in September when constitutional matters are dealt with. This is in keeping with Ontario's past approach to constitutional discussions when the provinces always work towards agreements that would meet the needs of Canadians in all parts of the country.

I do believe that action to implement proposals to change some of the basic elements of our federal system must only follow intensive public discussions and a high degree of consensus. The constitution requires broad acceptance if it is to have the legitimacy to make it effective.

DIAGNOSTIC SCANNERS

Hon. Mr. Timbrell: Mr. Speaker, as the honourable members are aware, our health care system is a system in transition. One of the key elements undergoing rapid change is new diagnostic technology, especially computerized axial tomography units, or CAT scanners, as they are called.

These units use a narrow beam of x-rays, radiation detectors, computer science and video display to provide a cross-sectional view of a selected portion of a patient's body. A CAT scanner provides information clearly, quickly and without the discomfort associated with some other methods of diagnosis.

As well as being an extremely efficient diagnostic tool, CAT scanners are very costly. A single head-scan unit costs up to \$400,000, while a whole-body scanner costs as much as

\$800,000. Annual operating costs can reach as high as \$250,000.

In times of cost constraint it is imperative to control the proliferation of high-cost technology. I am therefore announcing a new policy covering the placement and funding of CAT scan units in Ontario.

The CAT scanner was invented only six years ago in Great Britain. The first unit in Ontario was installed at Toronto General Hospital the following year, 1973. It soon became obvious that, to ensure their equitable distribution throughout Ontario, the Ministry of Health would have to formulate a policy to regulate the placement and funding of CAT scanners. Therefore, in 1975, a ministry task force was asked to consider the problems posed by this new technology. The task force brought together experts from the Ministry of Health, the Ontario Medical Association, the Ontario Council of Administrators of Teaching Hospitals and the University Teaching Hospitals Association.

Early in 1976, the group published its report recommending the initial placement of CAT scanners in each of the five health science centres, with an eventual goal of one unit for each 500,000 population. The capital cost of each unit, the report said, should be the responsibility of the hospitals acquiring it. The report also recommended a review of the situation within the following year.

In October of last year I announced the approval of five additional CAT scanning units. Previously, scanners had been approved for Hamilton Civic Hospital, London Victoria Hospital, London University Hospital and the Ottawa General, as well as the unit at Toronto General that I have already mentioned.

The October approvals were for units in Kingston General Hospital and in Princess Margaret and St. Michael's Hospitals in Toronto, as well as one in Thunder Bay which is now assigned to the McKellar General, plus a second unit for Hamilton, the hospital location to be determined by the district health council.

Since then, a ministry review of the CAT scanner issue, as recommended by the 1976 task force, has been carried out. It is from these recommendations that the following policy has been developed, supported by changes in regulations to the Public Hospitals Act and to the Health Insurance Act.

Briefly, the effect of regulation changes will be to assist my ministry in controlling the proliferation and unauthorized usage of CAT scanners. I will summarize the key changes as follows:

One, since CAT scanners are a regional resource, we are creating a new category of

hospital—group M hospitals, those that may charge and accept payment from other hospitals for the performance of CAT scans.

Two, another regulation change will prevent unauthorized hospitals and private clinics from receiving ministry funding for CAT scanners by prohibiting all hospitals from charging patients for CAT scans and permitting only group M institutions to charge other hospitals for scans performed for patients of those other hospitals.

Three, additional regulations permit OHIP payments to physicians for professional interpretation of CAT scans only when such scans are carried out at a public hospital.

Furthermore, new regulations list specific hospitals approved to operate CAT scanners and to have the operating costs, including depreciation, funded by the ministry. These are Hamilton Civic, London Victoria, Ottawa General and Toronto General Hospitals, approved for head scanners; and Kingston General, McKellar General in Thunder Bay, Princess Margaret and St. Michael's Hospitals in Toronto, approved for whole-body scanners.

Other group M hospitals have also had scanners approved, but because of financial constraints operating costs for them will only be paid at a later date as funds become available. They will, however, be permitted to charge other hospitals for scans done for their patients. These approved but presently unfunded hospitals are Toronto Sunnybrook, a hospital in Hamilton, one in Windsor and one in Sudbury for head scanners; and London's University Hospital, Ottawa Civic, Toronto General, Toronto Western and the Hospital for Sick Children for whole-body scanners.

Because of ministry cost constraints, all hospitals will have to provide initial capital costs for a CAT scanner from their own resources. However, those approved for funding will receive, in addition to operating costs, a depreciation allowance permitting recovery of capital costs over a five-year period.

The professional fee will be paid for each scan permitted under OHIP and carried out in a public hospital. However, those institutions outside of the group M category will not be able to charge other hospitals for CAT scans. Their annual budget will not be adjusted to reflect CAT scan operating costs, nor will they be able to charge a patient for a CAT scan. Any CAT scan performed by a private hospital or private outpatient clinic will not be considered an OHIP-insured service. Such facilities would not receive any funding from the ministry for CAT scan work.

To summarize, among the hospitals I have mentioned are seven newly approved for CAT scanners, to be paid for with their own capital

and operating funds. These will be located in Ottawa Civic, in Toronto Sunnybrook, Toronto Western and the Hospital for Sick Children. A whole-body scanner to complement its existing head scanner is approved for Toronto General. As I've said, my ministry will also approve CAT scanners for Sudbury and the Windsor area. I'm asking the district health councils to advise us as to which hospitals in these areas should receive scan units.

The existing and newly approved CAT scanner installations represent, I believe, an equitable and cost-conscious distribution of this technology in Ontario. The choices have been based on demonstrated regional need, using three criteria.

They are a population density of one unit per 500,000 population—it is worth noting that the listing just outlined totals 17 units, representing approximately one per 500,000 population as recommended by the task force report; second, sufficient patient load and the existence of the appropriate professional staff of neurosurgeons, neurologists and neuro-radiologists; and third, geographical factors such as access to the unit by other hospitals and sharing of the unit on an equitable basis to provide access for all patients regardless of hospital affiliations.

While I have listed the hospitals designed to provide this valuable service, it should be emphasized that the service will be of a regional nature. All other hospitals in an area must have access to the program for those patients who would benefit. The hospitals selected must develop mutually agreeable policies to make CAT scan services readily available to all citizens.

As a guide to the future, all approved hospitals have agreed to a formal, ongoing evaluation of the use of the scanner by my ministry. This evaluation project will permit us to assess the degree to which the currently approved scanners have been used, as well as the financial and clinical efficiency of their operations. I expect it will take some 18 to 24 months before we get a clear indication of the patterns of CAT scanner usage. Only after this evaluation is completed can we consider additional CAT scanners for hospitals in such areas as northeast and northwest Metropolitan Toronto.

In recent months, I have frequently described our health system as being a system in transition. I have discussed the need to manage the changes taking place in the system. I believe the phenomenon of the CAT scanner is an excellent example of our response to the need to manage change while maintaining Ontario's health care system as one of the finest in the world.

NUCLEAR PLANT SAFETY

Hon. Mr. Brunelle: Yesterday, the leader of the New Democratic Party asked questions of the Minister of Energy (Mr. Baetz) with respect to a letter which had been sent to me last Friday by Dr. Arthur Porter, chairman of the Royal Commission on Electric Power Planning. Since the royal commission reports to me, I would like to advise the House that I have asked Dr. Porter to clarify precisely what information has come to his attention and precisely why he is concerned. I and my staff will be discussing this matter with him in detail over the next few days.

I am pleased that Dr. Porter has made himself available to the media this morning to explain the contents of his letter to me. In so doing, he indicated that the Atomic Energy Control Board is reviewing current reactor safety principles and criteria with the objective of clarifying the existing situation. The commission, therefore, intends to inquire further into the conclusions of this review in order to supplement information already made available to it by the board. He added that safety standards in Ontario's nuclear plants are second to none in the world.

In the meantime, I would like to remind members that the full responsibility for determining the safety standards of nuclear reactors rests with the Atomic Energy Control Board of Canada. When I obtain more information, I will be pleased to report back to the House.

[2:15]

COMMUNITY SERVICE ORDER PROJECTS

Hon. Mr. Drea: Mr. Speaker, on Thursday, June 8, I signed a contract for the funding of a community service order project to be administered by the Elizabeth Fry Society, Peel-Halton branch. This signing was significant for a number of reasons, which I would like to share with members of this Assembly.

This contract, plus the two with native organizations in London and Kenora which I announced on May 30, brings the number of community service order projects for funding by my ministry to nine.

By way of a progress report, I am pleased to report that as of April 30, 1978, a total of 451 community service orders had been issued by the judiciary, of which 213 were in six project areas and 238 in the remainder of the province.

Community support for the concept of community services has been excellent. We are indebted to the judiciary for their inno-

vative use of community service orders and to the agencies who have worked to ensure the projects succeed. To these agencies, through our probation staff, has fallen the responsibility of searching out appropriate service activities and work to be assigned to offenders. Amongst these placements, social service tasks predominate. But physical work placements have also been used. Several offenders have been offered jobs who have continued on as volunteers as a result of their community work.

The number of hours to be worked on community service orders has ranged from between eight and 600, with the greatest number of orders falling in the 50- to 150-hour range. Most offenders carried out their assignments in the evenings or on weekends. Community service placements have included reading books on tape for the blind, helping the disabled to learn horseback riding, assisting on wards and recreational programs at psychiatric hospitals, cooking at weekends at a hostel and working as a receptionist in a senior citizens' home.

On the basis of present information, it is estimated that approximately 1,500 persons will be placed on community service orders in the next year and similar numbers and perhaps many more will receive this type of disposition in future years. Not all of these persons would otherwise have received prison terms. However, it seems reasonable to assume that approximately half of them would normally have been sentenced to two months or less. In other words, the community service orders as an alternative to incarceration will save the taxpayers the many millions of dollars that would have been required to build, staff and operate at least one new correctional facility. Incidentally, community service orders are already helping to relieve overcrowding in institutions.

Mr. Sargent: You should take some of those millions of dollars and build a decent jail in Owen Sound.

Hon. Mr. Drea: Perhaps more important than the saving is the impetus which has been given to the movement away from the institutionalization of petty offenders. As a result of various initiatives by my colleague the Attorney General (Mr. McMurtry), in co-operation with the judiciary, steps have been taken to increase the use of alternatives to incarceration. In my view the use of community service orders is one of the most important of these options and I am anxious to see their use greatly expanded.

A community service order provides a sentencing mechanism for distinguishing be-

tween lawbreaker and criminal. It provides a much-needed and appreciated help to the community as well as repaying the community for the expenses incurred as a result of wrongdoing by the offender. Community service also teaches the lawbreaker to accept responsibility for his deeds.

From my perspective as Minister of Correctional Services, it is highly desirable that wherever possible nonviolent offenders should be permitted to remain in the community rather than be sent to costly correctional institutions. There will always be a percentage of the offender population who must in the interests of public safety be housed in secure correctional facilities. These persons would include those on remand awaiting trial, sentence or transfer to institutions, as well as the relatively small number of persons convicted of violent offences who must receive treatment and training in a secure setting. However, society would be better served if many petty offenders were diverted to community service rather than being sentenced to institutions.

Our goal should be to return prisons to performing the main function for which they were established: the protection of society from the violent and dangerous. A community service order is not a panacea but is one of a number of alternatives which can help us to achieve this goal and, although we have a long way to go in reducing the large number of male offenders being sent to correctional facilities, there is every reason to be optimistic about the possibility of dramatically changing the situation as it relates to female offenders.

In this context, the contract with the Elizabeth Fry Society to operate a community service project takes on increased significance. As members know, the Elizabeth Fry Society has an outstanding record of achievement for its work with female offenders who are returning to the community after a period of incarceration in prison. The project involving the Peel-Halton branch not only marks the entry of the society into providing services to male offenders, because both men and women qualify for such orders, but it also moves the society into working with offenders who have not been sentenced to institutions.

It is my confident hope that through the sentencing alternatives such as community service orders, and with the assistance and help of experienced organizations such as the Elizabeth Fry Society, we can move towards the goal of de-institutionalizing all but the most violent female offenders within the next two years.

Mr. Peterson: The only decent minister you've got, Bill. You should promote him.

Mr. McClellan: One decent minister over there.

Mr. Warner: The rest of you should resign.

Hon. B. Stephenson: Only when you do, David.

VEHICLE PURCHASING POLICY

Hon. Mr. Snow: I would like to inform the House that the government of Ontario has revised its purchasing policy on motor vehicles, a policy my ministry will be implementing this year.

Mr. S. Smith: What about smaller cars?

Hon. Mr. Snow: Cabinet has decided that beginning with the purchase of 1979 model vehicles this fall, all government passenger cars and light commercial vehicles will be purchased directly through local dealers by open tenders on a district basis. As I am sure the honourable members are aware, the government's present practice is to purchase vehicles from the manufacturer and have them delivered through dealers designated by the manufacturer.

Mr. Laughren: About time.

Hon. Mr. Snow: This new policy will bring our vehicle purchasing practices more in line with the government's overall policy of assisting small local businessmen whenever possible.

In closing, Mr. Speaker, I might add that MTC will continue to be responsible for all specifications and the purchasing of all government motor vehicles.

Ms. Bryden: What about the gas?

Mr. Peterson: What are you backing off of today, Darcy?

NORTHUMBERLAND RESTRUCTURING

Hon. Mr. McKeough: On May 11 I introduced Bill 79, An Act to Restructure the County of Northumberland. That legislation came about because of a request from the Northumberland county council.

Mr. Cassidy: On a point of order: I have received the statement now, Mr. Speaker, but I wonder whether the Treasurer could follow the practice now adopted by other members of the cabinet and ensure that statements are delivered in advance of and not after his statements to the House.

Hon. Mr. Rhodes: The rule says, "at the time of."

Hon. Mr. McKeough: Mr. Speaker, I apologize. I had read all of two lines.

Mr. Laughren: What a difference minority government makes.

Hon. Mr. McKeough: After two earlier votes favouring restructuring, the county council in Northumberland on June 12 voted against restructuring.

I have on several occasions indicated that we would abide by the wish of the county council on this matter and that the government of Ontario was not going to impose restructuring on the county. Bill 79 was based on local initiative from the county and depended upon the continued support of county council. Consequently, the government of Ontario will not be proceeding with the legislation.

Because developments in the Northumberland area will continue to put stress upon the fabric of local government in the county, the government of Ontario will be prepared to consider future municipal reform initiatives from the area. However, I want to stress that the initiative for reform must come from the municipalities themselves.

Mr. Peterson: You have been running backward so much lately that your heels are backward.

ORAL QUESTIONS

NUCLEAR PLANT SAFETY

Mr. S. Smith: A question of the Minister of Energy: It pertains to the question asked by the leader of the third party yesterday, and also Dr. Porter's statement on the radio this morning.

What is the information that the Atomic Energy Control Board of Canada came in possession of that triggered this particular reassessment of the safety factors regarding the nuclear reactors in Ontario? Can the minister give us that information; and if he can't, can he tell us basically what its nature is? Is it in any way related to the exchange of correspondence for which we put in a request in December 1976, the so-called background notes to do with the Bruce and Pickering safety report?

Hon. Mr. Baetz: As my colleague has already indicated, he is in the process of really finding out from Dr. Porter just exactly what he did mean by his statement. Until we have that kind of information, I suppose, we have to go on a great deal of conjecture. I frankly don't know.

Mr. McClellan: This is absurd.

Mr. Roy: You are only the Minister of Energy, you are not expected to know.

Mr. Warner: You only know what the chairman of Hydro told you?

Mr. Bolan: You won't last too long there.

Hon. Mr. Baetz: I do know that on February 22, the Atomic Energy Control Board—which as has been indicated is responsible for setting these standards of safety and for daily supervision of them; it's not the responsibility of Ontario Hydro, these are standards set by AECB. As I say we have been informed in the last few days that AECB did present a very detailed submission to the Porter commission on reactor criteria studies on February 22 and 23. This appears as exhibit 318 and is now a public document; we do know that. I would find it difficult to answer in detail the questions of the Leader of the Opposition until we have a more precise statement from Dr. Porter as to what triggered him to delay the submission of the report to the Legislature. We're trying to find out what it was.

Mr. Deans: What do you mean by you are trying to find out?

Hon. Mr. Baetz: We have established that the Atomic Energy Control Board did make a submission and did present evidence. As my colleague has indicated, we have heard this morning from Dr. Porter himself, confirming something we knew all along, that Pickering and Bruce are the safest reactors in the world.

Mr. Sargent: Why don't you make a phone call and find out?

Hon. Mr. Baetz: To get back to the question, I don't really know what triggered him. Certainly there was no deliberate attempt on the part of Hydro or anybody else to withhold information.

Mr. S. Smith: By way of supplementary, I didn't ask what triggered Dr. Porter's objection, as we know what triggered his objection. He says clearly he's concerned that the Atomic Energy Control Board did not disclose to us the fact that it was carrying out a reassessment of the safety. That's what he's upset about.

Could the minister tell us whether such a reassessment is under way; and if so, what triggered that reassessment? If he doesn't know that, does he mean to say he has not bothered to ask Hydro this in the last couple of days, given that Hydro is a party to the reassessment?

Hon. Mr. Baetz: As I indicated, we have established the fact, which was not at all apparent in Dr. Porter's statement of yesterday, that the Atomic Energy Control Board did, on February 22, submit a brief to the Porter commission, dealing with the very subject he is now raising questions about. Until

we hear from Dr. Porter in more detail, we really don't know what more information he wants.

Mr. Deans: The minister is getting progressively worse.

Hon. Mr. Baetz: Hydro also appeared on the panel in March and was prepared to speak to this presentation of AECB of February 22, but no questions were raised. Therefore, we are at a loss to know what more information Dr. Porter really needs or what he wants.

Mr. S. Smith: Did the minister ask Hydro if there is going to be a reassessment?

Hon. Mr. Baetz: There is an ongoing assessment. That was fully documented in the brief submitted by AECB on February 22 to Dr. Porter's commission. For that reason, we are at a loss to know what more the gentleman wants at this time.

Mr. Cassidy: Can the minister say what discussions have been taking place between Ontario Hydro and AECB over nuclear reactor safety criteria; whether there have been new discussions initiated as a result of the February 22 document or for some other reason within the last three or four months; and what has been the result of those particular discussions, particularly as regards the safety of existing power stations and as regards the possibility of dual failure accidents, about which the AECB has obviously got to be concerned?

Hon. Mr. Baetz: In conversations with the chairman of the board of Ontario Hydro in the last 24 hours, I have had reconfirmed and reiterated the fact that the whole question of safety of the reactors is not a one-time thing. It's not a sporadic thing, it's an ongoing thing.

The supervisors of the Atomic Energy Control Board of Canada are daily supervising the generating plants to make absolutely certain the standards established and approved by AECB are maintained. It's an ongoing thing—

[2:30]

Ms. Gigantes: That's right, it's an ongoing problem.

Hon. Mr. Baetz: —and even the assessment of the criteria is an ongoing thing; it isn't a one-time shot at all.

Mr. Foulds: Are those standards adequate?

Mr. S. Smith: Could I, by way of supplementary, be sure I understand the minister correctly, because this is an important point.

Is the minister saying that, as far as he knows or has been able to find out from Hydro, the only assessment going on is a kind of continuing assessment to which reference

was made on February 22 and an exhibit of which was filed with the Porter commission; therefore the minister himself is at some loss to know why Dr. Porter is so surprised, since this is an ongoing assessment that has already been referred to? Is that basically what the minister has heard from Hydro?

Hon. Mr. Baetz: That is not basically what I have heard from Hydro, that's basically what I heard from the Atomic Energy Control Board of Canada. At a news conference in Ottawa this morning at 11:30, AECB said essentially the same thing. They frankly don't know why Dr. Porter suddenly feels he needs more information, because he has been getting all the information. He got it February 22. AECB is there to give him the details. Any more details he wants he can have.

Mr. Sargent: So he is a bad guy now.

Hon. Mr. Baetz: So we really don't know; probably it will be clarified when he responds to the letter of the Provincial Secretary for Resources Development (Mr. Brunelle).

Mr. Cassidy: Is the government now prepared to table the Bruce safety reactor notes which were requested by my predecessor in this House back in December of 1976, which clearly have a vital bearing on the questions of safety; not just to the Bruce plant but also at all comparable nuclear installations in the province, and which the government refused to table at that particular time?

Hon. Mr. Baetz: I am assuming that if it has to do with safety we would be ready to table any piece of information that will confirm to this House, and the public at large, what we already know: that Pickering and Bruce are, by world standards, the safest reactors in the world.

OHIP BENEFITS SCHEDULE

Mr. S. Smith: A question of the Minister of Health: Can the minister tell the House whether there has been a policy adopted whereby OHIP will no longer pay for certain experimental and as yet unproven forms of treatment? Has there been a change made in the OHIP schedule of benefits, which is now different from the OMA schedule, which has removed from OHIP payments for certain experimental forms of treatment? Is this a policy?

Hon. Mr. Timbrell: In the OHIP schedule of benefits which has recently been published—and the interim schedule was negotiated with OMA—there have been several changes in terms of adding, for instance the intermediate assessment, and taking a few things out. I don't have the list with me. If the member would like an indication of the

changes, I will be glad to get that for him. I don't recall any particular one off hand.

Mr. S. Smith: By way of supplementary, what I really want from the minister is some indication as to whether there has been a policy of removing experimental and as yet unproven methods from the OHIP benefits schedule? If so, could he list what benefits and what treatments have been removed from the previous existing schedule?

While he is looking at that, could the minister explain to the House why an ultra-violet treatment, photobiology sometimes known as PUVA treatment, has been removed from the OHIP schedule, since I know of at least one instance where the treatment was of very considerable benefit in a most serious case?

Hon. Mr. Timbrell: Any additions or deletions to the schedule are always based on the medical efficacy of the individual item and negotiations with medical associations. For instance, the member may recall that in 1977 we added reconstructive surgery for radical mastectomies. That was based on discussions with the college and with the medical association to determine that it was, in fact, something that should be an insured benefit. All parties having agreed to that, it was added. The same would be true of any other things being removed.

In our negotiations with the medical association, if we were agreed that something should not be a benefit because it is not proven or it's not effective, the appropriate steps are taken there. So I will get the member the list. I believe Mr. Armstrong from the Liberal research office phoned OHIP this morning and was speaking with the staff there about this anyway, and that is already in the works.

CONSTITUTIONAL REFORM

Mr. Cassidy: Mr. Speaker, I want to ask a question of the Premier arising out of his statement on the federal government proposals on constitutional change.

Can the Premier say, in the light of his statement, that he believes that constitution requires broad acceptance if it is to have a legitimacy to make it effective, whether that means Ontario is accepting or not accepting the 1980 deadline which the federal Prime Minister appears to be seeking to impose on the provinces and the country at large?

Hon. Mr. Davis: Mr. Speaker, in fairness to the Prime Minister and to everybody, I think it is too early to make that sort of judgement. Quite frankly, I can understand the Prime Minister's desire to establish certain tentative

timetables. Whether they will be met, whether they should be met, I think is something that discussions over the next few months will determine. Certainly I am not accepting a particular timetable. I think the consensus that is necessary may require a longer period of time, or it may not; I can't make that sort of judgement.

But I do say to the honourable member that we intend to approach these discussions in a constructive way. It really is early to comment until we see some of the legislation because, while the white paper sort of sets a tone for what may emerge, I think it is the specifics that really should be discussed. However, I am not accepting nor rejecting the timetable that has been suggested.

I would just say to the honourable member, and this may sound strange coming from me, that I can understand why he would suggest a timetable, because in fairness we have been discussing this, to my knowledge, since at least 1971—some will argue since 1968—and I am one of those who believes that there should be some progress made.

Mr. Sargent: Something like your tax reform, Bill?

Mr. Cassidy: Can the Premier say whether, when the Honourable Hugh Faulkner was here yesterday, there have been assurances from the federal government that this province and other provinces will be consulted in advance of the legislation which the federal government apparently intends to present to Parliament by the end of June? Can he say whether there has been an assurance of that kind of consultation?

As a second part of the question, does the Premier consider that the proposals that the federal government is now recycling from the early 1970s are appropriate, particularly in view of the fact that they do not appear to make reference to the need to co-ordinate economic action on behalf of all Canadians within the constitution?

Mr. Peterson: Who is writing your speeches for God's sake? Ed Broadbent?

Hon. Mr. Davis: As I am sure the honourable member would agree if he thought about it carefully—

Mr. Makarchuk: It's better than Eugene Whelan.

Hon. Mr. Davis: That was unfair to say about the Minister of Agriculture for Canada.

Mr. Roy: He is not arguing with you, Bill.

Hon. Mr. McKeough: Great Canadian.

Hon. Mr. Davis: In fairness, I think one can understand the principle of the bill being

introduced and given first reading before being discussed in public. While both Mr. Faulkner and Mr. Thorson, who was also here, shared some aspects in general terms, I think it is reasonable to assume that the bill should be introduced.

I have every assurance, I am totally confident, that once the bill is introduced, the government of Canada will not proceed with that bill until such time as there has been a rather comprehensive discussion with the provinces and, I would hope, with the public at large. So while the bill will be introduced some time before the end of the month—and I will not be privy to the contents of the bill; I will not have seen it, nor would I assume other Premiers would have seen it—I cannot quarrel with the principle of introducing it, because I am totally satisfied there will be no intention of proceeding with any bill until these discussions take place.

Mr. Roy: Supplementary, Mr. Speaker: I recognize the fact that it is difficult to give commitments when we are lacking specifics, as we are in this white paper, but the white paper states on page 24: "Provisions could be made for provincial governments to join in supporting aims and the charter at once or when they saw fit." In view of the importance of the proposals, in view of the work the Premier has done in that field—he has had a blue document out, which I have had occasion to read—and in view of the very important principles, will the Premier undertake that we shall have an opportunity in this House to have a full debate so that all members of the Legislature can participate and give the government our views and have a very positive approach to these proposals?

Hon. Mr. Davis: Taking even the Prime Minister's suggested timing as to how he would like to see this proceed, it's quite obvious there will be ample time for both debates and discussions prior to any consideration, in my view, of the government of Canada moving ahead with second reading of the bill. There are two phases, as I'm sure the honourable member senses. There will be those areas where the government of Canada may decide to move on its own initiative. Technically, theoretically, legally they can move without the support or consent of the provinces. In my view it would be highly desirable if there could be as much agreement from the provinces on phase one as could be developed prior to that happening, but I think the Prime Minister does have the option of moving without it.

In terms of what approach we take provincially, as to whether or not we accept, in

terms of provincial reaction, some aspects of the charter, the statement of rights or principles—whatever way it is phrased—not only will there be ample opportunity for discussion, but I would doubt that this would be done without, probably, ultimately a specific resolution to the House. At the time of the Victoria charter, we contemplated that if it had proceeded not only would it have required, but I was anxious to have, some resolution of the House dealing with our participation in it. I would certainly think there will be ample opportunity.

The discussions in August among the Premiers will, hopefully, be of a constructive nature once again and will give us some positions to put to the first minister and his colleagues in the September conference, assuming that there will be one. I would think that after that there will still be a rather prolonged discussion publicly and between governments, and there will be ample opportunity here for us to discuss not only the issues raised by the honourable member but what will then have emerged, many other issues on which he will want to express a point of view—a lot of us will. There will be no problem doing that in the fall session.

Mr. MacDonald: Supplementary: Would the Premier make available forthwith, as he promised a few days ago, the statements that were released from the Kingston conference of Joe Clark and provincial Conservative Premiers, and also the document provided by Mr. Clark on behalf of provincial Conservative Premiers to, I believe, Claude Ryan as well as Premier Levesque, so that we might be able to ascertain what relevance those documents have to the forthcoming federal legislation?

Hon. Mr. Davis: I apologize to the honourable member. I brought that historic Kingston communique with me—I don't know if it was yesterday or Friday—

Mr. T. P. Reid: The Brampton charter?

Hon. Mr. Davis: Bramalea. Bramalea.

Mr. Breithaupt: You could have a two for one sale.

Mr. MacDonald: What about the other one presented by Joe Clark to Premier Levesque on behalf of the provincial PC Premiers?

Hon. Mr. Davis: I have found no formal documentation. I doubt very much whether Mr. Clark had anything other than the material which has either been released by the party federally—

Mr. MacDonald: He said he had.

Hon. Mr. Davis: —or the Kingston communique. I certainly have the Kingston communique. As I said, I had it here either Friday or yesterday, and I'll be delighted to send it to the honourable member.

Mr. MacDonald: No, no, no; Joe Clark said he had further information.

Mr. T. P. Reid: I have a feeling that will go the way of the dodo bird. I'd like to ask the Premier if, in his wisdom and knowledge of these affairs, he thinks that the constitution of Canada, such as it is, can be changed unilaterally by the federal government without specifics in the first phase of the fiscal responsibilities between the federal and provincial governments being outlined specifically and acutely?

Hon. Mr. Davis: I'm treading a very difficult area here. I think that question might more properly be directed to the Attorney General (Mr. McMurtry), who is an expert in terms of constitutional law.

Mr. Roy: Not quite; the Supreme Court of Canada didn't think so.

[2:45]

Hon. Mr. Davis: However, being a non-expert in the field of constitutional law, I will venture an opinion. That opinion is that probably there could be some constitutional changes, as they relate to federal institutions, without the consent of the provinces or their involvement. I think this would be highly regrettable. I don't think that's the way the Prime Minister would wish to move on it. Certainly, I think it would be an unwise course to follow, but technically or legally I think the Parliament of Canada can make certain constitutional changes on its own initiative. So my answer to that question would be—and I'm open to correction by constitutional experts—I think that is a possibility.

Mr. T. P. Reid: So is the Attorney General.

Mr. Roy: I think the Premier is on the right track; accept our opinion.

NUCLEAR PLANT SAFETY

Mr. Cassidy: I want to return to the Minister of Energy to talk about the safety-danger possibilities in nuclear reactors which have been raised by the chairman of the Royal Commission on Electric Power Planning.

Has the Minister of Energy been in direct contact with Dr. Porter over the serious concerns which he raised in his letter to the government of yesterday? Has the Minister of Energy consulted the Bruce reactor safety notes which raised specific questions related to a dual failure accident? Can he report on those two questions?

Hon. Mr. Baetz: I have not been in touch with Dr. Porter since yesterday because, as I indicated earlier, we are still awaiting clarification from him as to his precise point of concern about why he is delaying the presentation of the report.

I am having discussions with Hydro on the safety features but, as I also indicated earlier, the standards of safety which are applied to all generating stations in Ontario are set and supervised by the Atomic Energy Control Board of Canada. Hydro really doesn't set those standards. There is a daily supervision going on by AECB supervisory personnel. Certainly if there are questions of safety, I am convinced beyond the shadow of a doubt that this daily kind of supervision will deal with these questions.

More than that, it's really very difficult to know what to say at this particular point in time anyway.

Ms. Gigantes: For the minister it is.

Mr. Cassidy: A supplementary, Mr. Speaker: In view of the fact that Ontario Hydro operates the nuclear power reactors and will clearly be responsible, as will the government with the AECB, should there be any kind of a failure that affects safety, is the minister satisfied with the standards that have been laid down by the AECB; and in particular is he concerned about the fact that the safety shutdown system under Ontario's present nuclear plant designs are in fact dependent on each other and are not, apparently, independent? Is this the matter of particular concern to the government; and if so what is it doing about it?

Hon. Mr. Baetz: As I'm sure the leader of the third party recognizes, the safety devices for the generators are a highly technical, highly complex matter. I really think it would be inappropriate for us to second guess, even, those who we think are the best scientists and safety experts in Canada who daily look into this question. If we have been told, as we have been consistently by the Atomic Energy Control Board, that the standards of safety are adequate, even though they are constantly under review—because, after all, the reactors have only been active for a short number of years so one can assume this has to be reviewed considerably—I would think that we here, who are not scientists, simply cannot second guess, as it were, the best brains, the best experts in the country.

Ms. Gigantes: Why doesn't the minister answer the question?

Hon. Mr. Baetz: I don't know how much further the member expects us to go at this particular point.

Ms. Gigantes: Mr. Speaker, I would like to ask the minister is he is aware that the concerns about the independence of the shutdown systems in the Candu reactor has been raised by the AECB in correspondence with Hydro since well into 1976? Is he not aware also that the AECB is likely to be bringing in new and more stringent regulations in this area? Doesn't he think he should know about this?

Hon. Mr. Baetz: I certainly do know about it. I am keeping myself fully informed on that subject—

Mr. Warner: Why don't you? You don't.

Ms. Gigantes: You are sloppy.

Hon. Mr. Baetz: —but I am not trying to second guess the experts at AECB.

Mr. Warner: Guessing, that's all you do.

Mr. Cassidy: Has the minister had the experts at AECB and at Hydro explain to him on behalf of the government the risks that may be entailed in the present kind of reactor design where the two safety shutdown systems are not independent? Has he had them explain it in terms which are understandable to him at the political level; and is he therefore satisfied or not satisfied with the safety features? If he does not know, how can he continue to be the minister responsible at the political level for ensuring that Ontario Hydro is doing an adequate job?

Hon. Mr. Baetz: It is not Ontario Hydro, it is the Atomic Energy Control Board that sets the standards and enforces the standards. Let's just keep that one in mind.

Ms. Gigantes: Oh come on; Hydro sets them.

Hon. Mr. Baetz: To the specific question—have I ever had Hydro or the Atomic Energy Control Board of Canada try to explain to me in layman's terms what the safety features are—the answer is yes. Furthermore, in light of the questions in the House today, I am going to be asking AECB to set out the safety features in layman's language that all of us in this House can understand. I will be glad to table them in this House; and then I think members will begin to realize that there are about eight or nine safety barriers.

Ms. Gigantes: Table the safety notes.

Hon. Mr. Baetz: I think it would be very helpful if we in this House could have this kind of presentation, and I will be happy to ask AECB and Ontario Hydro jointly to give us this information.

Mr. Foulds: Will you table the Bruce safety notes?

SUNNYBROOK HOSPITAL

Mr. G. Taylor: The question is to the Minister of Health. I have received numerous letters and correspondence and telephone calls on the reports of the meals, particularly breakfast, being served to the patients, some of whom are veterans, at the Sunnybrook Hospital. Could the minister comment on that please, Mr. Speaker?

Mr. Martel: That was three weeks ago.

Mr. Cassidy: The member for Sudbury (Mr. Germa) raised that already.

Mr. Samis: Check Hansard.

Hon. Mr. Timbrell: I can confirm that following my request for a review of the matter the board of Sunnybrook Hospital has decided not to carry out that action.

FINANCIAL PROTECTION FOR FARMERS

Mr. Riddell: A question of the Minister of Agriculture and Food: Having met with the Ontario Cattlemen's Association last week and discussing with them their concerns, does the minister intend to amend the Farm Products Payment Act to encompass the four basic concepts as outlined by them? The concepts are: the licensing of livestock dealers and dealer agencies, creation of an insurance fund, prompt payment provisions and the keeping of records.

Hon. W. Newman: Mr. Speaker, I appreciate that question. Yes, I did meet with the Ontario Cattlemen's Association last week and they did point out to me that the legislation we passed last year upon their request met all the requirements but one which they asked for. They thought they could operate under that bill and work out for us the necessary financial protection. It would involve the payment, I believe, of \$25,000 seed money from the province.

We now find out it will not work out quite as well as they had hoped. They have been working on it for almost a year to sort it out and I am quite prepared to look at amendments to the act to make it easy for them to sort it out. Of course we won't get it in this session.

Mr. Riddell: A supplementary: Being it is allegedly reported that another packing company is encountering financial difficulties, what protection does the beef producer have under the existing act? In other words, have any of the regulations been put into effect as the bill was amended—I believe it was last year?

Hon. W. Newman: When the bill was passed it was set up on the basis that each

commodity board or group would set up its own fund for financial protection. We would put in some seed money when they worked out the details. At this time the Ontario Cattlemen's Association has not worked out a program. That is why they are asking for a change in legislation.

Regarding the other part of the question about a packing plant that has a problem: we have checked into stories of that, it may be true. We have been unable to find anybody, except one person who was a little bit tardy in paying here about two weeks ago. I understand they had invested their money elsewhere but their financial status is good, if that's the one the member is talking about. I am not sure that's the one he is talking about but I know of no others.

LIQUOR STRIKE

Mr. Cooke: I have a question for the Minister of Consumer and Commercial Relations. I would like to ask the minister if he's aware of the action taken in British Columbia to remove Hiram Walker products from liquor control stores in that province in an effort to take a more neutral role in the current strike that has been going on since the beginning of March? I am wondering if the minister will take the same action in Ontario?

Hon. Mr. Rhodes: That is not neutral. That is taking sides.

Hon. Mr. Grossman: No, we will remain neutral.

Mr. MacDonald: Neutral against whom? That is like the Irish.

Mr. Cooke: Supplementary: How can the minister say that the government is acting in a neutral role when it is currently providing a market for and selling Hiram Walker products in its stores? How can they possibly say that is a neutral role?

Mr. Nixon: The NDP should boycott all those products.

Hon. Mr. Grossman: So long as Hiram Walker supplies products to the board, obviously, in order to remain neutral we will sell those products. Obviously, if they are unable to provide them to the stores, then to remain equally neutral there is nothing else we can do. We won't be selling products if they are not supplied to us. What else might we do?

Mr. Bounsall: Supplementary: Seeing that it's very clear that the minister does not agree with the decision of the British Columbia Labour Relations Board—

Mr. T. P. Reid: A rose by any other name.

Mr. Bounsall:—however, in any event, because he may be trying to make a mechanistic argument rather than a rational one, would the minister consult with his colleague, the Minister of Labour, regarding what changes would need to be made to the Labour Relations Act in Ontario and urge her to introduce those amendments so that the question that was placed before the British Columbia Labour Relations Board can be placed before the Ontario Labour Relations Board so that we can have the benefit of their considered judgement as they got in BC?

Interjections.

Hon. Mr. Grossman: To quote the Minister of the Environment (Mr. McCague), no.

SMALL BUSINESS

Mr. Yakabuski: I have a question for the Minister of Industry and Tourism. In view of the fact that I, like many members of this Legislature, I am sure—

Mr. S. Smith: It's a set-up today.

Mr. Yakabuski:—get asked quite often by small business, especially in the last week since the retail merchants held their annual meeting at one of the Holiday Inns in this city, whom can they go to and who in the cabinet speaks for small business in this province?

Interjections.

Mr. Breagh: Can we get it down in Hansard?

Mr. Speaker: Order. The minister deserves equal time.

Hon. Mr. Rhodes: I speak for small business in cabinet.

Mr. MacDonald: Supplementary: May I ask you, Mr. Speaker, who of the Conservative Party is speaking for small retail businesses in the resources development committee when the member for Renfrew South (Mr. Yakabuski) is always supporting the supermarkets and not the small businessman?

Interjections.

Mr. Yakabuski: Mr. Speaker, I rise on a point of privilege.

[3:00]

Mr. Speaker: Point of privilege, the member for Renfrew South.

Mr. Yakabuski: Mr. Speaker, my point of privilege is this: All during the hearings looking into the food industry, the farm products marketing boards, et cetera, in committee, I have acted in a very unbiased and fair manner, looking at all sides of the industry. I wouldn't want to be like the member for

York South (Mr. MacDonald) who was shot to pieces on his Mallen report.

HIGHWAY SERVICE CENTRES

Mr. Ruston: I have a question of the Minister of Transportation and Communications. Could the minister tell the House whether the rumours circulating in the oil industry and other areas concerning the possibility of closing the the first two service centres west of Toronto on Highway 401 are based on fact? Is the minister contemplating closing those two stations when the present contracts run out?

Hon. Mr. Snow: Not to my knowledge.

Mr. Ruston: Is the minister then contemplating new contracts where gasoline would be separate from the other parts of the establishment? Is he contemplating removing gasoline so that it would no longer be part of the total contract?

Hon. Mr. Snow: I will have to check to see when those particular leases do come up for renewal. I think it is a number of years away. I have not, to my knowledge, as yet seen any proposals for the renewal or for any changes in those contracts. But I would be glad to look into it.

Mr. Bounsall: When the minister is looking into those contracts, will he try to ensure that when the contracts are signed the price of gasoline is less than the 15 to 18 cents more than is charged in the surrounding areas, since those service stations constitute a ripoff of tourists coming into this province?

Hon. Mr. Snow: I am sure the honourable member knows there is no price control system for gasoline in this province.

Mr. McClellan: Yes, we've noticed.

Mr. Bounsall: Put it in the contract. It's a ripoff.

Hon. Mr. Snow: As a matter of fact, the legal advice I have from my constitutional expert on my right—

Mr. Nixon: You would be better to pick the one on your left.

Mr. T. P. Reid: The one behind you.

Hon. Mr. Snow: I am sure the honourable colleague on my left could give me very capable advice, too.

Hon. F. S. Miller: You've never asked me.

Hon. Mr. Snow: In fact, I ask him many times for advice.

We don't have the authority, in fact I have been advised by the Attorney General's ministry that we would be in trouble with the combines investigation people if we

attempted to control or set the price of gasoline at the service centres.

Mr. Bradley: Highway robbery.

Hon. Mr. Snow: As you are well aware, a year and a half ago we adjusted our leases on the service centres so that the lease payments were not payable on the extraordinary increases in gasoline prices brought about by the federal sales tax.

Mr. Mancini: In view of the fact that in 1976, I believe, the annual report of the Canadian Automobile Association not only criticized the price of gasoline but also the food service industry which is along the 401 strip, could the minister assure the House that when these contracts come up for renewal he will not only look at the price of gasoline but the quality of service in the food industry along Highway 401, which our tourists are very interested in?

Mr. Sargent: Just like you do on the Dineley contract here.

Hon. Mr. Snow: I really am at somewhat of a loss to know how to answer that question, but I will take it into consideration.

Mr. Peterson: Supplementary: For those of us who travel these highways and byways regularly, believe me, what the minister allows to transpire on Highway 401 in terms of gas prices, quality of food, and service is a disgrace to this province, as my colleague has said. Would the minister undertake to look into both these matters, including the leasing problem, and report back to this House?

When one finds that some 80 or 90 per cent of the tourists coming to this province do so in vehicles, this is offending the tourist industry in this province. Will the minister get together with the Minister of Industry and Tourism, try to work something out, and report to this House on the clean-up proposal?

Hon. Mr. Snow: I don't know that we have any service centres on the byways of the province. The service centres that we have—

Mr. McClellan: Answer the question.

Mr. Roy: The problem is you don't know the problem.

Hon. Mr. Snow: I'm not so sure they're a quarter as bad as the member says they are.

Mr. McClellan: Say yes and sit down.

Hon. Mr. Snow: I'm not so sure they're one quarter as bad as the honourable member says. Those people who like to condemn every private businessman in this province who is trying to make a living, I just don't go for.

Interjections.

PRESTOLITE COMPANY

Mr. Wildman: I have a question for the Minister of Industry and Tourism.

Could the minister indicate what action he's taking in response to the concerns raised by the union concerned over the future of Prestolite in Sarnia and other parts of the province especially in relation to the unfunded liability of the pension plan?

Hon. Mr. Rhodes: I'm sorry. I missed the last part. The unfunded liability of the pension plan?

Mr. Wildman: Of the pension plan.

Hon. Mr. Rhodes: I have been contacted by the mayor of Sarnia as a result of the Prestolite plant proposed shutdown or layoff. I guess it's actually shutting it down. And there has been a meeting with the UAW representative.

At the time I spoke to the mayor, I indicated we would be sending one of our officials into the area to discuss what was going on with the company. I have not looked into the question of the unfunded pension plan, but we have been trying to work with the company to resolve the problem and, hopefully, keep the plant operating, if we can.

The other part of your question is something I'm afraid I have not looked into.

Mr. S. Smith: Would the minister undertake to present to this House, at some point, a bill or a policy which would make it mandatory for every firm in the province of Ontario to make public, both to the workers and to potential investors, the extent of any unfunded liability that exists in their pension funds?

Hon. Mr. Rhodes: I would respond to that by indicating to the Leader of the Opposition that perhaps that sort of bill may be desirable but I believe it should come from the minister responsible for pension funds, the Minister of Consumer and Commercial Relations.

Mr. S. Smith: May I redirect that question? Forced disclosure of unfunded liability in all private pension funds?

Hon. Mr. Grossman: I'll review the current regulations and their sufficiency and I will report to the House. Then we can chat about it further.

Mr. Mackenzie: Could the minister tell me, did I hear correctly, that he has had a meeting with the union involved in the Prestolite situation?

Hon. Mr. Rhodes: I was not in attendance at the meeting but members of the union

met with the Minister of Labour (B. Stephenson) and the Premier (Mr. Davis) and discussed that among other problems. There was the UAW, and other unions—the United Electrical Workers—were represented at that meeting. Prestolite was one of those that was talked about.

Mr. Mackenzie: Within the last week?

Hon. Mr. Rhodes: Yes, within the last week.

I'm sorry they didn't report back to you.

HIGHWAY 101 CONTRACT

Mr. Pope: I have a question for the Minister of Transportation and Communications.

Is the minister aware of the concern of the International Union of Operating Engineers, Local 793, over the awarding of a contract on Highway 101 to Lamothe Construction, in view of the fact that this company does not, in the normal course of events, hire local labour for their contracts? Will the minister consider a policy change requiring in tender advertisements a requirement of the use of local labour for these contracts, and will the minister investigate whether or not a difference in sales tax between the province of Quebec and the province of Ontario with respect to asphalt may be responsible for the difference in bids?

Hon. Mr. Snow: Mr. Speaker, it is not the practice of the ministry or of the government when advertising for tenders for construction projects to qualify the residency of the contractor. In this particular instance, I believe the contract called for the resurfacing of a section of highway in northeastern Ontario. The low bidder for that contract was a firm which, although it does have an office or is registered in the province of Ontario, really is a resident company of the province of Quebec.

We don't too often have companies from other provinces carrying out work for the ministry, but periodically they do. I recall we had one instance last year in northwestern Ontario where a western Canadian contractor who had qualified and met all the requirements of the ministry was the low bidder and was awarded the contract, as was this particular company.

As for the particular contract, I am certainly aware of the interest of all of us in having as many jobs as possible for Ontario workers, but this is a resurfacing contract which does not involve a large number of employees. As usual, there is a crew for the actual pavers and they usually travel with the operation as it requires men who are used to working together.

I will inquire as to the other aspects of the contract, but I am not so sure that the sales tax on the asphalt would make any difference. As I recall, the province of Quebec has a higher sales tax than we have; so I think it would be detrimental rather than beneficial. But I will look into that and get the member an answer.

DOW CHEMICAL

Mr. Sargent: Mr. Speaker, a question to the Attorney General about the much-ballyhooed, \$35-million suit against Dow, out of which the Premier has had about seven years of mileage—

Hon. Mr. Davis: I haven't talked about it in years.

Mr. Sargent: I have a two-part question to the Attorney General. What was the total legal cost for seven years of litigation? In view of the fact that the Attorney General says Mr. Robinette's bill was \$15,000, at the going rate of \$1,000 a day, that is 15 days in seven years.

Secondly, in view of the fact that today's Wall Street Journal reveals that the state of Ohio has appealed its case against Dow, why should the province of Ontario accept dismissal and let polluters to go scot-free here when Ohio won't?

Hon. Mr. McMurtry: First of all, Mr. Speaker, as I think all the members of the House fully appreciate, we do not allow polluters in this province to go scot-free.

Mr. Warner: When did that start?

Mr. Kerrio: Another turn of the wheel and we'd be paying them.

Hon. Mr. McMurtry: Secondly, so far as the legal disbursements are concerned, I can't give the member a breakdown of the legal disbursements at this time; I have that information. The total of disbursements made by the government, both with respect to legal disbursements and consultants who were retained, was approximately \$125,000.

Mr. Peterson: Is that the legal fees, or disbursements, or both?

Hon. Mr. McMurtry: Legal fees.

Mr. Sargent: Supplementary: Do I understand that for seven years' litigation the fee was \$125,000? And to whom was it paid?

Ms. Gigantes: How many hours were involved?

Mr. Grande: He didn't answer the second part of the original question, about Ohio.

Hon. Mr. McMurtry: I will obtain a breakdown. There were various lawyers involved.

Mr. Justice Dubin of the Court of Appeal was the counsel who had been retained prior to Mr. Robinette; when he was appointed to the Ontario Court of Appeal, Mr. Robinette was retained. I can obtain a breakdown for the honourable member.

Mr. Martel: That's high-priced help.

[3:15]

Mr. Sargent: Supplementary: In view of the fact that the total bill paid to the fishermen was \$250,000 and the lawyers got \$125,000—that's half what the fishermen got after seven years.

Mr. Warner: Supplementary: I'm wondering if the Attorney General is aware of the reasons for which the state of Ohio would proceed with an appeal, but in the same circumstance the province of Ontario chooses not to do so? Could he reconcile the difference in approach between this province and the state of Ohio in the case against Dow?

Mr. di Santo: Certainly not.

Hon. Mr. McMurtry: The circumstances are not the same.

LOCAL GOVERNMENT REVIEWS

Mr. Breough: I have a question for the Treasurer. Since in his statement today he showed his great respect for local autonomy in municipal affairs in Northumberland, could I ask why then last Friday he refused a request from the council of the region of Durham to conduct a review of their regional government?

Hon. Mr. McKeough: I don't think I did.

Hon. W. Newman: Read the letter over and find out what's in the letter before you make statements.

Mr. Breough: His parliamentary assistant delivered by hand a letter to the chairman of the regional council on Friday refusing their requests for a review of the government.

Hon. Mr. McKeough: Irrespective of the specifics of last Friday or last week, we are not anxious to undertake any more reviews until we see some daylight from the four reviews which presently have been completed.

Mr. Breough: Supplementary: Could the Treasurer then give to us the criteria he uses for conducting them? Is it simply that he's a little snowed under with reviews of regional government now or what?

Hon. Mr. McKeough: I don't know that I would have put it as eloquently as the honourable member, but he's put it very well.

POLYGRAPH TESTS

Mr. B. Newman: I have a question of the Attorney General. Has his ministry completed its study concerning the use of the polygraph and what policy has he concerning its use?

Hon. Mr. McMurtry: This is a matter that that is considered as properly within the purview of the Minister of Labour. I think any question in relation to that might properly be directed to the Minister of Labour.

Mr. B. Newman: Supplementary: I am not using this in the context of someone attempting to obtain employment and the polygraph or the voice stress analyser being used. The Attorney General certainly must have a policy as far as his own ministry is concerned allowing the use of the polygraph or disallowing its use.

Mr. Stong: Admissibility in the courts.

Hon. Mr. McMurtry: I really don't understand the question with respect to allowing it. The major problem with respect to polygraphs and the major abuse, in my view, is in relation to employer-employee relationships.

This evidence is not admissible in the courts of this province. The polygraph is regarded as a useful investigative tool, if it's operated properly. Some police forces do use it, quite properly, as an investigative tool only. The evidence is not admissible in the courts.

As I have indicated before, I am of the view that employees should not be forced, either directly or indirectly, to undergo this type of examination or take these tests.

I don't know what else I could add because I don't totally understand the member's question.

Mr. B. Newman: Supplementary: It was two years ago that I asked the Attorney General this question in the House and at that time he told me he would have a reply. Surely it didn't take him two years to tell me what he's telling me now?

Mrs. Campbell: He doesn't understand the question.

Mr. MacDonald: Supplementary: Since his colleague, the Minister of Labour, has expressed her personal view that the use of lie detectors is not an acceptable procedure in labour-management relations, is the government considering banning their use?

Mr. Laughren: Yes, put up or shut up.

Hon. Mr. McMurtry: I think this is a question, as I've already said, that should be directed to the Minister of Labour.

Mr. Martel: To the Premier.

Mr. MacDonald: May I redirect it to the Minister of Labour then?

Hon. B. Stephenson: I am sorry, I did not hear the question.

Mr. MacDonald: The Attorney General has redirected the question to the Minister of Labour. Since she expressed some concern about the use of lie detector machinery in labour-management relations a year or two ago, has the minister considered bringing in a law to forbid their use?

Hon. B. Stephenson: We are still examining the problem and the study which has been initiated has not, as yet, been completed.

Mr. McClellan: Maybe The Wyatt Company could look after it.

Mr. Laughren: Ask Wyatt.

Hon. B. Stephenson: There are as well two or three instances which have been brought before the human rights commission which are being investigated as well. When we have had a look at all of those, then we will consider it.

Mr. Martel: Give it to The Wyatt Company.

Mr. B. Newman: Will the minister look into the voice stress analyser also as a tool in employment practices?

Hon. B. Stephenson: Yes.

Mr. Sargent: Should get one to use in the House here.

QUEBEC POLICY ON CONSTRUCTION HIRING

Mr. Samis: A question on the meeting of the Minister of Labour on Saturday with Pierre Marc Johnson: Could the minister report to the House (a) on what was accomplished; (b) where things stand now; (c) what lies ahead; and, (d) what issues remain outstanding?

Hon. B. Stephenson: It was a concenial meeting; it was held in Montreal. All of the aspects of the issue were examined and none to my knowledge were resolved totally.

Mr. Samis: Supplementary: Are there further meetings scheduled before the July 1 deadline? Secondly, what is the stated intention of negotiations from Ontario's viewpoint?

Hon. B. Stephenson: If I could make a respectful suggestion to the honourable member, I wonder if he would enunciate a little more clearly. I am unable to hear him.

Mr. Samis: Clearly, very slowly and articulately, could the minister tell us—

Mr. T. P. Reid: What was that?

Hon. Mr. Crossman: We will settle for two out of three. Clearly and slowly will do.

Mr. Samis: Did the Minister of Labour get those? Oh my God. What's the name of that school the Minister of Health (Mr. Timbrell) goes to?

Mr. T. P. Reid: Belleville School for the Deaf.

Mr. Samis: Could the minister tell us, are there any further negotiations planned? Secondly, from Ontario's perspective with the July 1 deadline in sight, what specifically is she aiming for in these negotiations?

Hon. B. Stephenson: We have, of course, been aiming for a resolution of the problem. To the construction industry and the province of Ontario the problem appears to be a complete inhibition of mobility of construction workers in so far as the Quebec-Ontario border is concerned.

I anticipate that I will be having a communication from the honourable minister either this afternoon or tomorrow morning. I anticipate that there will be further communication with him as a result of receiving that and I am hopeful that we will be able to resolve the difficulty.

Mr. Martel: And you will report to the House?

Hon. B. Stephenson: I always report to the House.

Mr. S. Smith: By way of supplementary: Since the minister said when I raised this matter on March 28 that she was still waiting for a legal opinion on whether or not those regulations could be successfully challenged in the court, does she have that opinion? And since she said at that time she "is moving on a different tack," can she tell us what that tack is?

Mr. Martel: This is a pointed one.

Hon. B. Stephenson: I am sure the honourable member is aware that I reported to this House that we had received the legal opinion and that it was not entirely supportive of the idea that it could be challenged successfully. We have made some approaches as well to our colleagues at the federal level because this does happen to be an inter-provincial problem in which I think they might have some interest, with the hope that perhaps there might be—

Mr. Wildman: I have heard of marching to a different drum. She goes with a completely different band.

Hon. B. Stephenson:—some action that could be taken at that level. It is our hope that we will have some response to the questions which were levelled at the Minister of Labour and the Minister of Justice and others in Ottawa—hopefully this week.

Mr. Roy: Would Joe Clark not help you up there?

Mr. Samis: Zero on the score card.

Mr. S. Smith: I haven't heard Joe Clark speak on that.

Mr. Speaker: The time for oral questions has expired.

Mr. Laughren: Thank goodness for that.

REPORT

STATUTORY EXPENSES

Mr. Speaker: I would like to advise all members that I have today tabled a statement of statutory expenses incurred by the members of the House which have been paid for from the Legislative Assembly fund.

MOTION

STANDING GENERAL GOVERNMENT COMMITTEE

Hon. Mr. Welch moved that the standing general government committee be authorized to sit in camera concurrently with the House tonight at 8 p.m. to consider sessional paper 13, the report on the policy options for continuing tenant protection.

Motion agreed to.

NOTICE OF DISSATISFACTION

Mr. Speaker: Before the orders of the day, pursuant to standing order number 28, the member for Beaches-Woodbine (Ms. Bryden) has given notice of her dissatisfaction to the answer to her question given by the Minister of the Environment (Mr. McCague) concerning pollution controls in Hawkesbury. This matter will be debated at 10:30 tonight.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, may I take this opportunity, before calling the first order, to advise that in addition to the meeting tonight, I am told that the standing general government committee will meet tomorrow morning at 9 rather than at 10 as indicated in the notice.

To accommodate the Minister of Transportation and Communications (Mr. Snow), may I indicate a brief change in the order of calling bills this afternoon. We will start with Bill 66 in committee.

Mr. Nixon: Oh, let's not do that first.

Hon. Mr. Welch: Following which we will do, and hopefully complete, Bill 108, and then carry on as the order paper suggests.

ORDERS OF THE DAY

YORK MUNICIPAL HYDRO-ELECTRIC SERVICE ACT, 1978

House in committee on Bill 66, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of York.

Mr. Chairman: Are there any comments, questions or amendments to this bill, and if so on what section?

Section 1 agreed to.

On section 2:

Hon. Mr. Baetz: I should like to introduce an amendment to section 2, in order to bring subsection 16 into line with section 39 of the Municipal Act. Section 39 prohibits anyone from running for more than one municipal office in the same election. The reference in the bill to "Members of council . . . elected as members of the commission" is therefore an eventuality which cannot occur. Members of the council may become members of a commission only by appointment.

Mr. Chairman: Hon. Mr. Baetz moves that subsection 16 of section of the bill be amended by striking out "or elected" in the third line.

Mr. Swart: Mr. Chairman, we have no objection to this; it is just tidying up the bill. I have some questions about the explanation given by the minister. It seemed to me that the reason for deleting this was that in fact the first year they are appointed by the act, and therefore the word "elected" served no useful purpose there. I think all members are appointed for the first term of office and this refers back to that. There is no election, and for that reason I would concur that it should be deleted, although I was a little bit confused by the explanation given by the minister.

Hon. Mr. Baetz: It simply confirms your view in that the word "elected" is really quite redundant and should be left out.

Motion agreed to.

Section 2, as amended, agreed to.

Section 3 agreed to.

On section 4:

Mr. Chairman: Hon. Mr. Baetz moves that section 4 of the bill be amended by adding thereto the following subsection: "(14) For the purpose of the calculations mentioned in subsections 7, 8 and 10, 'original cost' and 'equity' do not include capital contributions by customers or developers."

[3:30]

Hon. Mr. Baetz: This amendment is a compromise agreed upon by representatives of

Vaughan, Richmond Hill, the provincial steering committee and Ontario Hydro. It clarifies the method of calculating the purchase price of assets transferred in the course of restructuring.

Because contributions made by developers are never capitalized by Ontario Hydro, the amendment does not change the formula applied to assets transferred from Ontario Hydro. This formula is identical to that in the three previous restructuring acts. However, the amendment will make a slight change in the formula applied to inter-municipal transfers at the request of the two municipalities involved, namely, Vaughan and Richmond Hill.

For the purpose of restructuring only, Vaughan hydro-electric commission will adopt the practice of Ontario Hydro, and of many other municipalities, and will not capitalize developers' contributions. While it is not anticipated that this change will have a major effect on the actual price for the assets, I am pleased to present to this House a method of calculation preferred by the municipalities affected.

Mr. Stong: I wasn't anticipating the introduction of this subsection at this time. I have an amendment to subsection 11 of section 4 that I want to offer as well, so I would like to be able to go back to that subsection. I do want to speak to this amendment as well.

The amendment offered by the minister, subsection 14, is wholly in agreement with what I have endeavoured to do through meetings with the municipalities involved, particularly Richmond Hill, Markham and Vaughan. We are in agreement entirely with the subsection and with the amendment to the act. Although the minister has said that Ontario Hydro does not capitalize these contributions, there is a great deal of confusion surrounding exactly what Ontario Hydro does do to arrive at its calculations. Because of the indefiniteness, confusion and lack of formula in arriving at any calculations in this regard, I have offered an amendment myself which is incorporated into the amendment offered by the minister. We are particularly in agreement with that.

I might say as well, Mr. Chairman, that the circumstances giving rise to this amendment may not be unique in their applications, but because of the magnitude of the capital assets acquired by developers' contributions since January 1, 1971, a growth in equity may result if this amendment is not placed in the bill. Its incorporation may result, as well, in reductions in cost to the existing and

future customers and consumers within the new subdivisions, particularly in the area of Richmond Hill and Vaughan.

Specifically, Mr. Chairman, more than \$775,000 in capital contributions has been collected by the town of Richmond Hill by subdivision agreements. These funds have been transferred to the Vaughan hydro-electric commission for the construction of a new plant and for new service for these developments. In turn, the developer passed these capital assets on to the new home owners. My concern is remedied by virtue of this amendment. The proposed legislation, as it was introduced, would include the value of these same assets as part of the compensation payments. So, whether we accept what Ontario Hydro says or not, there is still a grey area in this matter and no one seems to know. We get different opinions from different people, and no matter with whom you speak, home owners and consumers would be paying again. They paid the purchase price of their home, and by virtue of the fact of the restructuring, they are fearful that they would have to pay higher rates again. So, this amendment offered by the minister, based on the wishes of the communities involved and on the amendments I am introducing, remedies that situation.

The area involved presently contains about 3,000 consumer units. Of these, some 45 per cent are within the new subdivision previously referred to by me. These statistics are further magnified by the fact the capital contributions were sufficient to provide the hydro-electric plant for an additional 2,700 dwellings not yet built or occupied. Using these same statistics, it is reasonable to assume that as much as 70 per cent of the assets in that portion of the town of Richmond Hill supplied with power by the hydro-electric power commission of the town of Vaughan were paid for in cash in money already transferred.

It is also reasonable to state, I submit, that the equity of a consumer in the town of Vaughan may be grossly overstated because of these capital contributions. In fact, a large portion of this equity is owned by future customers whose investment in the plant was prepaid many years in advance.

The whole thing is ironical, however, because if the hydro commissions had been restructured in 1971 with the boundaries coterminous with those of the area municipalities as they were structured by regional government, then this problem would not have been presented this take-over and paying for capital outlay. However, with major

developments in the Yonge and Bathurst corridor in the interim, we now have to deal with this problem.

It is for these reasons I support this amendment as it applies to the take-over by the town of Richmond Hill of that part of the plant owned now by the town of Vaughan, and also in terms of the take-over of the Markham commission and other commissions throughout the regional municipality of York, which will be set up by this act, from Ontario Hydro and because no one seems to know definitively what Ontario Hydro does, what it accounts for and how it organizes its books in making these accountings.

There are so many opinions on that that this amendment offered by the minister is wholly acceptable to us and ought to give some guidelines in the event there is any determination under arbitration for the capital transfers in all of these areas. So we accept the amendment.

Mr. Swart: This amendment seems to provide two things as the member for York Centre has stated. One is a principle that can be carried forward in subsequent bills for restructuring. I have a special interest because there may be one coming in from the Niagara area in the not-too-distant future. Secondly, it resolves the problem with regard to Vaughan township and Newmarket.

Mr. Hodgson: Newmarket?

Mr. Swart: I am not sure that I totally agree with the minister that it is a compromise per se. It looks to me as though it implements what the member for York Centre had originally proposed, namely, that consideration must be given to the deduction made for those funds which had been expended by the developer in installing services in subdivisions.

However, it does seem to make an amicable resolution of the problem. Because the principle is one that we can support we will raise no objection to this amendment.

Mr. Stong: We are making progress and history.

Mr. Hodgson: I rise to support the resolution. I have talked to Vaughan representatives and the hydro commission in Vaughan and it is quite acceptable to them. In fact, the division of assets as provided by the developer was quite acceptable prior to a resolution at a meeting the ministry had in Richmond Hill, attended by the member for York Centre, myself and representatives for both municipalities and the hydro commission, where Vaughan agreed if there were any assets provided by the developer, they weren't going to charge Richmond Hill. Now

it is in legislation and will be there for ever and ever. I must make an apology to Ontario Hydro at this time. I spoke on the principle of the bill with the belief that in those areas—for instance, the town of Newmarket, the town of Aurora, and the town of Markham, which are taking in certain areas from Ontario Hydro—had those—

Mr. Stong: And correctly so, too.

Mr. Hodgson: —services paid for by the developer, but that is not the case. No, it wasn't the case.

Mr. Stong: They dazzled you with their footwork there, Bill.

Mr. Hodgson: Listen, I didn't interrupt you, Mr. Member.

I find in speaking to developers in the area that Ontario Hydro pays all the expenses for an overhead line. If underground wiring is to be installed, the developer is asked to pay the difference between underground wiring and overhead wiring in the first instance. Over a few years as the development goes on, Ontario Hydro pays the developer back the full amount of that investment, less four per cent depreciation.

I have to make an apology because I wasn't fully informed and I don't think the member for York Centre was fully informed. I just want to say that I go along with this wholeheartedly. I support it 100 per cent.

Mr. Stong: I think I do have to make a comment in answer to the member for York North. It's not that I wasn't fully informed.

In offering this amendment to the minister, it became very clear that there were many people who were confused on this issue. Ontario Hydro certainly went out of its way to fight the amendment and it was very difficult to get this amendment introduced into the legislation.

The amendment covers not only original costs but equity. As I recall, the meeting to which the member for York North refers, that we were both in attendance, Vaughan Hydro was really not satisfied at all with the equity portion of this particular amendment and Ontario Hydro certainly has never agreed to it. However, both original cost of assets and equity are included and that is exactly the purport of the original amendment proposed by me.

Mr. Chairman: Any further comments?

Motion agreed to.

Mr. Chairman: Is there any further amendment to section 4?

Mr. Stong: I have an amendment to subsection 11, Mr. Chairman.

Mr. Chairman: Mr. Stong moves that subsection 11 of section 4 of the bill be amended by striking out "the decision of the board of arbitration should not be subject to appeal and" in the sixth and seventh lines. The member for York Centre.

Mr. Stong: The purport of the amendment will be that in the event there was an arbitration, either side can appeal that arbitration pursuant to the Arbitrations Act.

Originally when this bill on the restructuring of the municipal hydro-electric service in the regional municipality of York was proposed, the proposal was the arbitration be set up in one single arbitrator and that there be no appeal from that. However, pursuant to meetings with the ministry and with municipalities, the minister then introduced the bill, recognizing the fact that the provisions of the Arbitrations Act should be applicable to this act, so more than one arbitrator could be set up to settle any dispute.

[3:45]

But, in proposing this bill and introducing it, the minister has taken away specifically any right of appeal from that arbitration, thereby circumventing the operation of the Arbitrations Act which is applicable to many other situations throughout the province of Ontario including labour disputes, to name only one.

It would seem to me in this type of situation we are depriving either side of a right that would ordinarily be theirs under other statutes, in other situations. To deprive either party of a right of appeal is a gross inadequacy in our law and ought to be avoided at all cost.

With respect to guidelines that have been set down in this bill in other sections I hope there will be no need for appeal. The arbitrators, we assume, will be calm, sensible, knowledgeable people, one appointed by each side with those two appointing a third. Hopefully, as a result of that type of board hearing, even if an arbitration arises, there will be no need for an appeal.

However, it is my opinion, having given the right of appeal under the Arbitrations Act, we ought not specifically to exclude it by virtue of this legislation. The Arbitrations Act ought to apply fully to this legislation as it would to any other legislation.

As a result of that, I offer my amendment which would include the provision of appeal as pursuant to any other statute of Ontario and not specifically excluded by this act.

Mr. Swart: I doubt if this is one of the most important things that will come before the Legislature in the next two weeks, this

week and next week, and perhaps some for time after that if we don't get finished. I would anticipate at least a 20 to one ratio—that there would never be any need for an appeal beyond this.

I'm rather impressed with the procedures that are used for the appointments in this bill. In most other arbitrations, the first two appoint a third person, and if they cannot agree on that person the third person is appointed by the minister. It varies, but in many instances it is the minister who makes the appointment.

However, in this case there's an application made to the court so I think you're relatively certain you will get a person appointed by the court who is neutral. Therefore, I would anticipate the decision that was made would be as fair as it is possible to make.

However, having said all that, I'm a little concerned about the precedent that may be set here with regard to appeals. Where do we go next time with denying the right of appeal? Recognizing full well the costs which are always involved in appeals, whether they are appeals to the Ontario Municipal Board or wherever they may be, and that these costs always inevitably have to be borne by the consumer or by the taxpayer in one way or another, I still think the principle of the right of appeal should remain.

If the words are taken out, as suggested by the member for York Centre, it does not imply there is going to be an appeal, but it leaves that right there under the other acts. Because I'm hesitant on the matter of principle to take this away, I and my party will be supporting the amendment put forward by the member for York Centre.

Hon. Mr. Baetz: Up until now, as has been indicated on both sides of the House, this exercise has been one of beautiful harmony and compromise all around, but I do believe on this particular point we have some real difficulties in agreeing to this amendment.

As I think the member opposite knows, by indicating that there should be three members on the arbitration body instead of the usual one, we have already made a substantial concession. We frankly think it is unnecessary that in addition to having a board of three members we should agree to a procedure of further appeal. It would be very expensive, it would be time consuming and would just draw out the process.

If there were perhaps one person as arbitrator, the question of appeal could be considered. But if you have three people, carefully named to make sure that they represent all sides, it really seems to us that it goes on ad absurdum to simply take it from there to

another appeal body. Therefore, quite frankly we feel that we cannot support that particular amendment. It is unfortunate, because this has been a great exercise in compromise and in a bipartisan approach to a local problem. We would hope, in an appeal to the members opposite, that we could continue right down to this last item to make it unanimous.

Mr. Stong: It is unfortunate that the minister does not agree in principle with the amendment. I think the member for Welland-Thorold (Mr. Swart) expressed it very well when he said the chances are 20 to 1 that we will not even reach this stage. But in principle we ought not to take away a right of appeal that exists in other situations. Sure, it would be time consuming and it would be expensive, but I think cool heads and reasonable people will prevail in situations such as this in arriving at a compromise. However, in the event they cannot, I don't think we should take away the right of appeal, as the member for Welland-Thorold has so aptly said.

Motion agreed to.

Section 4, as amended, agreed to.

Sections 5 to 11, inclusive, agreed to.

Bill 66, as amended, reported.

THIRD READING

The following bill was given third reading on motion:

Bill 66, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of York.

MUSKOKA AND PARRY SOUND TELEPHONE COMPANY LIMITED ACQUISITION ACT

(continued)

Resumption of the adjourned debate on the motion for second reading of Bill 108, An Act to acquire the Assets of the Muskoka and Parry Sound Telephone Company Limited.

Mr. Foulds: Carried.

Mr. Sweeney: Not quite, I say to the member for Port Arthur. As a matter of fact, the member for Port Arthur is so anxious to get this bill through—

Mr. Foulds: Oh, no.

Mr. Sweeney: —that if I were the minister, I would have grave reservations.

Mr. M. Davidson: They like the way it's worded, John.

Mr. Foulds: I could have gone on for another 15 minutes.

Mr. Sweeney: Yes, I hear that they want to use it for a model. That bothers me, too,

rather gravely. I wonder what has possessed the minister to be so obliging, to use the expression of the member for Port Arthur, to "the socialist hordes in the House."

Mr. Foulds: It's the health and safety of the public.

Hon. Mr. Snow: It's not normally my inclination.

Mr. Sweeney: That's what I mean. I find that surprising. I won't be too long.

I read over the debate from yesterday, and it's fairly obvious that the tone of that debate is that this bill will probably carry. However, there are other sides to it and, in all fairness, I want to present those sides to the House.

I have no doubt whatsoever—I see the member from the area here—that the service which is being provided in that particular area is not adequate. In my judgement, that is not the question. That is given, that is accepted. The question we have to ask ourselves, however, is why is the service not adequate? Is it because the owners of the company are not willing to provide the service? Is it because they are not able to provide the service? Or is there something within the structure of operating telephone systems in this province which makes it difficult, if not impossible? Let me speak very briefly to those.

First, we're dealing here with a very large geographical area and a relatively small number of subscribers—800 square miles and fewer than 1,500 subscribers. One of the problems is that, as I understand it, the people who are complaining the most about poor service are people living in summer cottages coming up there from the city.

Hon. Mr. Snow: Oh no. There are also two fire halls without service.

Hon. F. S. Miller: Permanent residents.

Mr. Sweeney: Permanent residents as well? Okay.

The difficulty, as I understand it, is the rate base which has been allowed to this company. As I read section 12 of the act, it seems to say pretty clearly to me that the rates and the tolls charged should pay for the funded debt and interest and a reasonable return on capital. Yet we know that the owners of the company have gone before the board recently and asked for a rate increase which would do that; in other words, applying directly to the legislation. The decision was that they should not be given that rate increase, because there was evidence that they were not providing adequate service. It goes on to say that even granting the

application would not come close to creating a situation which would permit the needs to be met.

In other words, clearly what the board is saying is that "We're not going to provide an increase because you're not providing the service." Yet the owners are turning right around and saying, "The reason we can't provide the service is because we're not getting the income."

I understand that there are a couple of situations where phones are placed at such distances that the owners are paying more in charges to Hydro to run the wire along their hydro poles than what they're getting in return from the phone owners. In other words, it's a net loss every time they string a line out that way.

I notice that the member for Port Arthur yesterday alluded to the efficiency of Thunder Bay. That's not a fair comparison. We're talking about two independents. First of all, Thunder Bay is a compact city in a relatively smaller area, where you have thousands and thousands of subscribers—

Mr. Foulds: It goes out into the rural area.

Mr. Sweeney: —but you've got a solid urban base. You don't have that in this area.

The second point, and equally important, is that the Thunder Bay company is owned by the municipality and is therefore not subject to many of the taxes which this private company has to pay.

Mr. Foulds: I just used it as an example of independent companies that are—

Mr. Sweeney: Yes, I realize that, I say to the member for Port Arthur.

Mr. Ruston: This one is to your advantage, yes.

Mr. Sweeney: All I'm trying to suggest is it's not a fair comparison.

Mr. Bradley: Great pitchers—poor catchers.

Mr. Acting Speaker: Order.

Mr. Sweeney: It's very easy to say that some independent companies can get along fine, and why can't this one—

[4:00]

Mr. Foulds: I didn't make the comparison on a one-to-one basis.

Mr. Sweeney: There are two different situations. I noticed that one of the biggest complainers in this area was one of the summer tourist camps. It is interesting to note that that particular summer tourist camp got a grant from the Ministry of Industry and Tourism a little while back for something in the neighbourhood of \$240,000. Shortly thereafter, the owner picks up and walks away. In

other words, one branch of the government is quite prepared to recognize that in order to operate efficiently in that area and to draw people in, there has to be some government support. That's fine for the tourist camp but not for this company.

It clearly seems evident to me that the funding structure here would simply make it impossible for anyone to operate that system at the rates that are being allowed, pay his debts and make any kind of a return on the investment whatsoever. I guess what I am suggesting is that this is going to have to be subsidized in some way by someone. Whether the government takes it over, whether Bell takes it over or whether another independent goes in, they are not going to be able to operate that system and provide the service that is required with the existing rates. Those rates are going to have to go up. I don't know how much they are going to have to go up. The other alternative is that some form of subsidy is going to have to be paid. I don't know how that's done, quite frankly. I understand that it's not permissible directly from the government, but it is going to have to be done by someone.

The concern I have in this particular case is that in the minister's statement of a couple of weeks ago he makes the observation that the company has had a couple of years to try to get its house in order. They have been offered to be bought out by the government, to be bought out by Bell Telephone or to be restructured by some independents. But look at the prices that are being offered.

As I understand it, the total investment in this company and everything in the neighbourhood of \$900,000.

Hon. Mr. Snow: Now let's be honest.

Mr. Sweeney: The debt is \$750,000 and there is an inequity investment of something like \$175,000. They were offered \$450,000. Heck, there is nobody in this House who would accept that kind of an offer. Yet the minister's statement seems to criticize them for that. That's not reasonable. That's not fair. What else would he expect them to do under those particular circumstances?

There is a third point that needs to have a good look taken at it. I don't know how this affects other companies but I understand that the toll exchange rates between Bell Canada and some of these independents is not as fair as it could be. In other words, Bell Canada with its big clout can go through some of the small independent operations and pay a certain rate, but when it goes the other way the rate is more expensive. In

other words, there isn't a fair exchange of toll rates.

I don't know all the ins and outs of that, but it's something I think the minister definitely needs to look into.

Hon. Mr. Snow: The other 35 aren't complaining about it.

Mr. Acting Speaker: Order.

Mr. Sweeney: Are we comparing apples and apples? That's the question. I get the distinct impression we aren't. Let's go to the end of the line. As I said at the beginning, it looks as if this bill is going to pass. Is there some evidence at this point or can the minister give me some assurance that the final evaluation settlement has a chance of being fair? Let me show the minister what I'm speaking of.

In order to make that kind of evaluation, I would understand that he would have to bring in experts to look at the whole technology of the thing. Where are those experts going to come from? There are only two sources. One is Bell Canada, which is one of the ones that wanted to buy it out for \$450,000, half of what it's worth. The second is the government, which also wanted to buy it out for \$450,000.

I'm not saying anyone is going to do something improper. But, given those kinds of sources, what kind of a real chance of getting a fair price do the owners of this company have? I would like the minister to speak briefly to that. If I had some sense that they were going to come out of this reasonably fairly with some sense of justice, then I would have less opposition to it. At the present time, I don't get that sense. What it all boils down to is that I am not convinced that the owners of the company really have had a fair shake.

Hon. Mr. Snow: Oh, my goodness!

Mr. Sweeney: I am not sure, even with this particular process, that they are going to end up having a fair shake. I would like to hear the minister's comment on that.

Mr. Acting Speaker: Are there any further speakers?

Hon. Mr. Maeck: Yes. I will keep my remarks very short. There are a few remarks that the member for Kitchener-Wilmot made that I just can't let go without challenging a little bit.

I suppose I am the member who is most concerned with this particular problem because most of the telephone system is in my riding. A small portion is in Muskoka, but the major portion of it is in my riding. For the last three years I have been receiving

on the average five or six letters every week regarding the poor phone service. Believe me, Mr. Speaker, those letters did not all come from summer residents by any means. They came from permanent residents who have to live with that system.

I just believe in this day and age in the province of Ontario people are entitled to a little bit better service than what has been supplied in that particular area.

I have a great deal of respect for the owner of the telephone company. I know him personally. He is a fine gentleman. I was hoping this bill would never have to be brought to the Legislature. However, it has got to the point where something must be done for the people in that area. They have had a great amount of difficulty and I just don't feel they should have to put up with any more of it.

I would like to also point out that the member for Kitchener-Wilmot suggested a grant was given to a tourist operator in the amount of two hundred and some thousand dollars. I would suggest to him no grants are given to any tourist operators in the province of Ontario. There are such things as loans that have to be paid back, but they are not grants. We have not been giving grants through NODC or any other ministry department for the last three or four years. At one point we did have what we call performance loans, but they were discontinued some time ago. There were no grants to any tourist operator, but there possibly could have been loans. That person would still be responsible to pay the money back to the province.

I know of at least two fire departments which have been without telephone service from time to time, and for a great period of time. This becomes a safety factor and it has just got to the point where something has to be done.

I know of one area where the phone service was out for eight months. Local people living there were complaining, phoning me weekly, sometimes daily, if I happened to be in the riding they asked. "When is our phone going to be reinstated? When are we going to have telephone service?" While I have, as I said, a great deal of respect for Mr. Schmidt, the very fine gentleman who is the owner of the company, I do question his ability to operate a telephone company.

The argument about the rates has gone on and on. I have personally attended two public meetings held in my riding regarding rate increases, and applications made to the telephone commission. As the member has indicated, there were always two sides to the

argument. The operator suggested he couldn't provide the service unless he got more money, and the people said, "we are not prepared to pay more money unless you give us some service. We don't mind paying, but we want some service." So there was always a stalemate on the issue.

The rates there are not that much different from the rates in the rest of the province of Ontario. I realize it is a very sparsely populated area, and it is a large area. There are a lot of telephone lines that must be maintained, but surely he could have done a little better than he did.

I can recall people phoning me to tell me the lines were on the ground, and in the wintertime were being cut by the wings of snowploughs. They would be without a telephone for weeks until somebody finally decided to come and dig up the line and splice it together. This is the type of thing that has been going on. That is the reason I fully support the minister's action in this matter. I would hope every member would see that this bill is passed as quickly as possible so those people can have some assurance of a better telephone system.

Hon. F. S. Miller: Mr. Speaker, I too would like to support the bill. I think one has to visit the people who are served by this particular telephone company to appreciate their remote locations and the patience they have had in putting up with, to say inferior service, is an understatement.

I've visited these homes, some of them 10 to 20 miles from the nearest community.

Mr. Wildman: Bell gives us inferior service in the north too.

Hon. F. S. Miller: I've seen the telephone wires lying along the edge of the road in the summertime, just lying on the ground. Local people would come along and jack them up over branches of trees hoping that the service would work. I've talked to a tourist operator on Buck Lake—

Mr. Bradley: Just homesick.

Hon. F. S. Miller: —who hadn't been able to get calls from potential clients for weeks at a time. The poor soul had the great embarrassment of having the telephone ring while I was there. That was the first time in weeks that it had worked at all.

Mr. Wildman: The tourist outfitters in my area have that trouble with Bell.

Hon. Mr. Snow: Just local member problems.

Hon. F. S. Miller: But the fact remains that rates were not the issue. It had to be remembered that just because it wasn't part of the

Bell system people on that system were paying long distance tolls to make calls that traditionally had been considered local calls. Every call to Huntsville from the people in the Buck Lake area has been charged as a long distance call if, as and when they could get a telephone call through.

Senior citizens living out there—not those who moved there, in many cases those who had grown up there—have been without any service for days at a time and often worried about their inability to communicate even with a neighbour under bad weather conditions.

I would think that they have the right, in this day and age, when there have been offers made in the company to have a good system. I could only endorse the prompt remedy of the deficient service.

Mr. Wildman: Nationalization.

Mr. Ruston: Mr. Speaker, while listening to the debate here and reading over the bill yesterday, I can understand the concern the member for Kitchener-Wilmot has. Having been involved in the telephone system for eight years in my years in the municipal council, and chairman of our own system for six years—it was sold out after a few years—I know the telephone industry is a very capital intensive industry. I'm sure the member for Port Arthur, when he spoke about the one in his city, would recognize this. If you have a major city to make your money on then you can go out and service the rural areas. But if you've been involved in a telephone system that serves a rural area, Mr. Speaker, you can get involved in a great deal of capital expenditures before the money starts coming back in.

Mr. Foulds: True, true. That's fair.

Mr. Ruston: I would take it from what the members for Pary Sound and Muskoka have said regarding the area involved this is, no doubt, one of the problems in this system.

Mr. Wildman: They are socialists.

Mr. Ruston: I suppose part of the problem is the rate structure. In our own cases we would go to the Ontario Telephone Services Commission, at that time, and apply for rates. We had to be competitive with adjoining telephone systems—I think that also had to be considered. They also had to consider the service being supplied; if it was in an area where it was hard to pick up enough users then, naturally, their costs will go up.

Our own system used to charge a long distance toll into the city of Windsor which was only 15 or 18 miles away. Twelve lines served that area of about 900 phones. We put in toll-free service and we needed 80 lines to

serve the same area. That gives you an idea of what the cost is. It cost us \$125,000 just to put in a service like that.

I'm concerned about the province owning this system because I'm sure that we should not be in the telephone business in only one area like this and subsidize it. If we're going to own any of the telephone industry, we'd better own some in the heavily-populated areas to offset the loss in the rural areas.

Mr. Wildman: Take over it all. Take over the whole thing.

Mr. Nixon: Those are irresponsible suggestions.

Mr. Ruston: But I'm not in favour of the province going into the telephone service en masse by any means. I think it would probably be like Ontario Hydro—it would grow so fast that no one would ever know where it was going and now we're trying to hold it down.

[4:15]

I have concerns for the owner of this system, because to serve an area such as this and fix it up certainly would be capital-intensive. But I am concerned about what the province is going to do with it, now that they are taking steps to take it over. I would hope that they would put it up for sale and get a fair price, so all involved would not lose too much.

I certainly would not be in favour of the province getting into the telephone industry in Ontario because of the capital it takes. That was part of the problem with the local municipal systems. Every time one wanted to get a debenture, one had to get approval from the subscribers and the Ontario Municipal Board. It required so much capital it was almost impossible to handle. That's why many of them have been sold out in the meantime.

In our own area, Bell Canada formed a company to take over one of the systems and I think, if I remember correctly, they paid about \$800,000 or \$900,000 for it. Bell transferred an additional \$1 million to bring it up to date and after three years that was all gone. Then they abandoned their charter and turned it over to Bell. It gives you an idea of the capital it takes to give good telephone service, Mr. Speaker.

I am sure I did not add too much to the debate but I am concerned with the wide area that this system covers. Naturally, people have to have service and I am sure we have sympathy for the owner of the system, but if he cannot raise the capital to put it in shape to operate it, then I suppose we do not

have much choice now but to take it over and hopefully sell it.

Mr. Acting Speaker: Are there any further speakers to this bill?

The honourable minister.

Mr. Wildman: Take over Bell.

Hon. Mr. Snow: Thank you very much, Mr. Speaker, and I thank the honourable members for their contributions to the debate on second reading of this bill.

As I explained at the beginning, I regret very much having to bring legislation such as this before the House and ask the House to deal with it expeditiously so we can get on with trying to get a reasonable telephone service for the 1,500 or so subscribers in the Muskoka-Parry Sound service area, an area of some 800 square miles. I might mention that as of May 17, there were about 150 minimum subscribers that were out of service at that particular time; some had been out for various periods from three or four days to 30 days. Included in that group that had no telephone service were two township fire halls, so I think you can see the problem and the necessity to take some type of drastic action.

Officials from my ministry, my deputy minister and myself have met with Mr. Schmidt and I have to say as a gentleman he is a very fine man. I feel some concern for him because of the unfortunate financial and business situation that he has got himself in concerning the ownership of this telephone company.

It is certainly not the intention of the province of Ontario to get into the telephone business.

Mr. Foulds: What a pity.

Hon. Mr. Snow: As I am sure many of the members know, the province is involved, to some degree, and has been for many years, through the Ontario Northland Telecommunications System in northern Ontario, but I assure the House it is not our intention, even though the socialists would like us to—they are all alone over there—to start socializing these telephone companies.

Interjections.

Mr. Acting Speaker: Order.

Hon. Mr. Snow: The member for Wentworth North and the member for Essex North both asked what our plans were for the company. I am surprised at that because the statement I made a few days ago was very explicit as to what our intentions were: when this bill is passed, we intend to make some immediate and emergency repairs where we can, to improve service. It will necessitate

spending some provincial dollars, but we will immediately put the system up for sale. There are several options as to what its future might be. It could be bought by Bell, of course.

Mr. Foulds: I hope not.

Hon. Mr. Snow: It could be bought by one of the other independent telephone companies. I might say that I met with the executive of the Ontario Independent Telephone Association with regard to this particular problem, and I must say they had no answer for me as to any other option that I had other than to proceed with this bill.

Not as an association but as a group of individuals, some of the well-established private telephone companies offered financial and management assistance to the owner of this company to try to save the company for him. Although I wasn't involved directly in it, I understand this proposition was turned down, as was the offer of Bell to purchase the company, and as was the offer that we made as a province prior to taking this expropriation action.

This is certainly not a move on behalf of this government in any way to take over the telephone systems or the private telephone companies.

An hon. member: Shame.

Hon. Mr. Snow: I have to say that the 35 or 36 private telephone companies we have in the province, some of them municipally owned, such as Thunder Bay—and the member for Port Arthur's comparing the Thunder Bay system with the Muskoka and Parry Sound system was like comparing—

Mr. Foulds: An elephant with a fly.

Hon. Mr. Snow: —an elephant with a squirrel; I could think of other things but I had better not.

In any case there are other telephone systems in the province that are quite rural in nature. The Bruce Peninsula and Manitoulin Islands are two areas I can think of that have private systems; they are maybe not in quite as sparsely a settled area as this but still do run a good system and provide a good service. So the private companies are doing an excellent job in Ontario and I hope they continue to do so.

Mr. Foulds: Take over Bell.

Hon. Mr. Snow: I do hope that when this bill is passed, assuming that it will be, we will be able to improve the service for these people who have been very patient over the past two years. While I have been trying to give every opportunity to Mr. Schmidt to improve his situation and to improve the

service, I have to say that I could not in any way suggest that a rate increase should be granted without there being improvement in service. You don't grant a substantial rate increase which would have been needed to assist this man financially when the phones won't even work. I'm sure you wouldn't expect the people to pay a higher price for a system that wasn't working on the assumption that it might work some day.

I can assure the honourable members that Mr. Schmidt as the majority owner—I believe there are some other minor shareholders—will be used fairly. This is being carried out through this special act but we intend to use the normal expropriation procedure. I expect the settlement of the total compensation to be paid will be established by the Ontario Land Compensation Board, which I am sure will deal fairly. Mr. Schmidt and his lawyer, his consultants, or whoever he may wish to give evidence, will be able to present that evidence to the board, as will the government.

There are independent consultants. The member for Kitchener-Wilmot suggested there is nobody other than Bell who knows how to evaluate a telephone company, and that is not correct at all. I think there are other expert witnesses. There are people in the private telephone companies. I understand there are private consultants—perhaps none right here in Ontario, but there are some in the United States and in western Canada—who would be considered expert witnesses to give an evaluation of the assets of the company. I would ask the support of the House to pass this bill.

Motion agreed to; second reading of the bill.

Ordered for third reading.

THIRD READING

Hon. Mr. Snow moved third reading of Bill 108, An Act to acquire the Assets of the Muskoka and Parry Sound Telephone Company Limited.

Mr. Foulds: One brief comment. If I implied that there was a comparison between this telephone system and the telephone system in the city of Thunder Bay, I did not of course mean that when I was speaking yesterday. I was just using the city of Thunder Bay telephone system as an example of an independent system that could work well. If it should be sold again I personally would prefer the Muskoka and Parry Sound system be sold to another independent—or conglomeration of independents—rather than to Bell, which is a monopoly. The in-

dependents in the province have shown that they can by and large operate efficient systems.

Motion agreed to.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Resumption of the adjourned debate on the motion for second reading of Bill 83, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Ashe: I would hope not to try to prolong the debate. Most of the discussion so far in second reading has related to an amendment which is not before us as yet so I would prefer not to waste the time of the House by responding at this time. Hopefully Mr. Speaker can put the motion on second reading.

Motion agreed to.

Ordered for committee of the whole.

COUNTY OF OXFORD AMENDMENT ACT

Mr. Ashe, on behalf of Hon. Mr. McKeough, moved second reading of Bill 84, An Act to amend the County of Oxford Act, 1974.

Mr. Ashe: This is the housekeeping amendment relating to the Municipal Elections Act changes, along with a small boundary change in Oxford involving approximately four acres in the township of Zorra at their request, and as mutually agreed upon.

Mr. Nixon: Mr. Speaker, I have the honour of representing a small but important part of the restructured county of Oxford, I wanted simply to bring to your attention, sir, that no objections have been expressed to me as the member.

I have talked to my colleague and good friend the Minister of Colleges and Universities (Mr. Parrott), who represents the rest of that outstanding county, and he indicated to me that as far as he is concerned the local people, the officials and taxpayers, have no particular objection to what the government has brought forward.

As a matter of fact, as the parliamentary assistant has indicated, at least some of these matters are in response to specific requests from the area.

I simply want to comment again that when we move amendments to the various regional bills of the province, the restructured county of Oxford is always included, since in fact it is a region in everything but name. The Minister of Colleges and Universities isn't

here—that statement always stimulates him to get up to make some comments on a bill as well.

But I think it is interesting that the county of Northumberland, when offered the alternative to restructuring, has by vote of the council turned down that alternative which was announced by the Treasurer earlier in today's session.

[4:30]

I was interested to note the county of Northumberland simply had a resolution put forward before the county council and each member of the council had expressed his or her view, rejecting it. When a similar vote was put before the county of Oxford some years ago it was rejected at that time—at least, not approved.

In those days the present Treasurer, feeling a bit more frisky about the concept of regional government or restructuring, simply had them have another vote involving the then-warden of the county, the then-mayor of the city of Woodstock and the mayor of Ingersoll, I believe. He found that by canvassing them he got a unanimous vote in favour of restructuring. The restructuring of the county progressed on the basis of what he then called a "unanimous call for it" by the representatives of both the urban and the rural areas.

I have since felt that the county has adapted itself very well to the imposition of this new style of government. But some people forget when they talk about applying this type of restructuring to other counties, there is one advantage—I suppose you might call it that—in Oxford in that population in the urban and rural areas is almost exactly balanced so it's not necessary for the government or the Legislature to apply any tricky arithmetic to make the representation on the restructured council such that neither one area or group of population or the other feels submerged or in any way unfairly treated.

I've got no particular objection to this bill and I hope that it passes without delay.

Mr. Swart: We, too, will be supporting this bill. We will not be asking that it be referred to the committee of the whole House as we have no amendments.

It is similar to the clauses in Bills 80 and 81, by and large, to which we had no objection and which, by and large, are necessary because of the changes in the date in the Municipal Elections Act. Also included in this is the principle of greater autonomy for municipal councils—in this case, the county of Oxford, to set the remuneration for them—

selves and for any members of boards whom they may be appointing.

It also provides that it's not necessary to have separate planning meetings, in case there's any previous confusion about that. Hearings that may be required under any of the acts may be held by committees rather than by the council as a whole.

It is my understanding that the matter of the annexation of part of Zorra township to southwest Oxford amounts to four or six acres only and the two municipalities and the county have agreed on this annexation.

However, I want to point out that Bill 84 already has a commendable section which we would like to see included in the other regional government acts—that is the section relating to the election of the chairman of that regional council, in this case called the warden of the county of Oxford.

In subsection 2 of section 3 of this bill, which is section 9, subsection 2 of the act, it states that "At the first meeting of the county council after a regular election at which a quorum is present, the county council shall organize as a council and elect from among its members a warden who shall hold office for that term of the council and until a successor is elected and at such meeting the clerk shall preside until the warden is elected. The warden so elected shall retain his seat on the council of the area municipality to which he was elected."

The member for Brant-Oxford-Norfolk stated that in almost all respects at least the restructuring of the county of Oxford was really the imposition of a regional government, and with that I generally agree. Regional government was no longer acceptable politically at the time it was formed, so they used different phraseology. In this instance, it was a restructured county. By the time they got to Muskoka, it was the district of Muskoka.

Here they have restructured the county of Oxford in the form of a regional government, but they didn't call it that, except for one thing. They decided that the chairman of that regional council or that restructured county council should come from among the elected people of the council and that he or she should retain a local seat while chairman of the regional council. I bring this forward to point out that it is the only one of the regional municipalities that has this clause. It is a clause that should be emulated in the other regional acts in this province. We propose to see that that possibility takes place later on today.

Mr. Speaker: If there are no other members wishing to get engaged in second read-

ing, then the honourable parliamentary assistant.

Mr. Ashe: Very briefly, I would once again point out to the House, as all of the honourable members know, that a restructured county is not a regional government. Therefore, what is right for one is not necessarily right for the other.

Motion agreed to.

Third reading also agreed to on motion.

MUNICIPAL AMENDMENT ACT

House in committee on Bill 80, An Act to amend the Municipal Act.

Mr. Deputy Chairman: Is there any comment or discussion on this bill?

Sections 1 and 2 agreed to.

On section 3:

Mr. Swart: I have an amendment to section 3 of this bill.

Mr. Deputy Chairman: Mr. Swart moves that subsection 4 of section 27b of the Municipal Act as set out in section 3 of the bill be amended by striking out the words "the tenth day" in line four and substituting therefor the words "30 days," so that the subsection shall read:

"(4) A bylaw for any of the purposes mentioned in subsection 1 of this section or subsection 1 of section 27a or a bylaw repealing any such bylaw shall in an election year be passed not later than 30 days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with the Municipal Elections Act, 1977."

Mr. Swart: There are seven of these amendments, all basically of the same principle, dealing with sections of the act. I think they may find support on all sides of the House. This one specifically provides that a county council may not determine just 10 days before the last day people are nominated for an election, that deputy reeves will no longer sit on the county council. It provides that there has to be some advance notice prior to elections that there may be changes made in the composition of county council. The subsequent amendments provide for cities and towns, villages and townships. Also, the submission of petition for this to a council must be put in well in advance of the election.

I admit that it has to be an arbitrary decision, whether it is 10 days or 13 days or three months before. It seems to me that there should be adequate time so that the public generally can voice their opinions on these things adequately prior to the time people are nominated for the position.

Frequently, a ratepayer would like to comment to a council after they have decided to pass a bill or after a petition has come in to change wards in the municipality. There may be others in that municipality who want to make representation to the council on this. If there is only a 10-day limit, obviously there isn't the same opportunity.

So we have arbitrarily picked 30 days for all of these. It does give more time and yet provides a council with the opportunity to make changes as they approach election day but not too close to it. A county council would not be able to pass a bylaw to exclude deputy reeves from a county council closer than 30 days to the last day for posting of nominations for election to office.

Mr. Deputy Chairman: Any further speakers to this amendment?

Mr. Epp: Mr. Chairman, it is my feeling that what the member for Welland-Thorold has stated is eminently correct. As far as we are concerned, we will support this amendment and the subsequent amendments to other parts of the bill because the 30 days is a little more notice for the public to comprehend what are the changes being made and to have a chance to respond to those changes. The 10 days seems somewhat short. A council may make a change without having given due notice to the residents of that municipality. So we are pleased to be able to support this amendment and have it 30 days. I agree it's an arbitrary figure, but it's one that is acceptable to us.

Mr. Ashe: Mr. Chairman, I will be very brief. We actually felt the 10 days was sufficient. In fact, it's a section that is virtually not used in any event. There's no doubt that it was rather arbitrary, as is 30 days, but we really have no objection to this amendment and similar amendments that are going to follow.

I personally don't think it's necessary to talk about each one that's doing the same thing—hopefully.

Motion agreed to.

Section 3, as amended, agreed to.

On section 4.

[4:45]

Mr. Swart: I have an amendment to section 4.

Mr. Deputy Chairman: Mr. Swart moves that subsection 7 of section 28 of the Municipal Act as set out in section 4, subsection 2 of the bill, be amended by striking out the words "the tenth day" in line three and substituting the words "30 days" so

that the subsection shall read: "A petition for any of the purposes mentioned in subsection 6 shall in an election year be presented not later than 30 days prior to the last day for posting notices of the offices for which persons may be nominated in accordance with the Municipal Elections Act, 1977."

Motion agreed to.

Section 4, as amended, agreed to.

On section 5:

Mr. Swart: I have an amendment to section 5.

Mr. Deputy Chairman: Mr. Swart moves that subsection 5 of section 30 of the Municipal Act as set out in subsection 1 of section 5 of the bill be amended by striking out the words "the tenth day" in line 4 and substituting therefor the words "30 days" so that the subsection will read: "A bylaw passed under section 29 or under subsection 2 or 3 of this section, and a bylaw repealing any such bylaw shall in an election year be passed no later than 30 days prior to the last day for posting notices of the offices for which persons may be nominated in accordance with the Municipal Elections Act, 1977. Such bylaw shall not be passed unless it has received the assent of the municipal electors."

Mr. Swart: This amendment refers to towns which are covered under a separate section of the act, a variation of the composition of councils of towns.

Motion agreed to.

Mr. Deputy Chairman: Mr. Swart moves that subsection 9 of section 30 of the Municipal Act as set out in subsection 2 of section 5 of the bill be amended by striking out the word "the tenth day" in line two, and substituting therefor the words "30 days" so the subsection will read: "A petition presented under subsection 7 or 8 shall in an election year be presented not later than 30 days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with the Municipal Elections Act, 1977."

Motion agreed to.

Section 5, as amended, agreed to.

On section 6:

Mr. Deputy Chairman: Mr. Swart moves that subsection 3 of section 32 of the Municipal Act as set out in subsection 1 of section 6 of the bill be amended by striking out the words "the tenth day" where they appear in line three and substituting therefor the words "30 days," so the subsection will read: "A bylaw for the purpose mentioned in subsection 2 and a bylaw repealing any such

bylaw shall, in an election year, be passed not later than 30 days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with the Municipal Elections Act, 1977, and such bylaw shall take effect at and for the purpose of the municipal election next after the passing of it."

Mr. Swart: Mr. Chairman, I should just perhaps point out that it is the same thing, only this applies to the section of the act which deals with villages and townships.

Motion agreed to.

Mr. Deputy Chairman: Mr. Swart moves that subsection 8 of section 32 of the Municipal Act as set out in subsection 2 of section 6 of the bill be amended by striking out the words "the tenth day" where they appear in the third line and substituting therefor the words "30 days" so the subsection will read: "A bylaw for the purpose mentioned in subsection 6 and a bylaw repealing any such bylaw shall, in an election year, be passed not later than 30 days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with the Municipal Elections Act, 1977, and such bylaw shall not be passed until it has received the assent of the municipal electors."

Motion agreed to.

Section 6, as amended, agreed to.

Sections 7 to 15, inclusive, agreed to.

Mr. Deputy Chairman: Mr. Ashe moves that paragraph 67a of section 352 of the act as set out in section 16 of the bill be amended by inserting after "employees" in the ninth line, "including while acting in the performance of any statutory duty imposed by any general or special act".

Mr. Ashe: The reason for this addition came from a suggestion from the municipal sector to make it abundantly clear that what we were talking about were duties that should be performed by the particular individual, that were statutorily imposed by any general or special act. We are very pleased to clarify it to that degree by adding those few words. It does not in any way change the substance of the section.

Mr. Epp: Mr. Chairman, I would agree this is essentially housekeeping. I know this would put reins on the former mayor of Pickering, somewhat, if he were still in that capacity. He couldn't go beyond the limits that will be imposed now and I am sure he wouldn't mind that.

We will agree with the amendment.

Mr. Swart: We support this as desirable.

Motion agreed to.

Section 16, as amended, agreed to.

Mr. Deputy Chairman: Are there any further discussions or amendments to this bill before section 26?

Sections 17 to 25, inclusive, agreed to.

On section 26:

Mr. Deputy Chairman: Mr. Ashe moves that subsection 1 of section 413 of the act as set out in section 26 of the bill be amended by striking out "city or town" in the first line and inserting in lieu thereof "local municipality."

Mr. Ashe: This amendment comes about through a suggestion by the municipal liaison committee and we have no problem in putting it forward. It probably better describes what we are talking about.

Mr. Epp: We will agree with the amendment.

Motion agreed to.

Section 26, as amended, agreed to.

Section 27 agreed to.

On section 28:

Mr. Deputy Chairman: Mr. Ashe moves that section 28 of the bill be struck out and the following inserted in lieu thereof: "28(1) Paragraph 9 of section 460 of the said bill as enacted by the Statutes of Ontario, 1973, chapter 175, section 7, is amended by inserting after 'specified' in the sixth line, 'provided such regulation is not in conflict with the Highway Traffic Act and the regulations thereunder.'

"(2) The said section 460 is amended by adding thereto the following paragraphs:

"10. For designating any lane and any road over which the municipality has jurisdiction as a lane solely or principally for use by bicycles and for prohibiting and regulating the use thereof by vehicles other than bicycles to such extent and for such period or periods as may specify, provided such regulation is not in conflict with the Highway Traffic Act and the regulations thereunder.

"11. Before passing a bylaw under paragraphs 9 or 10 for designating a lane on a road as a lane solely or principally for the use of public transit, motor vehicles or bicycles, notice of the proposed bylaw shall be published at least once a week for four successive weeks in a newspaper having general circulation in the municipality and the notice shall indicate the date and time of the meeting at which the council will consider the passing of the proposed bylaw.

"(a) this paragraph does not apply so as to affect the validity of a bylaw heretofore passed under paragraph 9."

Mr. Epp: In effect all this does is insert, I think quite correctly and quite properly, that any regulations to set up bicycle lanes and/or bus lanes still must, of course, be set up provided such regulations are not in conflict with the Highway Traffic Act and the regulations thereunder. Again, it's just clarifying by specifically stating that they still must conform to that act.

Motion agreed to.

Section 28, as amended, agreed to.

Mr. Deputy Chairman: Are there any further amendments or discussions to this bill?

Sections 29 to 37, inclusive, agreed to.

Bill 80, as amended, reported.

REGIONAL MUNICIPALITIES AMENDMENT ACT

House in committee on Bill 81, An Act to amend certain Acts respecting Regional Municipalities.

On section 1:

Mr. Cassidy: Mr. Chairman, I am resuming my role as the member for Ottawa Centre as well as being the leader of my party. We are proposing that in the case of the regional chairman a fundamental and democratic change should be made. I have pleasure in making a motion to implement that change in relation to the Regional Municipality of Ottawa-Carleton Act which is covered under section 1(1) of Bill 81.

Mr. Deputy Chairman: Mr. Cassidy moves that section 4(2) of the Regional Municipality of Ottawa-Carleton Act, as set out in section 1(1) of the bill, be amended by striking out the words "or any other person" in lines four and five and inserting after the word "council" on line five, the words "provided he continues to be a member of the council" so that the subsection shall read:

"(2) At the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council to hold office for the term of the council provided he continues to be a member of the council and until his successor is appointed or elected in accordance with this act and at such meeting the clerk shall preside until the chairman is elected."

Mr. Cassidy: The principle of the selection of the regional chairmen that we have in

Ottawa-Carleton, and have had since 1968 or thereabouts, has been comparable to what would exist in this Legislature if, after a general provincial election, the Premier of the province were to be appointed from all of the eight million residents of Ontario and not have to have subjected himself, or herself, to a natural process of election in a provincial constituency.

I'm sure that anybody who saw that process at work in this province at the legislative level would deem it entirely undemocratic. If it would be undemocratic to have an unelected person as the Premier of Ontario, it is surely just as undemocratic to have an unelected person having the right to be selected as the chairman, whether it's of Ottawa-Carleton or some other regional municipality. We believe that it is important that every member of local councils, which in the case of Ottawa-Carleton have the responsibility for budgets that exceed \$100 million, should have passed the test of approval by the electorate in the same way as they have to pass that test in order to take office within the cabinet or as Premier.

[5:00]

It's hard to see why there should be an exception for any member of the regional council of Ottawa-Carleton or any other municipality. Certainly nobody thinks the alderman for Wellington ward, which I once represented, should be an appointed person. Nobody thinks the representative of Stittsville or West Carleton or some other area like that should be an unelected person. Why, then, should we give to the most powerful person on the regional council of Ottawa-Carleton the privilege of being selected for office without having been elected in the first place? Why should it be that the people of the region as a whole, or the people of any part of that municipality, should not have had the responsibility of ensuring that person was fit to hold office in that most powerful position?

I want to recall to you, Mr. Chairman, the fact that the regional chairman has a number of important responsibilities. In the first place, he or she is the only politician in regional Ottawa-Carleton, as is true in other municipalities as well, who works at regional government full time rather than part-time. The regional chairman is in touch with all of the administrative staff, is the chairman of the executive committee of the region, and through his control and contact with the administrative staff plays an enormous role in shaping the proposals which are often rubber-stamped by the executive, and are just as

often rubber-stamped or approved after some debate by the regional council as a whole.

So we have the ludicrous situation where the single member of council with the most power is the one who is not an elected person. That is not democracy, Mr. Chairman, yet it has been perpetuated for a decade by the Conservative government of Ontario in the Regional Municipality of Ottawa-Carleton Act.

I would like to suggest regional government in this province, particularly in Ottawa-Carleton, is mature enough that it can surely weather the wind of democracy by having the chairman have to face election every two years, just like everybody else. I would like to suggest that some of the misgivings and discontent people are reflecting about regional government across the province of Ontario has been because of the chairman-of-the-board kind of role which has been played by non-elected chairmen, who were in the first place selected by the government down here and who subsequently have not been forced to undergo the process of election.

An election is a very salutary experience. Even if you only face some of the electorate, it gives those electors the chance to put you to the test and to ask why you took a position on certain issues. The prospect of an election can sometimes be a wonderfully clear breath of air in ensuring you see clearly what issues are coming up, whether it is at the municipal level or at the provincial level.

It is for those reasons, Mr. Chairman, that we are proposing and that I am proposing this particular amendment. I hope, in line with their statements when this matter of the election of regional chairman was originally raised a week and a half or so ago, the Liberal Party will agree with the New Democrats and go along with this reform, which is long overdue and which will ensure, in fact, that all and not just some of the members of the regional council of Ottawa-Carleton will be democratically elected.

Mr. Epp: It is a pleasure to be able to speak on this. I am glad to reply to the leader of the third party and say we do agree with him, particularly with his press release which came on June 1, and included a statement by the member for Welland-Thorold (Mr. Swart) who is the municipal affairs critic for the third party, who indicated very strongly that this is a housekeeping bill. Therefore, we indicated it was a housekeeping bill on May 30 when this act first came before us. We indicated we were in support of having the chairman elected, but we also said this was no time to do it, in essentially a

housekeeping bill. The member for Welland-Thorold at that time agreed it was a housekeeping bill.

The election of a chairman of a regional municipality would be more democratic, there is no doubt about that. We have been on record for some years now as supporting the election of the chairman. We did, however, state on May 30, 1978, which was but a few weeks ago, that we would bring in an amendment at the proper time. I want to read for the edification of the chairman and everybody in the House—

Mr. Cassidy: You are going to wait another 10 years.

Mr. Epp: —what the member for Welland-Thorold stated at that time. If you recall, Mr. Chairman, Mr. Roy was speaking at the time and he said: "We used to have a policy that the chairman should be elected at large, but whether he is elected at large or in a district or ward, he is in any event responsible to the electorate. There should be some method whereby this individual, who is after all the most important politician in all of these regional areas, is subject to the will and the whims of the electorate at one level or another."

He goes on to say: "The parliamentary assistant has indicated that in fact other legislation will be forthcoming dealing with various regional areas subject to the reports brought forward in these various areas, such as the Roberts report in Metro or the Mayo report in Ottawa-Carleton." I understand there are further reports in Niagara. As you know, Mr. Chairman, there are further reports that may be coming in the next few days, certainly in the next few months when the House starts sitting in the fall.

Mr. Roy went on to say: "The fact is that we in this party have discussed this matter with our critic . . ."; and he's very complimentary here, "and look forward to the other legislation coming forward. At that time, hopefully, we will put across our view."

Mr. Warner: Lorne wiggles on the hook.

Mr. Epp: "And I must say that I will be in full support of these views, that the regional chairman in fact be elected at one level or another, and that the most important politician in all of these regional areas should be responsible to a group of people who elect him, not only to the members of regional council." It looks like the leader of the third party has picked it out of Mr. Roy's speech, because that's essentially what he was saying.

Now Mr. Swart then interjected on the honourable member from Ottawa East (Mr. Roy) and said: "Mr. Speaker, on a point of order,

although I may—" he says he may; he doesn't say he did, he doesn't say he didn't, he— "may agree with what the member for Ottawa Centre is saying."

Then Mr. Roy said: "No, no, no; your leader is from Ottawa Centre. Don't confuse me please." Then Mr. Nixon said: "What a mistake. You should be ashamed." Mr. Swart said: "That's the greatest compliment you have been paid in this House." Mr. Speaker: "Order." Mr. Swart said: "I rise on a point of order that—" Mr. Speaker said: "There is nothing out of order." Mr. Swart said: "There is nothing in the bill about election of the chairman."

Now I just want to draw that to your attention, Mr. Chairman, because that's very important. He's obviously made a big flip-flop and it looks like it's the greatest—

Mr. Warner: Lorne, what are you going to do?

Mr. Epp: It's the greatest retreat —

Mr. Warner: You can't wiggle out of it.

Mr. Epp: —the greatest retreat since Napoleon tried to go to Russia back in 1813-1814, Mr. Chairman.

An hon. member: That wasn't a good year, Herb.

Mr. Epp: I think you are a historian, this is the biggest retreat since that time.

Mr. Jones: No surprises though.

Mr. Epp: Mr. Swart said: "There's nothing in the bill about the election of the chairman."

Mr. Speaker said: "There is really nothing out of order." **Mr. Nixon said:** "except the member." **Mr. Swart said:** "Therefore the speaker is out of order."

Now I didn't know whether he meant the speaker or Mr. Speaker was out of order, but somebody was out of order according to Mr. Swart. Obviously what Mr. Roy was saying, was out of order, according to Mr. Swart, and he's the critic for that party.

Mr. Speaker said: "You may rise to correct a record but there is really nothing out of order." **Mr. Swart said:** "I am rising to say the speaker is not speaking to the bill. There is nothing in this bill about the election of the chairman or non-election of the chairman, or how the chairman is going to be selected; I suggest the member is out of order." **Mr. Cunningham said:** "Yes, there is."

Mr. Roy said: "With respect, Mr. Speaker, if I may, on the point of order, say to my friend from Welland-Thorold, it wouldn't be the first time he is confused, but in any event we are sympathetic and very charitable in this party. I would read to him the section I am talking about. This is section 1(2),

which talks about, if we will notice on the right side, election of the chairman." **Mr. Nixon said:** "Right, got that, Mel?" **Mr. Roy said:** "I have been accused sometimes of mish-mashing the English language and not understanding what is happening in that language." **Mr. Nixon said:** "Hardly ever mish-mash." **Mr. Roy said:** "Here we are, election of chairman. It says 'the regional council shall elect the chairman as one of the members from regional council or any other person.' Is the member going to apologize?" **Mr. Nixon:** "You didn't get your QC for nothing."

Mr. Swart: "I rise again on a point of order, Mr. Speaker. This section he is speaking about of course is the timing of the election of the chairman. It has nothing to do with the procedures of the election of the chairman or whether the chairman should be elected or appointed or anything else of this matter."

Now I want to repeat that, Mr. Chairman, because that's very important and it comes from the third party, it comes from their critic of municipal affairs and says: "The section he is speaking about, of course, is the timing of the election of the chairman. It has nothing to do with the procedures of the election of the chairman or whether the chairman should be elected or appointed or anything else of this nature. I just make the point once again that the speaker is out of order when he is talking about whether regional chairmen should be appointed or elected."

Just a few seconds later Mr. Roy says, ". . . at least to get some suggestions that are in fact in order.

"To continue—I was winding up, Mr. Speaker, when this happened—" **Mr. Nixon said:** "Oh, yes." **Mr. Swart said:** "There is a difference between winding up and winding down." I suppose he has got run down.

So there you go, obviously the members of the third party—

Mr. Warner: What are you going to do?

Mr. Cassidy: What are you going to do?

Mr. Warner: Come on, stop waffling.

Mr. Deputy Chairman: Order.

Mr. T. P. Reid: Can't stand the heat, eh fellows?

Mr. Cassidy: We have just seen another flip-flop in the Liberal caucus.

Mr. Deputy Chairman: Order.

Mr. Epp: Talking about flip-flopping, I am sure they are projecting their own thoughts because they are such authorities

on flip-flopping. I'm sure that one of these days they will write a book on it—

Mr. Makarchuk: Wait until tonight.

Mr. Epp: —because they sure are knowledgeable about it. Anyway, there is no flip-flopping on this side—

Mr. Warner: You just changed policies.

Mr. Epp: —because we indicated when that debate started that this was—

Interjections.

Mr. Deputy Chairman: Order.

Mr. Epp: Thank you very much, sir. We indicated that this bill dealt with house-keeping items. The third party said it was housekeeping items. This obviously is a major amendment which we will not be supporting, as was indicated a few weeks ago—

Mr. Warner: That's shameful.

Mr. Cassidy: You have backed down again.

Mr. Epp: —and we concur—

Mr. Cassidy: It will be 10 years before we get back to this.

Mr. T. P. Reid: You won't be around that long.

Mr. Deputy Chairman: The member for Waterloo North has the floor.

Mr. Warner: You sure have a lot of faith in the Treasurer (Mr. McKeough).

Mr. Epp: It is obvious that the members to my left haven't read the bill as the member for Welland-Thorold has read it. He clearly indicated, as I have just read from Hansard, that it is a housekeeping bill and that they wouldn't be supporting something of that nature. Obviously it would be out of order to suggest an amendment could be made. We won't be supporting the amendment.

Mr. M. Davidson: Should we apply the same principle in Waterloo region?

Mr. Warner: Every region.

Mr. Cassidy: The anti-democratic opposition in Ontario.

Mr. Deputy Chairman: Order.

Mr. Epp: When the bill comes in for Ottawa-Carleton—

Mr. M. Davidson: Do you feel the chairman of the Waterloo region should be elected?

Mr. Epp: —and for Niagara, if we have an opportunity we obviously will at that time amend the bill—

Mr. Warner: Don't hold your breath.

Mr. Epp: —so that the chairman is an elected person who will guide the affairs of that particular region.

Mr. Warner: We don't need to go through the whole debate on the guided reading lesson we had, but I think the member will recognize that during the entire exchange the Speaker maintained there was nothing out of order; that in fact everything was proceeding, and that the comments Mr. Roy was making were entirely in keeping.

Of course, what Mr. Roy wanted to do was to ensure we would have an elected position for the chairman of the region, but the split in that party is sufficient that that democratic principle can't be upheld. I understand that, I understand the difficulty the Liberal members are having with this concept of having every politician elected. There is a serious split in the party over that.

Mr. Stong: That's derogatory.

Mr. Warner: It is unfortunate that the Liberal Party can't come to grips with that.

Mr. Peterson: If we don't have an election how can we get rid of people like you?

Mr. Warner: It's also unfortunate that some members of the Liberal Party have such great faith in the Treasurer that they can sit back and say; "We'll wait until the bill comes in." We just witnessed a few days ago what the Treasurer intends to do with the legislation on Metro Toronto. We're not going to see it for a long while yet.

So although the member for Waterloo North (Mr. Epp) can dismiss it as house-keeping and that therefore we shouldn't clean house—

Mr. Epp: That's what your colleague said, he said it was housekeeping.

Mr. Chairman: Order.

Mr. Epp: That's what your press release said.

Mr. Warner: And therefore we shouldn't clean house; he is not prepared to deal with the matter right now, he is going to wait until the Treasurer decides to bring in some other piece of legislation.

I'm not prepared to sit around forever waiting for the Treasurer to make up his mind on when he is going to bring in legislation about Metro Toronto or Ottawa or any other region. We have a bill in front of us. The bill deals with a region. Part of the principle of the politicians operating in that region is that every one of them should be elected.

That's a pretty basic principle and I don't know why you shy away from it. I don't know what kind of logic dissuades the member for Waterloo North from facing up to the

principle that every politician should be elected. I can't understand that.

[5:15]

The Prime Minister of this country seeks re-election in his own home riding, as does the Premier of this province and of every province in Canada. Yet for some reason extremely powerful politicians out in the regions should escape from that. They should be allowed something that no one else in Canada is allowed to do. I don't understand that kind of logic. I, for one, am not prepared to accept it.

We have a bill in front of us. If you want to put it in terms of housekeeping, that's quite all right. We're helping to clean up the house of that particular region and some of the other regions. We're going to ensure that the democratic principle of electing politicians is maintained.

What disturbs me, and we'll get around to it in Bill 83, is that you see a press release from the leader of the Liberal Party stating one thing and you get the critic stating the opposite in the House. That obviously isn't a problem for me so much as it is for the Liberal caucus to deal with. The Liberal caucus has to deal with that sort of split, but it's not fair to the people of Ontario. We should have the principle dealt with and that's what we're attempting to do in this legislation.

I commend my colleague from Welland-Thorold (Mr. Swart) who has put a great deal of time and thought into the amendments he has brought forward. If his amendments carry we have extended that democratic principle of electing our politicians that extra step that's so important, into the regions.

In conclusion, I'd ask the members of the government side to carefully consider how they will approach the amendment. I doubt the amendment is going to cause the fall of the government one way or the other. I doubt that by accepting the amendment you're somehow weakening your position in the province. In fact, I suspect the reverse is true. It's an opportunity for the government to say to the people of Ontario: "We support the democratic principle of electing politicians and we're going to show some leadership."

Perhaps the parliamentary assistant can reconsider his earlier remarks and agree with our amendment. It can be accepted without any further fuss and we can get through this in the next few minutes and get on to other items of concern.

Mr. Swart: The issue that seems to be put before us by the member for Waterloo North

and by the Liberals last evening is the appropriateness of the amendment being before us at this time. I think that pretty well sums up the arguments. I see people on my right nodding. I want to take a moment or two to make some comments in addition to those made by the member for Scarborough-Ellesmere (Mr. Warner) to indicate that this amendment is properly before us.

In the debate two or three weeks ago I stated in all conscience that I felt the issue was out of order at that time. I was aware that further on in the act there was further reference being made to the matter of the appointment of the regional chairmen. Those sections were not before us, therefore it seemed to me it would be inappropriate at that time to bring in an amendment which would provide for the election of the regional chairmen. Perhaps more correctly stated, it would provide that the chairmen of regional councils should be selected from among the regional council and that he should continue to be a person elected by the public.

That evening the Liberals said I was wrong, and we have had a great deal of Hansard read into the record by the member for Waterloo North. They said they were right, that the matter was appropriately before us at that time. The Speaker ruled in their favour.

It seems to me that any party that was sincere about the chairmen being elected, about making amendments to the various sections of the act, once the Speaker had ruled in their favour, would have followed this up with amendments, at least to find out if amendments were appropriate.

Surely they must recognize that some of these acts, the regional government acts, at least this section, will not be before us, for perhaps two years, five years, or 10 years. We don't know when, if ever, those sections will be before us again. I point out that they refrained, or if they did check they decided against bringing in amendments which would accomplish the things they said they wanted to accomplish when we were debating this on May 30. I just want to read into the record exactly the same section that was read in by the member for Waterloo North.

Mr. Roy, who was speaking on this bill, said: "There should be some method whereby this individual"—speaking about the regional chairman—"who is, after all, the most important politician of all in all of these regional areas, is subject to the will and whims, in fact, of the electorate at one level or another."

I am very disappointed that the government has not found a way whereby this is

done, and done automatically. I point out to you, Mr. Chairman, that our amendment does it. They had the option to do it if they were sincere about it. I say to you that after the Speaker ruled the discussion on this was in order, I checked with the legislative staff and the appropriate people in the Speaker's office and found out that an amendment such as this was in order.

The amendment is before us tonight because the party to my right—the member for Waterloo North, the member for York Centre, and others—stated that I was wrong at that time. They knew that it was in order. If they were sincere—

Mr. Stong: I never said that.

Mr. Swart: The member for York Centre says that he didn't state that, but at least two or three members of that party did. I withdraw the statement that he did, but I'm going to quote Hansard for you in just a moment or two. If they really meant what they said in that debate about wanting to see that regional chairmen were elected, they would have brought in an amendment of their own, first of all they would have pursued the matter as I did.

Mr. Cassidy: That's right.

Mr. Breithaupt: Good for you, Mel.

Mr. Swart: Secondly, failing that they would support the amendment which is now before us. I say with all sincerity that no one in or outside of this House can conclude anything other than that the Liberal Party does not want regional chairmen to be elected people. That is a fair statement, otherwise they'd support this amendment. We're not going to have the opportunity of this amendment before us for years and years.

Mr. Cunningham: What's your position on regional government?

Mr. Swart: I've always had the position. Mr. Chairman—

Mr. Cunningham: What's your party's position on regional government?

Mr. Swart: I have always had the position that regional chairmen should be elected. I have the brief which I presented to the Niagara study committee in 1966 which said that the regional chairmen should be elected. I haven't changed from that. I think we're going to find out whether some other people have changed from that, but I haven't changed from that.

The real issue before us on the amendment proposed by my leader is not whether I was wrong in saying that it was out of order on May 30.

Mr. Epp: You were wrong once and you're wrong again.

Mr. Swart: The real issue before this House, and every member of this House, is whether we want to assure that the regional chairman is a person elected by at least a constituency, always elected by a constituency. That is the issue before us, and it's properly before us. However it got here, there is no question that that issue today is properly before us.

I say to you, Mr. Chairman, there's every reason in the world for the regional chairman to be elected. Many of those reasons have been put forward by my leader. I suggest that the government recognizes this. That's why in the restructured county of Oxford they determined that the chairman there would be elected. Yet just a very few years before, in Haldimand-Norfolk, they decided that the chairman should be appointed.

Mr. Cunningham: And he was defeated.

Mr. Swart: The restructured county of Oxford by the latest figures which I have, has a population of about 85,000. The region of Haldimand-Norfolk has a population of about 87,000. Both have the same kinds of responsibilities for a chairman. In one we have the chairman elected, while in the other the chairman is appointed by the regional council and is not responsible to anyone.

I suggest there is something very basically wrong. As the member for Ottawa Centre (Mr. Cassidy) stated, regional chairmen are exceedingly important people in the municipal field. We judge to some extent the value of service which a person is performing by the amount of money he receives. I would point out that the chairman of Ottawa-Carleton receives a remuneration of \$48,700. This is just salary and not expenses.

Mr. Peterson: Are you suggesting he's not worth it?

Mr. Swart: I'm not suggesting for a moment he's not worth it. I'm suggesting that if he is worth it he ought to be elected by the people. If he holds such a senior position in municipal government in this province that he receives, I believe, the third highest remuneration of any municipal person in this province; if that position is so important then the public should have some right to say who that person should be.

Down Niagara way, the amount of money which the chairman receives is rather low compared to the rest of them. It is \$30,000. The chairman of Metro gets \$51,200, a bit more than the mayor of Toronto. If his position is senior to the mayor of Toronto, doesn't it make sense that he too should be elected to

that position like the mayor of Toronto? I suggest if anybody here said that the mayor of Toronto should not be elected, anybody here or outside would say: "Oh, my God, are we not going to elect a person in the community to that important position?"

And of course they would be right. By restructuring and so on, we have said that the chairman of a regional council should not be elected. We should go to Durham. They pay him \$34,528; in York it is \$35,707.50—I don't know where they get the 50 cents or the \$7; in Haldimand-Norfolk it is \$25,000; in Peel \$38,139; and in Halton \$25,000, where the member there is only serving part time.

I say without the slightest hesitation that if the positions which they hold are so important—in fact with one or two exceptions they must hold more important positions than the members of the Legislature because they get more remuneration—then surely they should be accountable back to the electorate at election time, by that yardstick alone they should be elected.

Let me also point out that the amount of money which is spent by regional council now equals—or perhaps surpasses, the latest figures aren't available—the amount of money being spent by all the lower tiers in the province. I repeat that the amount of money spent by Metro and regional council now is in excess of the amount of money being spent by all the lower tier governments in this province. In 1974 it was \$686 million compared to lower tiers spending \$727 million. Since that time I am informed that has changed and that slightly more is being spent by the upper tier.

[5:30]

Whether it is or not, those 11 or 12 upper tier governments now spend more money and have greater responsibilities than the 800 or so other municipalities in this province. By that yardstick alone, I suggest again that the regional chairmen must be elected. If we want to look at their importance, I guess from another angle, it might be the numbers of them who have served on the PMLC. Anybody who goes to these meetings, as the member for Waterloo North does periodically—

Mr. Epp: Almost regularly.

Mr. Swart: —will know that in the last two or three years there have been up to five regional chairmen who have served on that committee, which is supposed to be the group that has the most influence with the Ontario government. I think it is down to one regional chairman serving on that committee this year, but it has been as high as five; the municipalities think those people are

so important that they must have them on the PMLC.

Mr. Epp: Are you suggesting that they shouldn't be?

Mr. Swart: I am not suggesting that they shouldn't be. I suggest the member for Waterloo North knows I am not suggesting that they shouldn't be on there. I am saying that if they are in those senior positions, they should be accountable to the public of this province. That is what I am saying and I suggest that the members to the right know that that is what I am saying.

Mr. Roy: Aren't you out of order?

Mr. Epp: Read Hansard.

Mr. Warner: Facts are facts.

Mr. Swart: They have contacts—

Mr. Peterson: Mel, you said it about 16 times now.

Mr. Swart: There are more doors open to those people to get into the Ontario government than to any other municipal officials in the province, and the people on my right know that to be true as well. In fact, I think I am right in saying that nine of the 12 original appointments are there—it may be eight; I am not sure; but eight or nine of the original appointments by the Conservative government of Ontario as chairmen of the regional councils still sit as chairmen of those regional councils.

I would just ask, on what basis do we determine that the head of an important level of government like that should not be elected? Historically in this province we have had direct elections to local government. I guess I have to say that I still favour that even with regional governments. County council is supposed to be a federation; county council now is considered to be a federation, not really another level of government. But a regional government is another level of government. I therefore think that it is desirable that that person be elected by all of those he represents. But, failing that, I suggest that this is a step that we should take and we should take it now.

I know there are a variety of reasons why they say you can't elect those from all the population of the region, relative to size and all of these things—maybe that is an indication why the regions are not functioning properly; they are much too big. But because a region is too big, or for a variety of reasons, the government has appointed that person to start and he may carry on indefinitely if the county council determines that he should do so.

I simply suggest that in this system we have the worst of all worlds. We haven't got the accountability directly back to the public; we haven't even got the accountability indirectly back to the public by that person having to be elected in a certain area.

I say to my colleagues on the right that it is not too late to reconsider. I say to my colleague from York Centre that the reason he gave is not a very good reason why they should vote against these amendments. Let me read what he said: "Insofar as they are in control"—he is talking now about the government across the way—"they can exercise upon us a form of blackmail. That blackmail can take the part of all of what is before us today."

There are two parties to any blackmail, the one who does the blackmailing and the one who is being blackmailed. First of all, I say they are both guilty to some degree. But if we take the attitude in this House that we are going to give in to the other side because they may withdraw some favours from us at some time—

Mr. Epp: Who is giving in, Mel? We said all this weeks ago.

Mr. Swart: We are not giving in. We have moved forward, you have moved backward.

Mr. Epp: Read Hansard, Mel.

Mr. Swart: If we are going to give in to that kind of blackmail then we are going to make no progress at all in minority government. To me, minority government means that the wishes of the majority of this House in general are carried. You people have expressed—

Mr. Peterson: Is this a filibuster, Mel?

Mr. Swart: No, it is not; I am concluding.

The people to the right have expressed their wish, their desire, that the chairmen of regional councils be elected, be accountable back. There is no question that the amendments are properly before us. If we wish this, if we can accomplish it, then I suggest let's do it and let's enhance municipal democracy in this province; because that is exactly what it means and we can't have it fully until we do elect those chairmen.

Mr. Haggerty: I wasn't going to enter the debate, but I just can't resist the opportunity of following the member for Welland-Thorold. He talks about local participation of all the people within the region of Niagara.

Having listened to the member in the Ontario Legislature and listened to him for a number of years on the Welland county council, and the suggestions in the dialogue

in the Legislature, it is too bad the member didn't show that initiative some seven or eight years ago when regional government was talked about among certain members of the county council.

The dialogue then, and as it is today in the Ontario Legislature would have meant the people would have been better informed in the former county of Welland; and if they had been better informed at that time we would never have had regional government in Niagara.

The honourable member attended the special trip to Sweden. It was sponsored partly by the county of Welland and I think the Ford Foundation. I could be wrong on that particular part, but he was one of the chosen members from county council and from the Ontario Association of Municipalities to attend Europe to look at some of the regional government set-ups in Sweden and Germany and so forth.

I have often coined the phrase that he is the godfather of regional government in the Niagara Peninsula. Definitely he comes down hard on both sides of regional government now, as he did then, in not telling us in what direction the party is going.

I can see reasons, perhaps, for the suggestion that the chairman should be elected at large throughout the regional municipality of Niagara, but if that applies to the chairman it also should apply to other persons who are elected from the municipality, such as the mayor who automatically becomes a member of regional Niagara.

I suggest if we are going to have one election at large, we should have all members of Niagara region elected at large. It is only common sense to take this approach. If you want participation of the public, then it must come about this way, not because you appoint him.

We have the white paper on the Archer report and the response by the government to the Archer report, suggesting the city of St. Catharines perhaps should have one more member. That is still going to cause some difficulties.

There are other areas within the region that are not taken into consideration, areas where population increases due to summer residents, who require all the services a normal resident or property owner require 12 months of the year.

I understand there are other amendments coming to the Niagara region bill. I think we should be looking at the matter of election of council, all of them, at large, from the whole region.

Mr. Chairman: May I say to the honourable member that is not in this particular section.

Mr. Haggerty: No, it's not in that particular section, but we're still dealing with the matter of appointment of the chairmen and electing the chairmen from within the county.

Mr. Chairman: That's correct.

Mr. Ruston: It is the amendment we're dealing with.

Mr. Haggerty: The point I'm trying to convey is I think there is merit in what he's saying. I would like to see it go all the way. It's going to cause difficulties. When he talks about accountability, for example, you can have a mayor elected from a town or a municipality, or a city I should say, within the community, within the regional structure, and he could also become chairman. I'll tell you, he can't serve two masters. There is no way, with the work load that is put on the regional chairman.

I might say this much, the present regional chairman, Mr. John Campbell, who is appointed, is doing an excellent job. Perhaps without his leadership regional government would not be moving that much forward in a sense, that is to say that with the other serious difficulties there, it wouldn't function as well as it has to date.

I spoke on the regional bill when it was first introduced here in the Legislature and I'm not definitely sold on regional government. I can see a larger form of government, a restructuring of county council if you want to put it that way, which would put the cities back in under a county form of government. Restructure a county government, I think this is good, but I suggest the time isn't right to come back and say we're going to have the regional chairman elected at large, because there's going to be quite an expense involved.

The other reason I would oppose it right now is I think there must be guidelines set on the salaries. When you look back at the first regional bill for Niagara, I think this is one of the matters the former member for Niagara Falls (Mr. Bukator) and I raised in the debate. At that time, we thought there should be some guidelines on salaries. That was for staff, clerks and so forth. That never came about. I'll tell you, it just mushroomed throughout that community. Salaries increased almost 100 per cent. The cost of administration of regional government is one of the difficulties the taxpayer is facing now.

In some cases, they question whether the benefit is that great in this particular area.

So I suggest to the member for Welland-Thorold that he may be correct to a certain extent, but I think he is pushing a little bit too far at the present time. If he had only shown that initiative back in 1964-1965 in the county of Welland, regional government would never have been there.

Now he is taking the stand to say, "I'm for regional government on a particular thing, but I'm opposed to it overall." I don't know just what his position is. He comes down hard on both sides of it. I'm as lost today as I was back some 10 years ago when there was no debate about regional government in the former county of Welland. The debate or that particular issue was kept away from members. It was all hidden in secret meetings attended by a certain few elected persons within the county of Welland at that particular time. That's perhaps one of the reasons we now have regional government in the area. But hopefully, with your restructuring of county government, you will have an open book so all the taxpayers and all ratepayers will have a full understanding of the direction this government wants to lead us.

Mr. Charlton: I'll be brief, but I just want to make a few points about a number of things that concern me about this debate going on here today.

On May 30, when we were debating this bill on second reading, my colleague the member for Welland-Thorold raised the question about whether or not discussing regional chairmen and their election or non-election was in order at that point, given the sections of this bill. The members of the Liberal caucus, the party to the right of me here, went to great pains to impress upon the Speaker that in fact, the discussion and debate on regional chairmen and their election was in order. They made the point and the Speaker ruled in their favour. That was quite clear on May 30. Now the member for Waterloo North is attempting to tell us it's not in order in this place, on these sections, with this bill; and that "We've admitted that we were wrong."

Mr. Samis: A man of his word.

Mr. Peterson: Why have you changed?

Mr. Roy: That's what your member said, you should apologize.

Mr. M. Davidson: Which is something more than you would do.

[5:45]

Mr. Charlton: The members of the party to my right should now either admit they are wrong or very simply support the amendments.

Mr. Peterson: That's where you are wrong.

Mr. Charlton: I have sat in this House for almost a year now. I have watched on a number of occasions the members of the Liberals caucus accuse this caucus of posturing. I would like to say here to this House and to the people of the province of Ontario—

Mr. T. P. Reid: After a full year, with all your experience.

Mr. Charlton:—that when the members of the Liberal caucus went to great pains to make the point clear that the discussion under this bill of the election of regional chairmen was in order, they were just posturing for whatever publicity they could gain or they should now put up and support these amendments to see that the things they supported in the debate become a reality.

The members of the Liberal caucus and the members of this caucus have made it quite clear to this House that we support the proposition of the elected accountability of regional chairmen. All of them have got up, one after another, and said that they supported the idea of elected chairmen. The argument they have used against supporting these amendments that we are proposing is that the government across the way is holding us up to blackmail and may withdraw the bill.

Mr. Epp: You are the one who said that.

Mr. Charlton: I say to the members of the Liberal caucus, that I have worked with them in committee where we have moved amendments which both parties have supported. That's what minority government is all about.

Mr. Peterson: You have learned a lot.

Mr. Charlton: If the party to my right gives way to blackmail by the government, then this minority parliament can never work effectively to the benefit of the people of the province of Ontario. For the members of the caucus of the party to my right to be so naive as to hope that in the case of Metro Toronto and each one of the regions listed in this bill the Treasurer and the government across the way are going to give them another shot in the very near future—

Mr. Peterson: We can trust you to back off.

Mr. Charlton:—at making regional chairmen elected, responsible and accountable, then they are sadly mistaken because it just won't happen again in any hurry. In fact, the government is probably shaking its head behind the scenes that it let this bill come before us in a form in which we could do this.

Mr. Peterson: We can take for granted whatever the Treasurer does today he will change tomorrow.

Mr. Charlton: The question here for us today on each of the sections of this bill relating to the different regions is whether we support the concept and the proposition that regional chairmen should be elected. If we do, then we should support the amendments which are being placed now, to provide that this fall, in the elections, which are about to occur in the regional municipalities in the province of Ontario, the regional chairmen will be elected.

Mr. Chairman: The member for Ottawa East.

Mr. M. Davidson: Another Liberal flip-flop.

Mr. Roy: I think it's important that we again state our position clearly on the record—

Mr. Warner: How can it be clear?

Mr. Makarchuk: Which position are you setting right now?

Mr. Roy:—as we had done on May 30. When I look at the debate on May 30, we had stated at that time, and I said it at that point, that we were looking forward to the legislation coming from the ministry. The parliamentary assistant had given us his undertaking that we would be seeing legislation in the section on the regional municipality of Ottawa-Carleton dealing with the Mayo report. At that time, as my colleague the critic has said we will be bringing forward amendments to have the regional chairman elected.

Mr. Warner: When is that bill coming forward?

Mr. Roy: It's a principle which we believe in and which we will certainly follow.

Mr. Warner: You are lucky to be here and you know it.

Mr. Roy: The thing I find confusing about the people to my left is that from day to day I really wonder how they even find this place to get here since they are so confused.

Mr. Cooke: We are consistent; that's what confuses you.

Mr. Roy: Sometimes we vote with them out of sympathy, I suppose, because they are so confused.

Mr. Makarchuk: The day you figure things out, we will all be in trouble.

Mr. Roy: I recall the debate on May 30, Mr. Chairman, and certainly that's been brought to your attention. I'll not ask you to make another ruling on it, but at that time

when we were stating our position regarding the election of the regional chairmen—

Mr. Warner: Which position?

Mr. Roy: —their critic, the member for Welland-Thorold (Mr. Swart), as my colleague our critic has said, said it very clearly on the record. He argued vociferously at that time, that he wanted a ruling of the Speaker. He got up on a point of order and said: "I rise on a point of order. There is nothing in the bill about the election of the chairman. Therefore, the speaker is out of order." That's what he said at that time. He went on to repeat it: "I am rising to say the speaker is not speaking on the bill." He said: "There is nothing in the bill about the election of the chairman or the non-election of the chairman." And he repeated it another time.

Mr. Warner: You gave us that little number before.

Mr. Swart: What did you say? You are proved wrong and I am proved right.

Mr. Roy: I'd like to see him apologize, because I was making a very good speech that evening, we were moving along. He interrupted me. He was the one who was out of order. And lo and behold, we come back to the House, and he now has amendments on a point of order in which he says we were out of order. To be more confused than that I think would be impossible.

But to restate our position, we believe in the election of the chairman. We said it for the record.

Mr. Swart: You won't vote for it. You believe in the election and you won't vote for it.

Mr. Roy: You know, sometimes we like to support you, confused as you are. If you bring amendments at the proper time we will support them.

Mr. Swart: When is the proper time, Albert?

Mr. Roy: We said it at that time, when the legislation comes forward.

Mr. Makarchuk: When will it come forward, Albert?

Mr. Roy: My God, they are a vociferous bunch. I just wish they had their leader here to give them a sense of direction; to get his roller skates on and give them a proper sense of direction.

Mr. Chairman, we said when the legislation comes forward, and it is a principle we believe in, we will be moving amendments at that time. We gave our word and the parliamentary assistant knows that. He knows what our position is. As our critic has said,

at that time we are for the election of the chairman.

Interjections.

Mr. Chairman: Order. The member for Ottawa East has the floor.

Mr. Peterson: My colleague is not being provocative, give him a chance to express himself.

Interjections.

Mr. Chairman: Order; the member for Ottawa East, please.

Mr. Roy: Mr. Chairman, thank you for the order—

Mr. Makarchuk: Extricating him from his position, whatever that may be.

Mr. Roy: I know that I'm right on when I hear the yappers get going to my left, I know then they're in trouble.

Mr. Chairman: Would the honourable member continue on the amendment?

Mr. Roy: I'm sorry, but when I hear the honourable members to my left start yapping, I know they're in trouble. They usually do that in that party when they find the time. It's embarrassing.

We subscribe to the principle of the amendment, there's no doubt about it. It's just that their timing is wrong.

Mr. Makarchuk: However, as a matter of principle we don't intend to vote for the principle.

Mr. Roy: In fact we spoke about it. They are plagiarizing our comments from that time and drafting them into an amendment. We don't mind that, they have got a copy.

Mr. Makarchuk: As a matter of principle? You never spoke to the principle.

Mr. Roy: We said that when the bills come forward, the proper bills, we will make the adequate amendments. There is no backing off from our principle. This is a principle we have always followed. This is a principle we believe in. Our position was consistent on second reading. We put it on the record, that's more than I can say for our colleagues to the left. Our position will be consistent at the time of the amendments; when the proper bills come forward we will move the amendments then.

Mr. Cooke: Put your vote where your mouth is.

Mr. Roy: This is something that we believe in. For the members to our left to suggest that we are backing off from our principle somehow is really detracting from the truth.

Mr. Cooke: You can't back off from what you don't have.

Mr. Swart: Not the principle, you didn't mean what you said.

Mr. Roy: I want to make it very clear that I and my colleagues in caucus believe in the principle. I sure wish the member for Welland-Thorold would get his act together and try to be consistent from May 30 to today.

Mr. Swart: It bothers you that you have to vote on the amendment, doesn't it, Albert?

Mr. Warner: He should have stayed in Ottawa.

Mr. M. Davidson: I think it is quite evident that the amendment, moved by the member for our side of the House is one that consists of one principle and one principle only. That is, that people with responsibility within municipal government, or any other government that exists, should, in some way or another be an elected person, one who is answerable to the constituency.

Such is the case before us. We have found within regional government that does not always hold true. We have, within regional government today, many people who were appointed to that position, and that appointment has been maintained over a number of years.

I really don't know what it is that the Liberal Party finds inconsistent with our position. I'm sure that the members from the region in which I live, who happen to be in the Liberal Party, are well aware of what I have been saying about the chairman in the Waterloo regional area and how that person should be elected. I find it a little inconsistent on the part of the member for Waterloo North. I heard his comments as I was sitting out there and that's what attracted me into this legislative chamber. I heard the comments he was making. I'm quite certain he would not go back to the Waterloo region and advocate the same policy there that he was advocating here in this Legislature.

Mr. Epp: I'm consistent.

Mr. M. Davidson: If people were to get copies of the K-W Record, the local newspaper for the area in which he lives, and find some of the statements he has been making regarding the regional governments in that area, I think they would find that the statements are exactly contrary to what he said here today.

I, for one, don't understand that. I would suggest that the member be consistent in what he's saying here in this legislative chamber and in the Waterloo region; or say what he says in the Waterloo region here in the House so that we're all well aware of

the position he has. I can only take it for granted now that the member has two positions; one which he's prepared to give publicly and one which he gives here in the legislative chamber.

I would hate to think that is the case, because I happen to like the member for Waterloo North. I think he's a very fine fellow. I would hate to think his party has led him to the position he has taken. When he was the mayor of Waterloo he was always known to be a fair-minded person. He was always known to take a consistent position. I would hate to think that his election to this legislative chamber and sitting over there with the Liberal Party has warped his mind so badly that he has lost the consistency for which he has always been noted.

I can only suggest that what we have here is an appropriate amendment at this time. It is an amendment that will ensure that people who sit in the chairmanship of regional governments are people who are elected and who are responsible to the constituency that they represent.

Mr. Ashe: I think one thing that's been very interesting in this whole consideration of this first amendment is the third party's inconsistency in their philosophies and statements.

I'm not going to go over the first one in detail again. It relates to whether the item is in order or out of order. I think that point has been adequately made.

When it comes to somebody else speaking on an issue, the member for Welland-Thorold (Mr. Swart) figures the item is out of order and he made a strong case to indicate that; not very long afterwards he flip-flopped.

I think the other important consideration is that the third party is always suggesting to the government that on all items of major import relating to municipalities consultation should take place whether they be local municipalities, counties or regional governments.

Yet here is this party putting forth a very major amendment that would change the whole procedure of how regional council is made up, operated and so on, literally on the spur of the moment after deciding that an out of order motion really is in order.

Mr. Chairman: It's very close to 6 of the clock. Does the parliamentary assistant have many more comments?

Mr. Ashe: Yes, I think we'll leave it over until 8 o'clock.

Mr. Chairman: Fine.

Mr. Ashe: I'm just getting wound up.

Hon. Mr. Welch: Mr. Chairman, while we still have members of the committee here: when we come back at 8 we'll be carrying on from where we left off. Of course, in accordance with the schedule which has been announced, I think it has been generally agreed that when we finish the municipal bills in committee there may be some division called for and that we would hold the bell

until 10:15 tonight and carry on with the rest of the program. We would then go back into committee at 10:15 and clean up any divisions that may be necessary at that time. There will be one bell tonight at 10:15. In the meantime we'll try to accomplish and complete as much of this program as we can.

The House recessed at 6 p.m.

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Legislature of Ontario Debates

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Tuesday, June 13, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, JUNE 13, 1978

The House resumed at 8 p.m.

REGIONAL MUNICIPALITIES AMENDMENT ACT (continued)

House in committee on Bill 81, An Act to amend certain Acts respecting Regional Municipalities.

On section 1:

Mr. Chairman: I believe the parliamentary assistant had some further comments.

Mr. Ashe: Thank you very much, Mr. Chairman. At the 6 o'clock dinner adjournment, I was just attempting to summarize the inconsistencies put forward by the third party in their dealing with municipal government and municipalities.

In brief summary, Mr. Chairman, you will recall I spoke about the inconsistencies as put forward by the member for Welland-Thorold (Mr. Swart) relating to the subject.

Mr. Foulds: It will be hard to find any inconsistency in there.

Mr. Ashe: Whether it was in order or not, once he found out it was appropriate in his opinion he decided it was in order, although he brought forth strong arguments to suggest that the item was out of order—

Mr. Laughren: Speaking of inconsistencies.

Mr. Ashe:—when he was not the speaker.

Mr. Foulds: Are you challenging the chairman's ruling?

Mr. Ashe: The other very important item relating to the inconsistencies of that party concerned the whole process of how we as a government deal at all levels with the other level of government known as local government.

We are always being chastised, criticized if you will, by members of that party for not having enough consultation with the municipalities, with municipal government, with county government, with local government, with the municipal institutions and with the local organizations.

Mr. Laughren: You don't even consult with the Minister of Revenue (Mr. Maeck).

Mr. Ashe: We all know the record speaks for itself—that we have a much higher atten-

tion ratio in our relationship with the other sector of government than do many of the members and in fact, does the third party.

Mr. Laughren: You're being silly now.

Mr. Ashe: I think the particular motion we have before us is very indicative of that flip-flop, if you will.

Mr. Laughren: Why don't you stop being so silly.

Mr. Ashe: There is no way that we, as a government, would bring forth major legislation dealing with changes and how local government operates without consulting.

Mr. Laughren: What a silly person you are.

Mr. Ashe: Yet, that's exactly what has happened with this amendment.

Mr. Laughren: You're getting yourself in deeper. You're being sillier by the minute.

Mr. Ashe: There's one very important other item as far as I'm concerned; I suppose you could put it in the same vein. We have heard very eloquent speeches from time to time by members from all sides of the House, but I think probably concentrated among some members of the third party—

Interjections.

Mr. Ashe:—who are known to be very eloquent—that is to say, Mr. Chairman, if you equate eloquence with length, but not necessarily substance. One of the arguments continuously brought forward is that local government in all its forms should have more authority to make its own decisions; that they are a very conscientious group of people, they are elected by the people around them and they should make their own choices as much as possible.

Basically, I don't think there is any great disagreement with that. But the inconsistency in this particular motion is that we are not giving any credit at all to the thoroughness of local government, elected people particularly, as they are represented at the regional council level.

The present legislation reads—and I am not going to quote the whole section, but the relevant words are “that the council may elect one of the members of the regional council or any other person.” We are suggesting that the local council is in a better

position than anyone else to determine whether they, the elected representatives, wish to have somebody—

Mr. Laughren: We know what you're saying—and you're wrong.

Mr. Ashe: Be consistent; that is all I am saying. Just be consistent.

Mr. Laughren: We are.

Mr. M. N. Davison: Did you ever hear of democracy?

Mr. Laughren: You are antidemocratic.

Mr. Ashe: We are suggesting that members of the local elected government know better than anyone who they wish to be their chairman, whom they wish to lead them in their deliberations.

Mr. Laughren: They're better than the people who elected them. That's what you are trying to tell us.

Mr. Ashe: If they feel the best person is among themselves, they have that authority now that they can go ahead and elect a chairman from among themselves.

Mr. Laughren: Why don't you quit while you're losing?

Mr. Ashe: If they feel the job of chairman would be better served at that particular point in time by someone outside the council, they also have that right.

Mr. Laughren: We know that. Is this some kind of sermon you're giving us?

Mr. Ashe: I think that is consistency, and that is not the consistency that is brought forth in this particular amendment that we have before us.

We also talk about, and part of the argument is, the democratic right of everybody being elected.

Mr. Laughren: You are getting sillier by the moment.

Mr. Ashe: You can argue both sides of the story.

Mr. Foulds: Both sides of your mouth.

Mr. Ashe: But let's agree that everything is relative—

Mr. Foulds: That's a heresy of the 18th century.

Mr. Ashe: A regional chairman also has an electorate. True, it is an electorate of 20, or 25, or 30, or 32, or 27, as the case may be. But that is an electorate. Everything is relative as to size.

Mr. Foulds: That's called an oligarchy.

Mr. Ashe: We have also seen leaders of parties come forward on the basis of a small minority of the people they are going to work

with, and it is quite obvious the problems that causes.

Mr. Foulds: William Davis is one of those leaders.

Mr. Ashe: We are seeing every day, by the representation from and in the leadership of the third party across from us, that a small minority of the people who surround that person really didn't choose the leader. We can see how it is very practical to have the people in government decide who will be their chairman.

Mr. Foulds: I used to think that you had potential; you're going to be a permanent parliamentary assistant.

Mr. Ashe: It is funny, they don't like to hear those things when we are talking about the facts.

These are the reasons why this particular amendment before you, Mr. Chairman, in my opinion, is not appropriate at any time—but, in any event, not appropriate at this point. I would hope that the inconsistencies that brought forth this amendment at this point will be turned down.

Mr. Swart: We always stood for electing them.

Mr. Laughren: You are raising trivia to an art form.

Mr. Ashe: In the interval I hope some of the members in that party will have a chance to think about their inconsistencies and maybe next time around they will be a little more consistent.

Mr. Laughren: You're worse than the member for Carleton-Grenville (Mr. Sterling).

Mr. Chairman: Mr. Cassidy has moved an amendment to section 1(1) of the bill.

Mr. Ashe: On a point of order, Mr. Chairman: I don't see the mover of that motion present in this House.

Mr. Foulds: He has already moved it.

Mr. Chairman: It has been moved and it is not necessary in committee for the mover to be present.

Shall the amendment carry?

All those in favour of the amendment will say "aye."

All those opposed will say "nay."

In my opinion the nays have it.

Amendment stacked.

Sections 2 to 14, inclusive, agreed to.

On section 15:

Mr. Chairman: Mr. Swart moves that subsection 3 of section 7 of the Regional Municipality of Niagara Act as set out in sec-

tion 15, subsection 1 of the bill be amended by striking out the words, "or any other person" in lines four and five and inserting after the word "council" in line five, the words "provided he continues to be a member of the council" so the subsection shall read:

"At the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council to hold office for the term of the council provided he continues to be a member of the council and until his successor is appointed or elected in accordance with this act and at such meeting the clerk shall preside until the chairman is elected."

I guess I misunderstood the honourable member. This is—

Mr. Swart: Part II, section 15.

Mr. Chairman: Part II, yes, okay.

Mr. Ashe: Mr. Chairman, may I ask for a ruling or a consensus, or what you have, for the sake of all of the members' time? As all the members in the House know, particularly the honourable member for Welland-Thorold opposite, we now have, in effect, 10 items that are identical. Is it required by the rules that each one must be read into the record?

Some hon. members: Yes.

Mr. Ashe: In other words, they are to do with each section? It just seems to me to be such an absolute waste of time. Hopefully, at least then, we won't have the debate all over again.

Mr. Laughren: Of course, you are anti-democratic to start with.

Mr. Chairman: I appreciate the honourable member's question. I would have to say, as chairman of the committee, that it's up to this committee to discuss and amend any section before the committee, which is every section in this bill. If any member wishes to place an amendment, if it's within order, the chair will have to accept it.

Mr. Laughren: Despite the anti-democratic tendencies of the parliamentary assistant.

Mr. Swart: Mr. Chairman, I'm somewhat surprised the member for Durham West would rise to suggest we shouldn't read each of the amendments we have. This matter may not be of great significance to him but in this party, it's of real concern to us whether those who head the major and all municipal councils in this province are elected or are appointed, as is now the case.

Of course, the amendment which we have before us does exactly the same thing the amendment did with regard to Ottawa-Carleton, that is to state the chairman of the Niagara regional council shall be selected from the elected members of the council. It will remove the option of the council to pick from outside the council a person who has not received any endorsement from the public, or has not been elected to any municipal position in that region.

It's not really a question of whether the chairman is competent or whether he is a fine person.

Mr. Sterling: How can you do both jobs?

Mr. Swart: I just want to assure you that Mr. John Campbell—

Mr. Sterling: Just whether the guy can do both jobs.

Mr. Swart: —the chairman of the Niagara region, is the kind of a person any one of us would like to have as a personal friend. He's a gentleman. I don't think I can conceive of him, even if he's elected to this august chamber, ever deteriorating to the state that some of the rest of us have, and attacking those who sit opposite. I sat with them for three years and John Campbell is a fine person.

[8:15]

But that is not the question. And it is not really a question of whether the regional council operates efficiently, or whether it is well administered. The real question is who decides whether he is the right person to be chairman of that very important position on council. Shall that rest solely with the 20, 25 or 30 members, as the member for Durham West believes is adequate, or shall the public have some say in whether that person is going to sit on council and by virtue of that, be elected as chairman of council?

Well, we in this party, as you already know, opt for the last proposal. The member for Durham West commented that we should give more autonomy to local council. This is something with which I am in wholehearted agreement. But that is an area for council's discretion; to exercise its function once it has been elected.

I never wanted to give vested interests on council the right to determine who shall sit on the council and not be accountable to the public. If you are going so far in the whole field of autonomy, what is the meaning of the Municipal Act? Why not let them decide if they want to have elections every two years or three years? Why do we have

400 or 500 pages of instructions and regulations, under which councils have to function?

Mr. Laughren: Good question.

Mr. Swart: Of course, constitutionally the provincial government has the responsibility for the framework in which municipalities function. The responsibility rests with this government, not with the local council, to determine whether that chairman is going to hold that office by virtue of being elected by the public or be appointed by the other members of the regional council.

Mr. M. N. Davison: If you guys had your way, you would crown Seatbelt Johnston.

Mr. Swart: I want to say, Mr. Chairman, and any of the members who have sat on regional council with an appointed chairman know this to be true, that an appointed person who is not accountable to the electorate in any way functions somewhat differently than if he has to go out and get votes at election time.

Mr. Ashe: Not necessarily.

Mr. Swart: Yes, I think you might. Let me just give you one example, Mr. Chairman, one example.

Interjections.

Mr. Chairman: Order.

Mr. Swart: Let me give one example to the member for Durham West. This may seem like a small example but I say it is typical.

You know that for years the chairman of Niagara region did not have a listed telephone number where he could be reached; his home telephone number was not listed, at least not in his name. It is listed now because a year or two ago, I brought up the fact in this Legislature that he did not have a listed telephone number where people could get in touch with him.

Mr. Epp: Do you have one now?

Mr. Swart: Oh, yes, I think all of us have a listed telephone number; it is part of the whole political process so the public can get in touch with us. But if you don't have to go out at election time to be elected, then you don't approach the public in the same way. In fact, you don't have to be concerned with what the public thinks. The chairman of a regional council who has no constituency—nobody elects him—is ingrown to the extent that he is concerned with what the 20, 25 or 30 members of that regional council think of him, not with what the public thinks about the way he is discharging his duties.

That is another way, I guess, of saying that this whole process that we have now is contradictory to all the principles of democracy.

While I am speaking about the amendment which would provide that the chairman in Niagara must have a constituency and can only be elected chairman if he's elected from a constituency in the region, I would like to say something in reply to the member for Erie (Mr. Haggerty) who spoke near the end of the debate on the Ottawa-Carleton regional act. He stated that he—and I think I am quoting his words exactly—"wished I had shown some initiative seven or eight years ago in the Niagara region." Well, I just want to say to him, and I hope his colleagues will convey this to him, that—

An hon. member: In shorthand.

Mr. Swart: —I believe I showed considerable initiative at that time. In 1966, when the commission was sitting in Niagara to consider the structuring of the Niagara region—at that time we didn't know whether it was going to be a change within the two counties or one region to cover the two counties—I presented a 28-page brief, Mr. Chairman, to that commission. In that brief I spoke about the election of the regional chairman and I said this and I quote from that brief: "It naturally follows that I would also recommend that the head of the regional council be elected. On this there must be no compromise." That's what I said, in fact, in 1966.

Mr. Stong: Are you quoting yourself, Mel?

Mr. Swart: I said I do not believe the holder of any such exceedingly important office should be put in that kind of a position.

Mr. Stong: He is reading from one of his own speeches.

Ms. Gigantes: You're jealous.

Mr. Swart: He or she should be answerable to the electorate and should be subject to re-election if he and the voters desire it. That was back in 1966, so I think we are being somewhat consistent in the view—

Mr. Sterling: Yes, rubbish then and rubbish now.

Mr. Swart: —we are taking here this evening. For the sake of the record too, Mr. Chairman, in this brief I also stated that in my view the water and sewer administration operation should remain at the local level, not the regional level. I stated there should be two counties—

Mr. Sterling: You won't sell that in Ottawa-Carleton.

Mr. Swart: —or regions instead of one, as one was much too large. I also proposed there should be 17 municipalities to give greater accountability and service to the public.

Mr. Chairman: The member is coming back to the amendment, I hope.

Mr. Swart: I'm coming back to the amendment, Mr. Chairman. I proposed 17 municipalities instead of the 12 on which they ultimately decided. I say very clearly it is on record that I and my party over the years have consistently supported the principle that the chairman of a regional council should either be elected at large within the region or should be elected from a constituency in the region and only by virtue of that election would he be eligible to the office of chairman of the region.

I guess I am not terribly surprised at those on the opposite side of this House opposing this amendment. I think they oppose it in principle. It's part of their belief. They have always had some difficulty in accommodating public input, regardless of where it is.

Mr. Sterling: Rubbish.

Mr. Gregory: Oh, that's nonsense and you know it.

Mr. Swart: They fought for years and years against all the attempts of various special interest groups to have a say in environment or whatever the case may be.

Mr. Gregory: Do you really think anybody is going to read this?

Mr. Swart: They eventually and grudgingly gave in on some of these issues, but they've consistently followed the principle of keeping the public out of government affairs as much as possible.

Mr. Foulds: It is part of the Tory tradition.

Mr. Gregory: This isn't exactly a best seller.

An hon. member: If you weren't a Tory, you didn't get in.

Mr. Swart: The members on my right do bother me—

Mr. J. Reed: Yes, we are on the right.

Mr. Foulds: You are to the right of those guys.

Mr. Ashe: I hope you stay there too.

Mr. Swart:—a little bit, primarily because of their continued expression that the chairman of regional council should, in fact, be elected. I have listened very carefully to their arguments, and quite frankly, I can't make much sense out of them. First of all, they say that somehow or other this must be out of order.

Mr. Sterling: You usually are.

Mr. Swart: Of course this amendment is not out of order. It is perfectly in order.

Mr. Stong: Justify yourself.

Mr. Swart: The Speaker ruled in their favour, in fact, that it is in order, so you can't

get out of it on that excuse. Then they say, "It's just not the right time. We'll do it when the bills come back at some future time." Three or four of you said that. "We have committed ourselves," they say. "When the bills are brought back, we will move an amendment to provide that the regional chairmen be elected."

When are the bills going to be brought back? We don't know if we are even going to get a bill for Metropolitan Toronto.

Mr. J. Reed: In the fullness of time.

Mr. Swart: We might get one for Ottawa, but when are we going to get one for Niagara? Hamilton-Wentworth? Or Sudbury? There's no proposal by the government to bring in those bills.

Mr. Sterling: I hope we don't hear the same argument.

Mr. Roy: Why didn't you say that on second reading instead of saying they were out of order?

Mr. Swart: It could be two years, five years. The only other argument I've heard is, "Well, if we support this, the government is going to use blackmail against us on other bills." I mentioned that before the dinner hour, and I am not going to go into it again. If there is any other argument besides those three, and if they have any additional speakers, I would like to hear—

Mr. Mackenzie: A legitimate argument for a change.

Mr. Sterling: I would like to hear a legitimate argument, too.

Mr. Swart: Because quite frankly, those arguments—

Mr. Mackenzie: Why do you Tories waffle all over the place.

Mr. Swart:—those arguments are not very convincing to me. When we have a bill before us—and we will not have these bills again, certainly a whole group of them, until we don't know when, perhaps never. To have all—

Mr. Mackenzie: Have a look at the bill, Albert. You can trust them?

Mr. Swart:—the 11 regional government bills before us at one time, we can bring about the elections of regional chairmen is an opportunity that may not arise again in this House for years and years.

Mr. Mackenzie: You should have learned by now, Albert.

Mr. Swart: I say quite frankly to anyone who is interested in seeing that the regional chairmen are elected—that they can no longer be appointed and not have any local

constituency and no accountability—this is the time to do it.

Mr. Roy: Mr. Chairman, could I have a point of order?

Mr. Chairman: Order. Point of order.

Mr. Roy: Mr. Chairman, I would like to bring to your attention standing order 16(3) of this House which states that a speaker shall be called to order if he persists in needless repetition. That's what is happening.

Mr. Chairman: I appreciate the comments of the member for Ottawa East. I was listening very carefully and they are repetitious to the extent that they were referred to on a previous amendment before the House.

Mr. Foulds: How would the member for Ottawa East know? He hasn't been in the House.

Mr. Chairman: Order. Order. Is the member for Welland-Thorold finished?

Mr. Swart: Yes, I am.

Mr. Epp: I would like to congratulate the member for Welland-Thorold in his opening comments as his campaign now starts for the leadership of the New Democratic Party.

Mr. Ashe: When is the convention?

Mr. Laughren: Collective leadership.

Mr. Epp: Without trying to be repetitious, I do want to draw the chair's attention to the statement the member for Welland-Thorold made only two weeks ago tonight, on May 30. Without reading the whole thing, he was trying to appeal to the people who are here tonight, trying to be so lucid and logical about everything. I think they should see the other side. Only two weeks ago, he got up in his place and said, "I rise again on a point of order, Mr. Speaker. The section he is speaking about"—that's the member for Ottawa East (Mr. Roy), a colleague of mine, just a tremendous person—"of course, is the time of the election of the chairman. It has nothing to do with the procedures of the election of the chairman or whether the chairman should be elected or appointed, or anything else of this nature. I just make the point once again that the speaker is out of order when he is talking about whether regional chairmen should be appointed or elected."

Now, there he is, making a big flip-flop, trying to be logical in a very illogical sense.

Mr. Laughren: Order. He's out of order.

Mr. Roy: Why don't you have a free vote? [8:30]

Mr. Epp: To expedite matters, as you know, Mr. Chairman, we're not going to support this amendment because we were the ones who talked about it first and we were

the ones who said this wasn't the appropriate time to do it. The member for Welland-Thorold was the one who so convincingly, to his own colleagues, tried to suggest that this was an appropriate time. We will oppose this amendment. I hope the other amendments that come up are expedited a little more quickly.

Mr. Ashe: Contrary to at least one of the members of the third party, I respect the time of this House and will not comment further.

Mr. Chairman: All those in favour of Mr. Swart's amendment to section 15(1) of the bill will please say "aye."

Those opposed will please say "nay."

In my opinion, the nays have it.

Amendment stacked.

Sections 16 to 26, inclusive, agreed to.

On section 27:

Mr. Chairman: Mr. Ashe moves that section 3(1a) of the Regional Municipality of York Act as set out in section 27 of the bill be struck out and the following inserted in lieu thereof:

"(1a) Notwithstanding paragraph 2 of subsection 1, on and after December 1, 1978 the council of the town of Markham shall, in addition to the mayor, be composed of 10 members, three of whom shall be elected by a general vote of the electors of the area municipality as members of the council of the area municipality and of the regional council and, except as may be provided under subsection 3a, seven members elected by wards."

Mr. Ashe: If I may indicate the necessity for this change, the original bill that was enacted in 1976 overlooked the fact that there was a change in the size of the local council of the town of Markham. Subsection 3b of the legislation in 1976 enabled the minister to alter the number of persons elected to the Markham council by order, if the municipality so requested. It did so request, and by order in August 1976 the minister divided one of the two Markham wards and hence increased the size of the local council by one.

Mr. Stong: Very briefly, I'd like to address myself to the fact that I too received correspondence from the town of Markham with respect to this particular change. It had been regarded by the town of Markham as an oversight and a typographical error. I appreciate the parliamentary assistant making this amendment so that it would reflect the actual situation as it now exists in the town of Markham. We will be supporting without doubt this amendment.

Mr. Swart: I rise too, to support this. I would point out that blackmail wasn't necessary. The government had a majority on this side of the House to get this through in York. If we are concerned about some kind of proportional representation by population, though this doesn't make it quite proportional, then I think we have to support this addition in the size of the local council and also the addition which was proposed in this bill for the regional councils.

Motion agreed to.

Section 27 as amended agreed to.

Sections 28 and 29 agreed to.

On section 30:

Mr. Swart: It will come as no surprise that I have a motion on this.

Mr. Chairman: Mr. Swart moves that subsection 8 of the Regional Municipality of York Act, as set out in section 30, subsection 1 of the bill, be amended by striking out the words "or any other person" in lines four and five and inserting after the word "council" in line five the words "provided he continues to be a member of the council," so the subsection shall read:

"(2) At the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council to hold office for the term of the council, provided he continues to be a member of the council, and until his successor is appointed or elected in accordance with this act, and at such meeting the officer appointed under section 19 shall preside until the chairman is elected."

Mr. Swart: I'm not going to take any great length of time on this. I think it is important to point out that we have just passed one amendment—

Mr. Mancini: Who speaks for Metro? Who's for Metro?

Mr. Swart: —which strengthened the regional council in York and that the regional municipality of York is an exceedingly important part of this province. I'm sure anybody who represents that area would want to have the maximum in democracy in that area, especially when it's so close to the city of Toronto where a particular party is hopeful of picking up—vainly perhaps—some seats in the next provincial election. Therefore, this is a key to that whole issue. I would expect that people living within that region particularly would be anxious to see this amendment approved.

Mr. Stong: Very briefly, perhaps I can respond to the urging of the member for Welland-Thorold. I might say that being a member who represents part of the regional municipality of York I have been persuaded by the eloquence and the common-sense approach of the governing party in presenting this bill and the arguments presented by my colleagues of my own party in voting against this amendment.

Mr. Roy: I might state as well that members to my left would have better chance of support from this party if their amendments were drafted in such a way as to make the intent very clear.

The members of that party used to put forward clear and legible amendments and we knew exactly what the intent of the amendment was. I must say, Mr. Chairman, that one of the reasons we can't support the amendment is that technically, the meaning of the amendment is very confusing.

For instance, where the word "council" is used, it may be confusing to the public and it may well be interpreted when they state that the chairman be a member of council, that he continues to be a member of some municipal council as well. That's very, very confusing and I think it's incumbent upon the people who propose a bill to make it very clear—

Mr. M. Davidson: You are talking about the regional bill, Albert.

Mr. Roy: —and it's incumbent on them as well, that when speaking of a particular regional council, they speak of a specific council so we don't elect a member from, let's say, the regional council of York as chairman for the regional council of Ottawa.

Mr. M. Davidson: Just another cop-out speech.

Mr. Roy: So on that basis alone, the amendment Mr. Chairman, is technically faulty.

Mr. McClellan: With that speech you will be laughed out of town.

Mr. Roy: I would have thought that those members to my left, who like to be precise and who pride themselves in having good legal advice on that side, would have consulted their legal colleagues. Usually you can rely on good legal advice. I have every respect for my colleagues; the member for Lakeshore (Mr. Lawlor), and the member for Riverdale (Mr. Renwick). But obviously they have not been consulted, because the member—

Mr. McClellan: That's a joke.

Mr. Laughren: Quit while you are ahead Albert.

Mr. Roy: —for Welland-Thorold, being an authority on all matters, didn't have to consult his legal colleagues. So for that very specific and technical reason, of course, we have to oppose the amendment.

Mr. Swart: I would just point out that I don't believe for one minute that the member for Ottawa East is confused about this. He's confused about a lot of things.

Mr. Roy: I can remember somebody else being confused on the 30th.

Mr. Swart: He understands perfectly what it means. It means that the chairman of regional council must be elected. That's why he's going to vote against it.

Mr. Laughren: That's exactly right.

Mr. Mancini: Lorne Maeck for whip.

Mr. M. Davidson: Mr. Chairman, if I may, I find it necessary to respond to the member for Ottawa East: I find it impossible to believe that a man with his legal training cannot understand that the bill being amended is an act respecting regional municipalities. I am quite sure it is as clear to him as it probably will no doubt be clear to everyone who is concerned about this bill.

I think he is trying to whitewash an issue with a very clever speech. I don't think it's going to work and I don't think we should have to sit here and listen to that kind of discussion.

Mr. M. N. Davison: I disagree very strongly with my colleague from Cambridge. I don't think that's the intention of the member for Ottawa East at all. I think the simple fact of the matter is that he hasn't yet read the bill.

Mr. Laughren: It wasn't a very clever speech either. The member for Ottawa East is being provocative.

Mr. Mancini: Stand up for short people.

Mr. Chairman: Order. Order. I would ask the members to please co-operate or else we will have a recess.

Mr. Laughren: We are trying.

Mr. Chairman: Are there any further comments on the amendment?

You have heard the amendment. Shall the amendment carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Amendment stacked.

Mr. Ashe: Just eight more times.

Sections 31 to 44, inclusive, agreed to.

On section 45:

Mr. Chairman: Mr. Swart moves that section 9(2) of the Regional Municipality of Waterloo Act 1972 as set out in section 45(1) of the bill be amended by striking out the words "or any other person" in line four and inserting after the word "council" in line five the words "provided he continues to be a member of the council," so the subsection shall read:

"(2) At the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council to hold office for the term of the council, provided he continues to be a member of the council and until a successor is appointed or elected in accordance with this act, and at such meeting the clerk shall preside until the chairman is elected."

Mr. Swart: This is the same principle as the previous amendment. Although comments were made facetiously by the member for Ottawa East to hide his true views about electing a chairman—

Mr. Laughren: I think he tried to be serious.

Mr. Swart: —the facts are that I consulted at great length with the legislative counsel and so on with regard to this. If he levels criticism at the wording of this, it is criticism against the legislative counsel, his own colleagues in law.

Mr. Epp: I rise to speak on this but just for a short period. I must say that since I come from this area, I want to say a word or two.

It is interesting to note the member for Welland-Thorold quotes the member for Ottawa East very respectfully. It was the suggestion the member for Ottawa East made the other day that prompted the member for Welland-Thorold all of a sudden to bring in some amendments which he earlier indicated were out of order.

Mr. Roy: That's right.

Mr. Epp: Nevertheless, as everyone knows, there is a study going on in the Region of Waterloo under Mr. William Palmer. A number of amendments regarding the region will be coming in within the next six months or a year when Mr. Palmer has completed his study—

Mr. Swart: How do you know?

Mr. Epp: —it would be somewhat premature to prejudice what those recommenda-

tions would be. At that time, when the report is made and when the government brings in legislation for the regional municipality of Waterloo, this party will be bringing in an amendment, as we indicated two weeks ago—

Mr. Swart: It will be like Northumberland or Niagara—no amendments.

Mr. Epp: When these studies are completed and major amendments are made, then is the time to bring in the changes to the act.

Mr. M. Davidson: Once again I have to take exception to what the member for Waterloo North has said. Being one of the members who comes from the regional municipality of Waterloo, I think it is absolutely essential that the kind of amendment that has been placed before us this evening not only be given due consideration, but also be passed by this Legislative Assembly.

The reason I say that is that like the member for Waterloo North, I am well aware of the problems that exist in the region of Waterloo. He has expounded probably the same type of philosophy that I have, based on regionalism in the area. I find it rather interesting that when he was the mayor of the municipality of Waterloo—

Mr. Roy: And a good one too.

Mr. Bradley: And a good mayor he was.

Mr. M. Davidson: —he took very strong positions regarding regional government in his area. He has done so, not only when he was the mayor of Waterloo city, but as the Liberal critic for municipal affairs in leading his little travelling circus around the province, dealing with the problems of regional government.

Mr. Epp: You want to read the report from our caucus on local and regional government.

Mr. M. Davidson: Again I can only say that the speeches he made or the comments he made in going around and visiting the municipalities within his own region in order, I suspect, to get favourable press on his behalf, were such that what he is suggesting here tonight are totally contrary to what he has expressed publicly in the area.

Mr. Mancini: That's not true.

Mr. M. Davidson: He may very well stand up here tonight and say that this is not the proper time or the proper place to place these types of amendments. He can use the excuse, if he chooses to do so, that there is a hearing or a review of government taking place in the Waterloo region.

Mr. Epp: That's not an excuse.

Mr. M. Davidson: That's probably quite true; there is, in fact, a review taking place.

Again, if one looks at the comments the member for Waterloo North has made regarding the reviews that took place in other regions, and what in all likelihood will develop out of the review taking place in the Waterloo region—

Mr. Bradley: You should never prejudice.

Mr. M. Davidson: —then I think he is, as the member for Hamilton Mountain (Mr. Charlton) suggested earlier today, posturing very, very definitely. He is, in fact, playing the political game.

Mr. Bradley: As one who is a master at it.

Mr. M. Davidson: He is not, in fact, looking upon the region he represents in the sense he has advocated so strongly in the past. It's unfortunate, because when he was the mayor he was a very consistent kind of a person, but the inconsistency that is expressed by the statement this gentleman is making today is beyond my comprehension.

Mr. Bradley: A lot of things are.

Mr. M. Davidson: I can only suggest, as perhaps the one member of the Waterloo region who is interested in seeing justice done, that this Legislative Assembly accept the recommendation placed before it. Vote for the amendment being moved by the member for Welland-Thorold. I say that as a member sitting in the region of Waterloo. I do that based on a decision made by the council of Cambridge requesting the chairman of the regional government be, in fact, either elected at large or elected from among those who are elected to represent the populace.

Mr. Mackenzie: That's clear, consistent, common sense.

Mr. Deputy Chairman: Are there any further speakers to this amendment?

Mr. M. N. Davison: The member for Kitchener would like to speak.

Mr. Deputy Chairman: Those in favour of Mr. Swart's amendment on section 45 please say "aye."

Those opposed please say "nay."

In my opinion the "nays" have it.

Amendment stacked.

Mr. Deputy Chairman: Are there any members wishing to discuss any section up to section 58?

The member for Nickel Belt. What section?

Mr. Laughren: On section 58.

Mr. Deputy Chairman: I said anything up to section 58.

Mr. Laughren: I'm sorry.

Sections 46 to 57, inclusive, agreed to.

On section 58:

Mr. Deputy Chairman: Mr. Laughren moves that subsection 2 of section 9 of the Regional Municipality of Sudbury Act, 1972, as set out in section 58, subsection 1 of the bill be amended by striking out the words, "or any other person" in line four and inserting after the word "council" in line five, the words "provided he continues to be a member of the council" so the subsection shall read:

"(2) At the first meeting of the regional council after a regular election at which a quorum is present the regional council should organize as a council and elect as chairman one of the members of the regional council to hold office for the term of the council provided he continues to be a member of the council and until a successor is appointed or elected in accordance with this Act and at such meeting the clerk shall preside until the chairman is elected."

The member for Nickel Belt will speak to his amendment.

Mr. Laughren: Mr. Chairman, I believe when we talk about the election of the chairman there are two basic levels at which the debate can occur. One is whether or not the chairman should be elected by the council from among its members or, as the government presently wishes, from within the members or outside the members of council; or, secondly, whether or not the election should take place at large by the electorate within the regional municipality. I've always viewed the position we put forward as being a compromise position in that it does not insist upon the election of the chairman at large by the electorate but rather allows the regional council to select that chairman as long as it's from within the council.

I thought that the comments of my colleague from Cambridge were appropriate in that the council of the municipality of Cambridge itself agreed that it should be an elected position, not an appointed one.

This afternoon I had a short conversation with the chairman of the regional municipality of Sudbury in which he indicated that he himself would be in favour of being elected as long as the election was not from within a particular ward, because in that case there could very well be a conflict of priorities for that regional chairman.

But I will tell you something, Mr. Chairman: In Sudbury we have had an unique experience. We have had the experience in Sudbury of a former deputy minister of this

government, Mr. Collins, who is the chief executive officer of Cambridge right now—

Mr. Bradley: Doing a good job there, is he?

Mr. Laughren:—I will comment on that in a moment. He was appointed the first chairman of the regional municipality of Sudbury. Mr. Collins rode into Sudbury on a charger and rode out the same way, but in the meantime he still thought that he was a deputy minister, wheeling and dealing with the same kind of powers. It reached a point where it looked as though the regional chairman was going to be in some difficulty holding his job. At that point, the scrambling became unseemly. I want to tell you, Mr. Chairman, it is not something that a regional chairman should be put through. It also happened with the election of the second chairman, the late Mr. Fabbro. When it appeared that he was going to have difficulty in getting the position, his scrambling became unseemly as well. That is something that can be avoided through the election of the local chairman.

There needs to be an understanding that when you have a regional municipality, you have area municipalities that make up that region; and those area municipality politicians are not always going to have the regional or world view that we would wish they would have. The Hamilton Spectator had a very perceptive editorial not too long ago in which they stated that what was required in regional government now were politicians with a broader view. I thought it was a well-put editorial on the part of the Spectator, because we still have local politics being practised at the regional level, and somehow we have to get beyond that. One way to get beyond that is to have the regional chairman elected in a more democratic fashion. We are not going to get away from the small local politics until we can achieve that at the regional level. The best way to achieve that is through the election of the chairman on a broader basis, and that simply is not happening.

I am confused by the Liberal position as well. They say: "Yes, we think there should be an election of chairmen, but not now. There will be a day in the future when that would be more appropriate." I heard the member for Ottawa East say: "Don't worry, the government will bring in a bill that we can deal with and make an amendment at the appropriate time." How the member for Ottawa East can put trust in the government to do anything, given what they did to his

bill on language rights, is completely beyond me, and I think he should reassess his position.

I think the members of the Liberal Party are perhaps influenced by the historical fact that appointments to the Senate are traditionally done by a Liberal government, unfortunately, in this country and perhaps they think that has served this country well. I think those kinds of appointments seldom serve this country well, just as appointments of regional chairman—

Mr. Bradley: Like Hazen Argue?

Mr. Laughren: Yes, including Hazen Argue; that has not served this country well. I have no hesitation in saying that whatsoever. I want to tell my friend that appointments seldom serve the electorate well; and that is true whether you are talking about the Senate or whether you are talking about regional chairmen.

Mr. Bradley: What about Rheal Belisle?

Mr. Laughren: Mr. Chairman, it is time we in this chamber put some faith in the electorate to elect at the regional level in the same way we put such faith in them to elect at the provincial level.

[9:00]

Mr. Germa: Mr. Chairman, part of the bill deals with the regional municipality of Sudbury, which was instituted in 1972. At that time, in order to get regional government off the ground, we did agree with the original concept of the government that the first regional chairman should be an appointed person—

Mr. Bradley: And now you have changed your mind.

Mr. Germa: —because then they could select someone who in their mind had the necessary skill and wisdom to float this new concept in the regional municipality of Sudbury. But experience has taught us that the government made a horrible mistake in their selection and their appointment, in that instead of taking a political animal they took a functionary and put him in the role of a political person. These two people just do not think alike. Their minds never come to the same conclusion by the same tortuous route.

We, in the political field, are always feeling the pressure of the electorate and we are guided by that consciousness. The functionary or the technocrat, which is what results when you have an appointment, is a different kind of a bird altogether and consequently he gets himself into a lot of trouble.

Mr. Nixon: Are you talking about Don Collins?

Mr. Germa: Which is what happened to Mr. Don Collins, who happened to be the chairman of the regional municipality for something like three years—

Mr. Nixon: Fine fellow.

Mr. Germa: —at which time he took his power a little bit too seriously and he fired the regional administrator—

Mr. Nixon: This is an unbelievable story. Now let's get it all.

Mr. M. Davidson: We have him in Cambridge now.

Mr. Germa: —who he didn't realize was appointed by the same cabinet who appointed him.

Mr. McClellan: What a silly fellow.

Mr. Germa: So consequently he had no power whatsoever, except for his inflated ego that he was Mr. Big at 40,000 bucks a year in the city of Sudbury.

Mr. Nixon: He is doing better than that now in Galt.

Mr. Germa: When the regional administrator refused to have himself fired he got up publicly and said, "I will be back at work Monday morning even if the chairman did fire me."

Mr. Nixon: My God, he was.

Mr. Germa: And my God, he was and he's still there. He's still there. Even today he's still there and Mr. Regional Chairman is now gone and I think he's down in Cambridge.

Mr. Breaugh: Galt.

Mr. Germa: Galt, or some place down there, but he's back in a post for which the man is trained. He is a functionary and a technocrat and what we want in the regional chairman's post is a political person.

We are not really debating whether the regional chairman is appointed or not; what we are talking about is do we have any faith in the democratic system? Do we have faith in the electorate? We in Sudbury certainly have faith in the electorate. I think Sudbury is probably the cradle of democracy, otherwise you wouldn't have three NDP members coming out of that area.

Mr. Bradley: Somebody put a curse on the city.

Mr. Nixon: I hear Don is going to run against you in the next election.

Mr. Germa: Because it is a cradle of democracy we have been able to overcome all of those built-in institutions which have been plaguing Ontario for some 35 years where money buys seats and all the rig-

marole that goes into electing a lot of these members in various ridings—if they spend 40,000 or 50,000 bucks they can guarantee that they are going to be elected. All of that has gone in Sudbury because the people in Sudbury believe in the democratic process. Otherwise, they wouldn't send a person such as myself here to the Legislature. It must be democracy in action.

Mr. Stong: Humble and unassuming as you are.

Mr. Germa: So you cannot compare Sudbury with the rest of the province.

Another thing, Mr. Chairman; there are three members in this caucus who came from the regional municipality of Sudbury. My friend Laughren from Nickel Belt, who has just spoken, supports the concept of an elected chairman.

Mr. Bradley: Where is Gaston Demers?

Mr. Germa: I, from the city of Sudbury, support the concept of an elected chairman and if I can talk my friend Martel from Sudbury East into standing up and speaking, he will also tell you he supports the concept of elected chairmen—

Mr. Martel: I am going to.

Mr. Germa:—so you have a unanimous view and a unanimous opinion from the members in this Legislature who represent together the whole regional municipality of Sudbury. There is no other opinion. There is no other voice coming out of Sudbury, so what more do you want, Mr. Chairman? When an opinion is unanimous, how can you fly in the face of a unanimous opinion?

Interjections.

Mr. Bradley: Where is Elmer when we need him?

Mr. Germa: Only a majority government would dare do that. So this amendment to that degree then is different to the other four or five amendments which the Liberal flip-flopers have managed to laugh off.

Mr. Swart: No blackmail on this one, no blackmail.

Mr. Germa: I have been told that the Liberals are waiting for a study being done in one of the regions to determine if they believe in democracy.

Mr. Nixon: That's the way we do business; we get the facts and then we act.

Mr. Germa: Well surely if these gentlemen and that lady are sitting here, they must believe in the democratic process, why do they need a study to make them believe that they think democracy is here to stay

or that it is a viable way to govern ourselves? I think it is not necessary to wait for any further studies, we should reject what I term a managed democracy. This is what appointments are, they are a way to get around the opinion of the electorate.

I feel very strongly about this, in that there is no dissenting voice from the regional municipality of Sudbury to this proposition and I would consequently believe that it will carry unanimously.

Mr. Martel: If I might, I want to take the Liberals back a little historically.

Mr. Swart: No, don't, they're far enough back now.

Mr. Martel: A number of years ago—it's intriguing, I think it was the Hamilton bill where Liberals moved a motion—

Mr. Bradley: All in good time.

Mr. Martel: Historically speaking we are going back, my friend. I believe on that occasion they moved that the chairman must be elected.

Mr. Nixon: Oh, your mother is going to read this Hansard with a lot of pleasure.

Mr. Martel: Well I suggest to my Liberal friend—

Mr. Deputy Chairman: Order. Could I point out to the member for Brant-Oxford-Norfolk that if he wishes to heckle he must be in his own seat.

Mr. Martel: I hope he gets there, because I believe he was still leader and I think he put the motion that night.

Mr. Nixon: Darned good motion, too. I wish you had voted for it.

Mr. Bradley: Is that the party that voted for regional government in Niagara?

Mr. Roy: You are supposed to address the chair, not me.

Mr. Martel: Albert, you are so attractive. It's the hairdo, it gets to me.

I want my Liberal friends who are trying to drown it out to recall that they moved, in those days when we couldn't carry a vote—the Tories had too many bodies, they used to sit on this side of the House; remember the good old days? We couldn't carry a vote—

Mr. Bradley: Not much of an improvement now.

Mr. Martel:—and they moved a motion that the regional chairman had to be elected. Here they are tonight, after all the prattling of a couple of weeks ago about how you had to be elected to represent the people and to be accountable—

Mr. Nixon: What you are doing is all out of order.

Mr. Deputy Chairman: Order.

Mr. Martel: And now there is a motion—

Mr. Gaunt: Elie, I am going to read about Billy Graham. Is that all right?

Mr. Martel: Well you go ahead. Now you have an opportunity to exercise a vote which in fact would see a regional chairman elected and they are going to flip-flop again.

Mr. M. N. Davison: Surprise, surprise.

Mr. Bradley: Was that back when you supported regional government.

Mr. Deputy Chairman: Order.

Mr. Martel: Yes, we supported regional government because it's time you fellows came into the 19th century at least; not the 20th, I wouldn't expect too much from you all at once, but you might try worming your way into the 19th century. But when you can flip-flop again—

Mr. Bradley: Now you're against regional government.

Mr. Martel: —having moved the motion yourselves—and history will prove I'm correct if you just take the time to look back—

Mr. Roy: History is going to be hard on you and your antics in the House here; history will not be kind.

Mr. Martel: You will find out that on that occasion, to the man, on a divided vote, the Liberals moved and voted to have chairmen elected. Not two weeks ago one Liberal after another, to the tune of about seven of them, demanded—

Mr. Roy: And one NDP member after another rose to say we were out of order.

Mr. Nixon: Seven isn't very many.

Mr. Martel: —as per usual that the chairman must be elected. Now we have the motion and what do they do? They crawl back into the woodwork.

Mr. Laughren: Under a rock.

Mr. Martel: Like everything else, they want to be firmly straddling both sides of the fence at the same time, to come down on both sides. How can you be wrong when you do that?

Mr. Bradley: Which side are you on about regional government now? Have you changed your mind on regional government?

Mr. Martel: Then when you go across Ontario you can say to the folks out there: "We wanted it but we couldn't get it." It happens on issue after issue, whether it's the firing of Jackson a couple of weeks ago where

the leader of the Liberal Party wanted him fired but those who had the right voted to maintain that he not be fired. What a lovely way to have it! Its the same issue after issue. Why don't you stop having the spine of an eaten banana on the spine of a banana peel?

Mr. Roy: Do you want a rotten banana?

Mr. Martel: Develop a little more of that stuff called intestinal fortitude. Don't listen to my friend from York Centre (Mr. Stong) who says, "I've got to have this bill or that bill because I need more representation. I won't be blackmailed." Then he gets up in his place and votes like the proverbial banana—a limp, weak-kneed, jellyfish eel. It's like Joe Clark. You shake hands with him and it's like shaking hands with a Caspar Milquetoast.

Hon. Mr. Maeck: You've never shaken hands with him.

Mr. Nixon: A vicious attack against the federal Conservative leader.

Mr. Ashe: He wouldn't shake hands with you anyway.

Mr. Martel: I want to remind you that we had a regional chairman appointed at one time. He was a lovely fellow. I understand he's down in Cambridge playing havoc now with what's going on in Cambridge. He's running for the Tories? Or the Liberals?

Mr. Laughren: It doesn't matter.

Mr. Martel: It doesn't matter much; either one, it's the same difference.

We had a regional chairman who was totally irresponsible. What he did would just boggle the mind. I recall the night he decided he was going to quit. For the first time in three and a half years—

Mr. Nixon: Why don't you start the story of Don Collins back further?

Mr. Martel: —he called my colleague from Sudbury and he called my friend from Nickel Belt and he called me.

Mr. Bradley: Three mistakes.

Mr. Martel: It was the first time he knew I was up there for three and a half years. He didn't even realize I was around.

Mr. Nixon: Any port in a storm. A drowning man grasps at straws.

Mr. Martel: He didn't need our support except when the crunch came. When the crunch came he wanted us to go to the Duke of Kent and see if the Duke of Kent could get some of us to prop him up. Needless to say, he's now in Cambridge and obviously none of us took the occasion to prop him up. During his first three and a half years he totally ignored the local provincial members.

What he did internally with that regional council was something to behold.

Mr. Nixon: What is this, a filibuster?

Mr. Martel: It is. You've got it figured out.

Mr. Nixon: You're afraid of the vote.

Mr. Martel: No, I know you're going to go. What he did with that regional council was something to behold, as he manipulated, wheeled and dealed and played off one group against the other because he wasn't forced to meet an electorate.

Mr. Nixon: What about his car?

Mr. Martel: He was appointed by the Tory party. In fact, he's the only guy who tried to fire the administrator, as I know, and the administrator was also appointed by the government.

Mr. Nixon: We haven't had the story about the automobile.

Mr. Martel: I don't want to talk about that.

Mr. Nixon: Are you winding up?

Mr. Martel: No, the member for Brant-Oxford-Norfolk is winding up. He's getting in on it.

Mr. Nixon: No way.

Mr. Martel: He's going to wind up. It's just unacceptable what regional chairmen can do when they aren't responsible to anyone except maybe 20 people. Even then if they can wheel and deal as he did, he's only accountable to about 11, as he plays the game. I suggest that that's really unsatisfactory. I'd urge my friends to screw up the courage they demonstrated a number of years ago and vote the way they did a couple of years ago.

Mr. Bradley: In due course.

Mr. Martel: It shouldn't be too hard for you to change. You're noted for it. I didn't want to push it too far.

Mr. Nixon: Be careful. You are trying to convince us.

Mr. Martel: I really am because I have had the experience of that type of regional chairman, as opposed to the way it now works in Sudbury, or did in the election.

Mr. Eakins: There is a good chairman in Sudbury.

Mr. Martel: Yes. I was with him this afternoon again. He ran in a ward and ultimately was chosen by his colleagues to be the regional chairman. There is a problem if you do it that way, because his seat was then filled by a vote, but there has to be a seat left for him to run, after two years. That's why my colleague has moved the type of amendment we've moved, because somewhere

regional chairmen have to be accountable to some electorate. Surely, the Liberals having preached it for years, should be prepared to back what they've been preaching.

Mr. Roy: We will, we will.

Mr. Martel: They run around the province with their little shotgun—

Mr. Gregory: We are going to support your amendment.

Mr. Martel: Bud, really. You won't get any committees tomorrow, Bud. If you think you've got troubles now getting meetings this summer, after that comment you don't know what you're in for tomorrow.

Mr. Deputy Chairman: Will the member for Sudbury stick to the bill that's before us, and just ignore the interjections?

Mr. Martel: The member for Mississauga East provoked me to make that comment, and he will suffer because of it.

Mr. Eakins: Quit talking. You are interrupting the gallery.

Mr. Martel: It seems to me that the Liberals, having demonstrated what they want, should not continue to go around the province attacking regional government the way they do. When they've got an opportunity to change it, they come in here and vote in a way which retains the status quo.

You really want it both ways. You want to flail away out there and say, "Look, those guys wanted regional government." When you're in a position to make some very comprehensive changes, what do you do? You crawl back into your hole.

Mr. Bradley: We will be in that position, we will be in that position.

Mr. Martel: In what position?

Mr. Bradley: To make those changes.

Mr. Deputy Chairman: Order.

Mr. Martel: You are in that position.

Mr. Deputy Chairman: I would ask the member for Sudbury to ignore the interjections.

Mr. Martel: You are in that position and you refuse to take the opportunity to make the changes which are possible now. So we have to continue to suffer with the likes of—what's that fellow's name in Toronto? The big Kahuna?

Mr. Nixon: Is that the member from down Oshawa way?

Mr. Stong: Godfrey.

Mr. Martel: Godfrey. I have difficulty remembering him because he does so many things that are so impressive. He tried to

bring baseball to Toronto but beyond that his contribution is nil. If he had to answer to an electorate he'd have to do a lot more than wheel and deal in the back room.

Mr. Ashe: He was in here last year. He won't have that problem for many years.

Mr. Martel: He'd have to do more than wheel and deal in the back room and pay homage to the Premier (Mr. Davis) in order to be retained.

An hon. member: That's one way of putting it.

Mr. Martel: He what?

Mr. Deputy Chairman: I would ask the member to ignore the interjections and please speak to the bill.

Mr. Martel: I'm having difficulty, Mr. Chairman, because so many of them would like to get rid of people like Paul Godfrey, but the Premier has told them not to. My friends, who could assist us to get rid of people like that, refuse to take the bull by the horns. The member for Brant-Oxford-Norfolk knows what that means, to take the bull by the horns and in fact make the necessary change to at least make that post democratic and not some type of—I'm not sure if "puppet" is the right word—or little minor dictator who wheels and deals from the back room.

Mr. Stong: This is really overkill, you know.

Mr. Martel: Call it what you want, but I went through Hansard of a couple of weeks ago, and there was a filibuster from you fellows on how you didn't want an appointed regional chairman. Surely to God, tonight you should be prepared to get rid of them, at least in the Sudbury bill, because that way you can't say, as my friend from York would want to do, "I'm being blackmailed." You're not going to be blackmailed if you support us on the Sudbury bill, because we already have this system working in Sudbury and it's most progressive. I would urge you to join the battle—don't worry about the blackmail that you've maintained to me all along for Metro Toronto—so that you can have the type of representation you want in the numbers game. In Sudbury we're not worried about that. You just join with us on this vote—

Mr. Stong: Representation by populace?

Mr. Martel: No, we wanted representation by a number of the people who obviously should get to where they are in the same fashion we do, and that's by going to the electorate. Not like Dick Dow of Copper

Cliff who went through 14 elections without ever being elected, because Inco ordained that he would be the mayor of Copper Cliff; or like Len Turner at Lively who was mayor by design of Inco, but in fact people who have to go to the public.

Mr. Nixon: Whatever happened to Gaston Demers?

Mr. Martel: Who?

Mr. Bradley: Gaston—good man.

Mr. Martel: I'm not sure. We were delighted to defeat him.

Mr. Nixon: He was a good member.

Mr. Roy: Have you ever heard the story about the regional chairman—

Mr. Deputy Chairman: Order.

Mr. Martel: I don't know it.

Mr. Nixon: Tell us the story.

Mr. Germa: The Buick station wagon?

Mr. Bradley: Mike Solski—there's a good man.

Mr. Chairman: Order. Order, please. Could I ask the member of the Liberal caucus to refrain from interjecting and allow the member for Sudbury East to complete his remarks?

Mr. Martel: Mr. Chairman, they are having great difficulty, because they know the way they should vote. As I informed my friend from York Centre, who was afraid that a vote for what he really believed meant that he would be blackmailed, this would not apply in this bill.

Mr. Stong: I didn't say that.

Mr. Martel: Oh yes, you did.

Mr. Chairman: Order.

Mr. Martel: As I said earlier, screw up your courage, boys—

Mr. Nixon: I've got a better suggestion than that.

Mr. Martel: —come along and let's make regional chairmen elective in the way the rest of us who stand in this Legislature are—answerable to someone other than the Premier or a couple of people on a council.

Mr. Deputy Chairman: Those in favour of Mr. Laughren's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

Amendment stacked.

Sections 59 to 62, inclusive, agreed to.

On section 63:

Mr. Deputy Chairman: Mr. Ashe moves that section 33(2) of the Regional Municipality of Sudbury Act, 1972, as set out in section

63 of the bill, be struck out and the following inserted in lieu thereof:

"(2) The regional council shall be the planning board of the Sudbury planning area, and where the regional council meets in respect of matters pertaining to the Planning Act, no separate meeting of the council as a planning board is required."

Mr. Ashe: Mr. Chairman, this is just further expansion or clarification, if you will, of the section that is in the bill at present and really does not change it in any way.

Motion agreed to.

Section 63, as amended, agreed to.

Sections 64 through 67, inclusive, agreed to.

On section 68:

Mr. Deputy Chairman: Mr. Swart moves that section 9(2) of the Regional Municipality of Peel Act, 1973, as set out in section 68(1) of the bill, be amended by striking out the words "or any other person" in line four and inserting after the word "council" in line five the words "provided he continues to be a member of the council" so that the subsection shall read:

"(2) At the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council to hold office for the term of the council provided he continues to be a member of the council and until his successor is appointed or elected in accordance with this act, and at such meeting the clerk shall preside until the chairman is elected."

Mr. Swart: Mr. Chairman, I just support this with all of the arguments that have been put forward by so many of my colleagues around me and say that all of them apply to this, perhaps with the exception that all of the members from this area may not represent this particular party with which I am proud to be affiliated.

Some hon. members: None do.

Mr. Swart: To more than make up for this, I would point out that the overwhelming reason why this should be supported is that no kingdom can support two monarchs. When we have King Billy in the area already, I think it is a bit much to have another anointed person as chairman of the regional council. Therefore, in addition to all of the other reasons, I think that substantiates this amendment we have before us.

Mr. Gregory: Mr. Chairman, I could listen to them rant and rave over on that side of the House for hours tonight, but they are

getting into an area that's getting very close to home.

Mr. McClellan: Why are you so opposed to democracy?

Mr. Gregory: I respectfully submit that the member for Welland-Thorold really doesn't know what he's talking about in regard to this particular region.

Mr. Nixon: That classic Tory phrase.

Mr. Gregory: He has been saying the same thing all night and he really doesn't know what he's talking about. I would support free elections for most elected offices, although when you are talking about chairmen of regions I think it more important that the proper man for the job be selected.

Mr. Laughren: Will you stop filibustering?

Mr. Swart: If you don't think the people should decide, start appointing Premiers.

Mr. Nixon: Hazel might be asked.

Mr. Gregory: That's right. She might get a chance some day.

Mr. Nixon: Maybe they can switch Hazel McCallian back to their ways.

Mr. Gregory: She has a habit of doing that. More so when she was a Liberal than when she was a Conservative. I have to say that.

Mr. Nixon: A very broadminded and competent public servant.

Mr. Gregory: You can have her. As a matter of fact, she is yours if you want her.

I think in the region of Peel we have had a unique experience from the belly-aching I have heard around here from the different regions. Peel region certainly has been a model of efficiency. I think to a great degree that efficiency is because of the chairman, whom I regard as a friend as well as a very competent chairman. Granted, he was appointed by the province initially when the region became a region, back in 1974.

Mr. Nixon: That's his politics.

Mr. Gregory: Since that time, he has been re-elected by the members of council, by his peers, representing the entire region of Peel, Mississauga, Brampton and Caledon, with only one dissenting vote.

I think Bob just mentioned that dissenting vote. I think there was a reason for that. It certainly wasn't through lack of confidence on the part of the chairman of the region.

Mr. Swart: We trust the voters to do it.

Mr. Gregory: I don't know what the reason was for it, Bob. I haven't yet been told. At any rate, what we have is a very exceptional, and a very efficient chairman. I think the people of Peel back up that particular opinion.

Mr. Swart: Why don't you give them a chance to prove it?

Mr. Gregory: I think the member for Welland-Thorold, when he says he doesn't think they have a member there—you are darned right you don't. You would have to go a long way in Peel to find an NDP member. That shows satisfaction on the part of the people, the voters. They know we are doing the right thing because we have a very efficiently run region.

Mr. Foulds: We have a lot of members there.

Mr. Swart: Mississauga?

Mr. di Santo: Developers.

Mr. Foulds: Have a look behind you. They are closing in.

Mr. Gregory: Eduardo, you don't know what a region is, for heaven's sake. Perhaps some of the reasons you are talking about, and perhaps some of the dissatisfaction you are finding, is because of the hammering you people are doing. You won't let a chairman do a proper job. You won't give him a chance because you are yammering away like you have been doing tonight saying the same amendment about seven times. It is just nonsense.

An hon. member: That's called democracy.

An hon. member: A waste of time.

Mr. Gregory: If you are not happy with the situation in your area, why don't you leave us in Peel alone? We are happy. It is running very efficiently. It is a very efficient, progressive region, Mr. member from Welland-Thorold, which I can't expect you to know anything about.

An hon. member: Democracy is balderdash.

Mr. Gregory: You are certainly proving tonight that you don't, frankly, know what you are talking about.

Mr. Deputy Chairman: All those in favour of Mr. Swart's amendment will please say "aye."

All those opposed please say "nay."

In my opinion, the nays have it.

Amendment stacked.

Sections 69 to 79, inclusive, agreed to.

On section 80:

Mr. Swart: Yes, we are going to do this again.

Mr. Nixon: You said it was out of order.

Mr. Swart: Yes, but the Speaker ruled that it was in order and, Mr. Chairman, I accept the ruling of the Speaker.

Mr. Deputy Chairman: Mr. Swart moves that section 9(2) of the Regional Municipality of Halton Act, 1973, as set out in section 80(1) of the bill be amended by striking out the words "or any other person" in line four and inserting after the word "council" in line five the words "provided he continues to be a member of the council" so that the subsection shall read:

"(2) at the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as a chairman one of the members of the regional council to hold office for the term of the council provided he continues to be a member of the council and until a successor is appointed or elected in accordance with this act, and at such meeting the clerk shall preside until a chairman is elected."

[9:30]

Mr. Swart: This follows on the rest. In spite of the comments of the member for Mississauga East, it is my opinion and the opinion of this party that every region in Ontario should have the right of determination by election by the public of the regional chairman. We intend to see that every regional municipality act is amended here tonight—or at least, that the opportunity is presented to amend it—so the people have that right.

Mr. Deputy Chairman: Are there any other speakers to this amendment?

Those in favour of the amendment will please say "aye."

Those opposed will please say "nay."

In my opinion, the nays have it.

Amendment stacked.

Sections 81 to 93, inclusive, agreed to.

On section 94:

Mr. Deputy Chairman: Mr. Charlton moves that section 9(2) of the Regional Municipality of Hamilton-Wentworth Act, 1973, as set out in section 94(1) of the bill, be amended by striking out the words, "or any other person" in lines four and five and inserting after the word "council" in line five the words "provided he continues to be a member of the council" so that the subsection shall read:

"(2) At the first meeting of the regional council after the regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council to hold office for the chairman of the council provided he continues to be a member of the council and until his successor is appointed or elected in accordance with this act, and

at such meeting the clerk shall preside until the chairman is elected."

Mr. Charlton: Thank you, Mr. Chairman. I should follow up on comments that were made by my colleague from Sudbury and make it very clear to some of the members opposite that in the case of the regional municipality of Hamilton-Wentworth you have to go considerably far outside the region to find a member of the government party.

Mr. Ashe: You won't find all NDPers there.

Mr. Charlton: We should point out to the members of the Liberal Party that of the six seats in the regional municipality of Hamilton-Wentworth, four are held in this caucus and two are held in the Liberal caucus.

Mr. Sterling: What does that prove?

Mr. Charlton: And four of the members here present tonight in this caucus are prepared to vote for this amendment. Unfortunately, two members of the Liberal caucus support the amendment in principle but don't appear to be ready to support it in the vote.

The regional council in the regional municipality of Hamilton-Wentworth supports an elected chairman. The city of Hamilton supports an elected chairman. As a matter of fact, the present appointed chairman of the region publicly supported on a number of occasions the concept of an elected chairman of the council of the regional municipality of Hamilton-Wentworth.

Mr. Bradley: What did John Smith think of it?

Mr. Charlton: It seems to me that in the case of Hamilton-Wentworth the members of this Legislature who represent the region and the local politicians in the region all support the concept.

Mr. Gregory: They also support single-tier government.

Mr. Charlton: So we should say, as my colleague from Sudbury said in the case of Sudbury, that the majority wish is already known in the case of Hamilton-Wentworth. We don't need any further study to determine that in the case of the regional municipality of Hamilton-Wentworth that we desire democracy to be the norm and not the expected hope for the future.

On that basis I would ask my two colleagues in the Liberal caucus who represent ridings in the regional municipality of Hamilton-Wentworth to reconsider their position and to talk to their colleagues in their

own caucus about reconsidering their position on this particular amendment.

Mr. Mackenzie: Mr. Chairman, I also rise to support the amendment. I'll be very brief about it, but I find it a little bit difficult to understand the position, when it comes to Hamilton-Wentworth, of either the government or the members on my right. I mean that in every respect. Even the mayor—my colleague listed those who supported—even that ultra-Tory mayor, Jack MacDonald in Hamilton, believes that the chairman of the region should be elected and not appointed and has said so publicly within the last few days.

I would like also to mention that apart from the two members for Hamilton, if they have the guts to appear and vote on this bill in the Liberal caucus, that some of them who know of the fight that a long-time and well-respected mayor, who certainly was not of my party, and I am talking of Victor Copps of the city of Hamilton, also would never stand for the appointment of a regional chairman, somebody that was not elected and was not part of that council. I just cannot, for the life of me, understand the position of the members of the Liberal caucus on this particular bill.

Mr. Chairman, I would hope that sanity will return and common sense will prevail and they will support this amendment.

Mr. M. N. Davison: This amendment put forward by my colleague from Hamilton Mountain is really quite a great and novel idea, indeed almost revolutionary, that we should have some kind of democracy at that level in Hamilton-Wentworth. If I didn't know better I would wonder that the idea had not been suggested or put earlier since regional government has been the fact in Hamilton-Wentworth for the past four years.

As a matter of fact, someone indeed has suggested it before. Our party, and the members of our party from Hamilton-Wentworth have suggested it. Indeed, as we heard pointed out by our colleague from Sudbury East (Mr. Martel) only some few moments ago in the debate on the Sudbury portion of this bill, the Liberal Party, in the pre-minority government days, moved a motion that would have required what this motion requires, that the chairman of the regional municipality be elected and therefore be accountable to the people of the region.

We are not asking that the Liberal Party reconsider at this late date.

Mr. di Santo: Just to be consistent.

Mr. M. N. Davison: All that we are asking, really, is that they maintain their policy,

that they be consistent. Is that too much to ask for a band of 33 men and one woman who masquerade as a political party?

Mr. Bradley: We'll let you support us in due course.

Mr. Epp: Why don't you support your own colleague from Welland-Thorold?

Mr. M. N. Davison: I should think not, I should think that a political party could find it possible to be consistent. I don't think that is too much to ask. But in the absence of the member for Hamilton West, and the understandable absence of the member for Wentworth North—

Mr. Bradley: Yes, he is not here.

Mr. M. N. Davison: —I would ask that these members, this collection, this troop to my right—

Mr. Bradley: No leadership hopefuls here tonight at all.

Mr. M. N. Davison: —should consider the position that they have placed poor Stuart and Eric in. How do you expect the member for Wentworth North and the member for Hamilton West on one of their occasional visits to Hamilton to explain what you have done? I mean, every once in a while, every month or so, they have to go back to Hamilton and visit their constituencies and how on earth are they going to explain your position to the people.

Mr. Ruston: Fourteen votes, Mike; you've got to watch it, 14 votes.

Mr. Cassidy: It'll be 14,000 next time.

Mr. M. N. Davison: Actually, you know, if it had not been for the fact that the Liberals had thrown in the towel before we were able to complete the recount, the NDP would have held the seat by at least 18 or 19 votes. So let's be accurate, I mean—

Mr. Bradley: A resounding plurality.

Mr. M. N. Davison: That is about a 25 per cent error you are making, but that is normal.

I would simply ask you, if you cannot do it, if you cannot bring yourselves to support this amendment to bring a little bit of democracy to Hamilton-Wentworth, the least that you could do is support it so that you do not embarrass your colleagues from that area.

Mr. Chairman: All those in favour of Mr. Charlton's amendment will please say "aye." All those opposed will please say "nay."

In my opinion, the nays have it.

Amendment stacked.

Sections 95 to 105, inclusive, agreed to.

On section 106:

Mr. Swart: This is number nine out of a total of 10.

Mr. Chairman: Mr. Swart moves that section 9(2) of the Regional Municipality of Durham Act, 1973, as set out in section 106(1) of the bill, be amended by striking out the words "or any other person" in lines four and five and inserting after the word "council" in line five the words "provided he continues to be a member of the council" so that the subsection shall read:

"(2) At the first meeting of the regional council after a regular election in which a quorum is present, the regional council shall organize as a council and elect as the chairman one of the members of the regional council to hold office for the term of the council provided he continues to be a member of the council and until a successor is appointed or elected in accordance with this act, and at such meeting the clerk shall preside until the chairman is elected."

Mr. Swart: I want to point out in the absence of the member for Oshawa (Mr. Breaugh) that he is in full support of this amendment. He has concurred with the reasons and the arguments put forward by the members in this caucus. I would like to point out too that there's little doubt in my mind that the retreat by the county council of Northumberland and thus the pursuant retreat of the Treasurer of this province (Mr. McKeough) on the restructuring of that county was effected by the fact of the regional municipality in Durham.

I had the opportunity, as the member for Durham West will know, of just attending one meeting in that area. Even at that meeting, the question of the appointment of the regional chairman or, let me put it another way, the habit of regional government of not electing the regional chairman was brought forward, although of course they were assured there that they would have the opportunity to elect the chairman of the restructured council. However, this is one of the concerns of people throughout this province. It is one of the reasons that the public generally is against new regional governments and generally against the regional governments that exist. It is one of the factors because the public does not have the opportunity to elect the chairman of that very important office.

This is in the same position as the other amendments that we have had before you. All of the same arguments apply. We would once again implore the people on our right to put their vote where their mouth is, if

I may use that expression, and join us in passing these amendments.

Mr. Bradley: We will let you support us at the appropriate time.

Mr. Ashe: I can speak on this particular section as a member for Durham and also as the parliamentary assistant involved in this legislation. I should point out that the region of Durham had its fill with one term of three out of four members being represented by the first party. They saw the light fortunately very quickly and reversed that position last year.

Mr. Swart: Boy, are they ever sorry.

An hon. member: They'll kick you out next time too.

Mr. Haggerty: You are for regional government and against it at the same time.

Mr. Foulds: You will return to municipal government pretty soon.

Mr. Ashe: One of the reasons for that was some of the inconsistent philosophy being espoused over and over tonight by many of the members of that third party, including the member for Welland-Thorold.

Mr. Lupusella: You must be joking.

Mr. Ashe: One of the very inconsistent things, which has been talked about before and which I must highlight again—

Mr. Mackenzie: You are consistently against democracy.

[9:45]

Mr. Ashe: —in everybody's speeches from that third party is talking about how important, how active and how full-time the job of regional chairman is. I concur that that's the case, particularly in the regions that are significant in their size. Yet, if you look again at this particular amendment, what it says in theory—and I appreciate that it may not happen in practice, but it can—is that the mayor of Oshawa, for example, could end up being the regional chairman of Durham, or the mayor of Pickering, or the mayor of whatever. To me what this is saying, of course, is that that particular job could not be done effectively on behalf of the constituents who supposedly elected him and at the same time on behalf of the council of which he is supposedly the chairman.

Mr. Haggerty: You can flip that coin all the time—heads or tails?

Mr. Lupusella: It is just for the sake of social democracy.

Mr. Ashe: Let's respect the people by saying it's an important full-time job, not by passing this ludicrous type of amendment

that would be putting a person into two full-time jobs.

Mr. McClellan: What's ludicrous about democracy?

Mr. di Santo: I don't represent the region of Durham but I would like to speak after listening to the member for Durham West. The argument he has put forward is really amazing. I can understand that he is against the election of the chairmen, but the argument he puts forward is really ludicrous, and let me say why. What we are discussing is whether a regional government should function on the democratic basis on which each elective representative body is elected in this country, not whether it is a full-time or part-time job. It doesn't make any difference whether it is a full-time or a part-time job.

Mr. Ashe: It doesn't to you, but it does to the people.

Mr. Martel: Maybe they should talk about the principle.

Mr. di Santo: That's not the principle of the bill, and unfortunately the member for Durham West has made a very poor job of defending his position, which is wrong, and he knows that it is wrong. I can understand that with this amendment the mayor of Oshawa can end up being the chairman of the regional government, but what we are discussing here is whether the people of the Durham region have a right, like the people of Ontario, to have the senior representative on the council elected.

You are saying that democracy can work at the municipal level in the small towns of Ontario. You are saying that democracy can work that way in this Legislature, where the Premier is elected in a constituency and then becomes Premier without relinquishing his responsibilities in his own constituency. You are saying that the Prime Minister of this country can be elected in a given constituency, but not the chairman of the regional government. And do you know why? Because that is part of the political machinery that is attached to your government at this time.

Mr. Lupusella: That's what you want, not democracy.

Mr. Ashe: What? We could give you a lesson on that.

Mr. Martel: Only you do. The fount of all wisdom.

Mr. di Santo: I'd like to ask the member for Durham West what he is afraid of. Is he afraid that the councillors or the aldermen of the regional government won't elect the

right person? Or his he afraid that he won't be able to appoint the people who would be wheeling and dealing for his party in that particular region?

Mr. McClellan: Tory haggler.

Mr. Ashe: You don't even know how it works.

Mr. Martel: Sure we do. Bill Davis whispers in their ear. He lays the hands on; he anoints them.

An hon. member: He gives them a cigar.

Mr. Chairman: Order. The member for Downsview has the floor.

Mr. di Santo: I don't know whether to laugh at or pity the member for Durham West, who was so incapable of making a reasonable argument for defending his position. But I want to talk to the members of the Liberal caucus. They are now in the same position as we are.

Mr. T. P. Reid: Oh, things aren't that bad.

Interjections.

Mr. Martel: You remember how you voted on your motion four years ago to have regional chairmen elected?

Mr. T. P. Reid: I remember that date.

Mr. di Santo: The members of the Liberal caucus may think that things are better for them. In fact, this time they have only one single person in the Metropolitan Toronto area.

An hon. member: What will the archbishop think?

Mr. Nixon: I heard the archbishop say on CBC that he was elected.

Mr. di Santo: The archbishop is with us.

I can tell them that by taking this position they are opposing what has been a widespread opinion expressed in public opinion polls carried in the reports we are sending to our constituents.

Mr. Nixon: We've been hearing about those reports.

Mr. di Santo: I follow very carefully what my constituents say. That is one of the reasons why I went from 68 votes to 4,000 plus and why the Liberal candidate went down by 3,000 votes.

Mr. Nixon: It's because your printing and stationery costs were \$5,645.17.

Mr. T. P. Reid: It's called propaganda.

Hon. Mr. Maeck: He bought all the paper from his own newspaper.

Mr. T. P. Reid: I hope you're recycling that stuff.

Mr. Bradley: At public expense.

Hon. Mr. Maeck: Bob, check his mileage; he lives in Toronto.

Mr. di Santo: Mr. Chairman, let me say that my expenses for stationery—

Mr. Chairman: Order. Would the honourable member please return to the amendment?

Mr. Nixon: Disregard the interjections.

Mr. Martel: Mr. Chairman, would you throw out the member for Brantford-Oxford-Norfolk? If the Speaker were in the chair, he would throw him out.

Mr. di Santo: Mr. Chairman, I was only telling the assembly that my stationery money is well spent.

Mr. Conway: And you still don't have a wife.

Mr. McClellan: He's going to tell them how the Liberals voted on this issue.

Mr. Chairman: Order. Back to the amendment.

Mr. di Santo: Thank you for your patience, Mr. Chairman. I want to conclude my remarks by saying that there is a real inconsistency in the position the Liberals are taking. It's against the will of the majority of the people whom they represent and will not be represented by them. I ask them to please reconsider. This is the last chance they have to reconsider a position that is basically wrong. I would urge them to vote with us.

Mr. Bradley: You don't really want us to vote with you. Let's face it.

Mr. Martel: But you used to vote for it.

Mr. Chairman: Order.

Mr. Haggerty: Mr. Chairman, I'm interested in the comments from the members to my left concerning the amendments to all the regional bills tonight. If one actually looks at the intent of the legislation—and perhaps I should read it into the record; maybe they don't understand it. "At the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council, or any other person, to hold office for the term of council and until a successor is appointed or elected in accordance with this act, and at such meeting the clerk shall preside until the chairman is elected."

If I may refer back to the regional municipality of Niagara once again—it's almost similar to this; I don't know how many persons are elected to the regional municipality we're discussing now—in the region of Niagara there are 28 members and if, as is suggested by the member for Welland-

Thorold, the chairman should be elected from among the members, for example, you could still have a tie vote.

Mr. di Santo: That's a technicality.

Mr. Haggerty: No. It could happen. It's happened many times; I can recall days in county council when we've had ties for the election of a warden, which is a chairman.

Looking at that particular section, and the amendment the Liberal Party is being asked to support, there's a good possibility that there could be a tie; there could also be a deadlock in the appointment of a chairman among the members of regional council.

Subsection 4 goes on to say: "If, at the first meeting of the regional council after a regular election a chairman is not elected, the presiding officer may adjourn the meeting from time to time and, if the chairman is not elected at any adjourned meeting held within one week after the first meeting, the Lieutenant Governor in Council shall appoint a chairman."

I think that's a reasonable approach to take under the circumstances as it relates to Niagara where there's a good possibility we could have a split—

Mr. Martel: Are you sure there isn't something wrong? Doesn't his knee have to be operated on?

Mr. Haggerty: —election there to nominate a chairman for the regional municipality. This opens the door. It gives us a way to appoint somebody to settle an impasse under the terms of the act.

Mr. Mackenzie: I would like to hear you put it on the record to a point.

Mr. Haggerty: I suggest to the members this is the reasonable approach to take under this present circumstance where there is a possibility there could be a tie vote.

Mr. Mackenzie: Oh, come off it! That's the worst argument all night.

Mr. Haggerty: It's that plain, but you're blind and you can't see it.

Mr. McClellan: Let's get that newspaper going.

Mr. Mackenzie: That is the poorest argument all night.

Mr. Haggerty: I suggest that's one of the reasons we cannot support him until the other amendment comes forward under the region of Niagara bill that would give St. Catharines one more representative and would break that tie. It's that simple.

Mr. Nixon: It's the only reasonable way to deal with it. It's very sensible.

Mr. Haggerty: With the blindfolds they have, they can't see the daylight before them. On this basis, this is one of the reasons we on this side will not support the amendment.

Mr. di Santo: That's a very weak argument and a poor excuse.

Hon. Mr. Welch: Come on. Let's have the question.

Mr. Swart: I hadn't intended to get up a second time, but the member for Erie has made some comments that I find rather ludicrous, if I can use that word.

Mr. Nixon: You were the person who thought it was all out of order. How ludicrous can you get!

Mr. Swart: It should be put in perspective. First of all, there is the question of the tie. Of the 11 regional councils, there are as many of them at the present time—

Mr. Nixon: Talk about a flip-flop. You wouldn't even let us talk about it.

Hon. Mr. Welch: This is a filibuster.

Mr. Swart: —that have even numbers as have odd numbers. Whether this amendment passes or whether it doesn't pass, they'd be in exactly the same position with regard to tie votes.

The second comment that he makes leaves me—

Mr. di Santo: Laughing.

Mr. Haggerty: Don't say speechless because we won't believe that.

Mr. Martel: There is the party who voted for election.

Mr. Swart: —with a total lack of understanding of what he means.

Hon. Mr. Welch: Come on. Nobody reads Hansard.

Mr. Swart: Surely the member for Erie and members of this House realize we're not amending section 30(2). We're only amending section 30(1). The section to which he refers still remains in exactly the same form that it is at the present time. There has to be some provision in any act whereby, if at the regional council or county council nobody wants to run, there is some method of selecting the chairman. That section is not touched.

Mr. Martel: He's a Liberal. He'll change his mind.

Mr. Swart: I would suggest that the comment made by the member for Erie has no relationship to the debate that we have before us at all.

Hon. Mr. Welch: Let's have the question.

Mr. Chairman: All those in favour of Mr. Swart's amendment to section 106 will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Amendment stacked.

Sections 107 to 116, inclusive, agreed to.

On section 117:

Mr. Swart: This is number 10.

Mr. Chairman: Mr. Swart moves that section 9(2) of the Regional Municipality of Haldimand-Norfolk Act, 1973, as set out in section 117(1) of the bill be amended by striking out the words "or any other person" in line four and inserting after the word "council" in line five the words "provided he continues to be a member of the council" so that the subsection shall read:

"(2) At the first meeting of the regional council after a regular election at which a quorum is present the regional council shall organize as a council and elect as chairman one of the members of the regional council to hold office for the term of the council provided he continues to be a member of the council and until a successor is appointed or elected in accordance with this act, and at such meeting the clerk shall preside until the chairman is elected."

Mr. Martel: There are only 19 on that council. What does the member for Erie do now?

Mr. Bradley: Somebody might be sick.

[10:00]

Mr. Swart: I would just point out, Mr. Chairman, that this is the final amendment that we have to set to Bill 81, and perhaps no other amendment we have put so clearly demonstrates the inequality of what exists as does this amendment. I had pointed out earlier that the restructured county of Oxford, or the regional government of Oxford, elects its chairman; that that chairman must be a member of council; that the regional municipality or the county of Oxford—and the words are interchangeable—has a population of some 87,000. Here we have the regional municipality of Haldimand-Norfolk with almost an identical population. The services which are under the regional council of Haldimand-Norfolk are in effect identical with the services under the regional municipality of the county of Oxford.

In no way can it be said that the chairmanship of Haldimand-Norfolk is such a time-consuming job that you couldn't elect him from among the members of council, although I reject that argument in any event.

In no way could that argument possibly have any application here.

Interjection.

Mr. Swart: Why should the people in Haldimand-Norfolk be deprived of the right of having a say as to who shall be the regional chairman, where next door in the regional municipality of Oxford, the county of Oxford, they elect their chairman? They cannot have a chairman who is not elected by some part of the county of Oxford.

I suggest that this amendment, perhaps more than any other, demonstrates the idiocy, the unaccountability, the lack of democracy, the unreasonableness of not electing our regional chairman. As a final pitch to our friends on the right, I would say to you, come on you Liberals, let's vote the way you have been talking for the last five years.

Mr. Martel: Vote the way you used to.

Mr. Swart: Face the way you were three weeks ago, the way you voted five years ago and, to the best of my knowledge, the way—

Mr. McClellan: Screw up your courage.

Mr. Swart: —that you have spoken on every occasion on which you have discussed regional government.

Now is the crunch. Now comes the moment of truth. For the first time in the history of this House we have the opportunity to change it, for the 10 regional governments.

Mr. Conway: I thought Billy Graham was at the Gardens.

Hon. Mr. Welch: Oh no, it is over now for the day.

Mr. Swart: Whatever decision is made by my friends on the right here tonight will determine their real view of whether the regional chairman shall be elected.

Hon. Mr. Welch: Question.

Mr. Swart: Words are cheap. It's action that counts and tonight they have the opportunity of bringing about the election of regional chairmen. I suggest that you should take that opportunity, live up to what you have been saying and support us on these amendments.

Hon. Mr. Welch: Question.

Mr. Nixon: Mr. Chairman, perhaps I should refrain from commenting on this amendment but as member for Brant-Oxford-Norfolk, I certainly feel that my views should be expressed on behalf of those people whom I have the honour to represent in the regional municipality of Haldimand-Norfolk.

I draw to your attention, Mr. Chairman, the explanatory note dealing with sections 1, 15, 30, 45, 58, 68, 80, 94, 106 and 117. Those are the sections that have been the object of the amendments put forward by a number of the honourable members of the NDP.

It says: "The effect of the re-enactment of the two subsections is to make it clear that the term of office of the chairman corresponds to the term of office of the council." If that is the purpose of the amendment, and as the honourable parliamentary assistant or legislative assistant has indicated it truly is merely housekeeping—

Mr. McClellan: How are you going to amend that? Are you challenging the chair?

Mr. Nixon: —because there is nobody in this House who feels that the term of office of the chairman should be anything but parallel and correspondent to the term of office of the council itself.

Mr. Martel: Remember the night they moved the vote about five years ago for regional chairmen to be elected? I remember that night well.

Mr. Nixon: I regret very much that the NDP, and particularly the member for Welland-Thorold, has seen fit to bring it forward in the terms he has adopted more recently. During the second reading of the bill, you may recall, when this matter was discussed by my colleague the member for Ottawa East (Mr. Roy) and others, the member for Welland-Thorold indicated to the Speaker that the matter was out of order and that it in fact did not deal with the chairmanship per se. I find it strange indeed that he is taking such a strong alternative position.

Since he has, and since you have ruled it in order—and I believe you are correct as usual in that regard—I do have to deal with the amendment which is before us at the present time.

Under the terms of the amendment it would mean that a member of the regional council, including the mayor of a major municipality, could in fact under the terms of the amendment be regional chairman at the same time. While the member for Welland-Thorold might be capable himself—if he had stayed at the municipal level—and continued to have been re-elected—might have been able to occupy positions of that responsibility—

Hon. Mr. Welch: It is regrettable that he didn't.

An hon. member: He did a good job there.

Mr. Martel: Great member.

Mr. Nixon: I think that at least the House should give careful consideration before passing an amendment whereby the mayor of a major municipality could also be regional chairman at the same time.

An hon. member: The mayor of Welland.

Hon. Mr. Welch: It is possible.

Mr. Nixon: It might be possible, but it certainly should be considered.

I would also like to bring to your attention that the amendments in general deal with most of the regional governments—Ottawa-Carleton, Niagara, York, Waterloo; and those at least the NDP supported in principle some years ago when the chairman wasn't elected at all—

Mr. Martel: We opposed it.

Mr. Nixon: —but was appointed by order in council of the incumbent Conservative government.

Mr. Martel: I opposed it then.

Mr. Nixon: It is strange that all of a sudden the bright lights of democracy should shine on the honourable members of the NDP when they were quite prepared—

Mr. Swart: I have always taken this position.

Mr. Nixon: —to support legislation that at the time allowed His Honour the Lieutenant Governor in Council, to appoint somebody back home who had as a recommendation only—

Mr. Bradley: History is being made by the NDP.

Mr. Nixon: —the confidence of the Conservative Party or the government of the day.

Mr. di Santo: Are you saying that you were right then or you are wrong now?

Mr. Nixon: So it is strange that they should now be putting their arguments in favour of this amendment in such, I would say immoderate terms.

Mr. Pope: Are you against democracy?

Mr. Martel: No, he isn't.

Mr. Nixon: My colleague, the member from Waterloo, has made it clear that our position has remained unchanged, that we believe and shall continue to believe that it is only after the reviews of the regional government—many of which are already complete but the program is not yet complete—that there should be general legislation dealing with the chairmanship. Under those circumstances, you may be sure that we shall move or support any member who does move that the chairman of the regional council or the warden in the case of restructured counties, be in fact

a member of council at the same time as he or she may become the chairman or the warden of the local government.

We would have to consider, however, whether that would include the mayor of a major municipality. I would say to you, and I feel sure that you would agree, that we are moderate and considerate in our position, that we have not changed them in any small regard, and that in fact much of the time spent in this debate, except for perhaps the last few minutes, has been practically completely a waste of time.

Mr. Stong: Except for the last few minutes, the last speaker.

Mr. Martel: Mr. Chairman, I had not intended to speak, but I can't accept that nonsense from the member for Brant-Oxford-Norfolk. He says his position is consistent.

Mr. Nixon: You voted in favour of the original bill that appointed chairmen.

Mr. Bradley: A little history lesson there.

Mr. Martel: I believe it was the member for Brant-Oxford-Norfolk, in his capacity as leader of that party, who moved—

Mr. Nixon: The sins of the fathers cannot be visited upon the sons.

Mr. Martel: Well you talk about being consistent—I am not talking about your father, I am talking about you, Bob.

The Liberal Party, in fact, moved a motion calling for the election of a regional chairman.

Mr. Nixon: We voted against the regional bill in the first instance.

Mr. Martel: No, no; you moved the motion.

Mr. Nixon: We do support it.

Mr. Martel: You moved the motion.

Mr. Nixon: We supported the election of the—

Mr. Chairman: Order, will the honourable member address the chair?

Hon. Mr. Welch: What does this prove?

Mr. Martel: I'm trying to, but I can't shout any louder.

Mr. Haggerty: Control yourself.

Mr. Martel: The member for Brant-Oxford-Norfolk thinks he's out on the back 40 shouting to get someone's attention—

An hon. member: His 200 acres.

Mr. Martel: —because he comes in here tonight with so much balderdash—

Mr. Nixon: You have my undivided attention.

Mr. Martel: —with the effrontery to say to this House that the Liberal position is consistent.

Mr. Nixon: It is.

Mr. Chairman: Order.

Mr. Martel: And Mr. Chairman, you'll recall yourself voting on that Liberal amendment, I'm sure, a number of years ago, which called for the election of regional chairmen.

Mr. Nixon: That's out of order.

Mr. Martel: It called for the election of regional chairmen and that's what we're talking about. My friend rises in his place and says "We've been consistent." I'm looking for the consistency when they, in fact, moved such a motion themselves a number of years ago.

Mr. Bradley: Take your blinkers off.

Mr. Martel: You simply can't have it both ways, and that's what you're attempting to do.

An hon. member: You're holding things up.

Mr. Nixon: You sound like Billy Davis.

Mr. Martel: Oh no. Well it would be hard to sound like a Liberal because I'd have to be sucking and whistling at the same time, and I find that impossible.

Hon. Mr. Welch: Let's have the question.

Mr. Martel: Everybody is entitled to one mistake in his life, Robert.

Mr. Nixon: That's what your mother said.

Mr. Martel: Yes, I want to tell you, the only thing consistent about the Liberals is their inconsistency, and they demonstrated it again tonight.

Mr. Hall: On with the bill, on with the bill.

Mr. Chairman: The member for Welland-Thorold.

Hon. Mr. Welch: What are you trying to prove, Mel?

Mr. Swart: Mr. Chairman, I think my colleague from Sudbury East—

An hon. member: Are you up again?

Mr. Swart: —has adequately answered the member for Brant-Oxford-Norfolk about the inconsistency of the Liberal Party.

Hon. Mr. Welch: How far can you carry this vanity?

Mr. Swart: But there were two comments, made both by the member for Brant-Oxford-Norfolk and the member for Durham West (Mr. Ashe) which I think deserve some further comments.

There was the statement that you might have the mayor of a large municipality standing as the mayor of the regional council and this wouldn't be desirable. Of course there's some merit in that observation; but you see, somehow or other, I believe that when the

regional council is going to select their chairman they would very likely give consideration to whether that person had time to do the job. Somehow or other I have enough faith—

Mr. Bradley: And now we rewrite history.

Mr. Swart: —in councils to select the person if we leave that wide open.

Mr. Nixon: Your party voted in favour of Niagara.

Mr. Swart: I have enough faith that they will elect the right person.

I would say through you, Mr. Chairman, to the member for Brant-Oxford-Norfolk, where would he draw the line if he was going to enact legislation? Would he say the head of any municipality may not be elected as the chairman, even where that municipality might only have 5,000 or 7,000 people and he'd have ample time to discharge his duties?

Mr. Nixon: Are you against reasonable consideration?

Mr. Swart: Would he make it 10,000? Would he make it 15,000? Would he make it 25,000? I say all of those would be totally unsatisfactory. We have to leave it up to the regional council.

I want to answer the other comment which was made by the member for Durham West that he wants to leave the right with the councils to select who shall be their chairman.

May I say you never gave this right to the councils. The councils weren't asked in the first place, nor were the citizens asked whether they wanted to have a chairman appointed. The legislation appointed that chairman. The government appointed that chairman and the government said to those regional councils, "You may not have an elected person as chairman of your council. You may select him, but then he'll have to resign." Granted there's been a change in that, in one or two of the regions, but this was the edict from on high—that if that person was elected to regional council then he must resign his elected seat.

I say to you again this is a contradiction of the whole democratic process, at least it is to me and to the other members of this party. The purpose of the whole exercise tonight is to try to bring about the election of a regional chairman.

[10:15]

Mr. Chairman: All those in favour of Mr. Swart's amendment to section 117 will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Amendment stacked.

Sections 118 to 128, inclusive, agreed to.

Mr. Chairman: I want to remind the members of the committee that there are a number of amendments to be voted upon. There will be a 10-minute bell.

On resumption:

Mr. Chairman: The first amendment, moved by Mr. Cassidy, is that section 4(2) of the Regional Municipality of Ottawa-Carleton Act, as set out in section 1(1) of the bill, be amended by striking out the words "or any other person" in lines four and five and inserting after the words "council", so that the subsection shall read:

(2) At the first meeting of the regional council after a regular election at which a quorum is present, the regional council shall organize as a council and elect as chairman one of the members of the regional council, provided he continues to be a member of the council and until his successor is appointed or elected in accordance with this act, and at such meeting the clerk shall preside until the chairman is elected.

The committee divided on Mr. Cassidy's amendment which was negated on the following vote: ayes, 25; nays, 63.

Mr. Chairman: I would advise the committee that there are nine other amendments before the House with the same content but referring to different municipalities. Will the members accept the same vote?

Agreed to.

The committee divided on subsequent amendments to sections 15(1), 30(1), 45(1), 58(1), 68(1), 80(1), 94(1), 106(1) and 117(1) which were negated on the same vote.

Bill 81, as amended reported.

On motion by Hon. Mr. Welch, the committee of the whole House reported two bills with amendments.

[10:30]

THIRD READINGS

The following bills were given third reading on motion:

Bill 80, An Act to amend the Municipal Act.

Bill 81, An Act to amend certain Acts respecting Regional Municipalities.

ANSWER TO QUESTION ON NOTICE PAPER

Hon. Mr. Welch: Before moving the adjournment I wish to table the answer to question 84 standing on the notice paper. (See appendix, page 3476.)

Mr. Speaker: A motion to adjourn is deemed to have been made under standing order 28. The member for Beaches-Wood-

oine has five minutes to express her displeasure with an answer given previously by the Minister of the Environment.

Interjections.

Mr. Speaker: We will give the honourable member a minute for those who are not interested in this very important debate to leave the chamber.

PAPER MILL CONTROL ORDERS

Ms. Bryden: Mr. Speaker, the practice obtained for the people of Ontario and the aggrieved commercial fishermen through the settlement of the government's seven-year lawsuit against the Dow Chemical Company of Canada has demonstrated the weakness of our environmental laws and the unwillingness of the government to get tough with a multinational polluter.

Since the court route has been proved ineffective as a means of protecting our environment, I asked the Minister of the Environment yesterday if he was now prepared to step up the control order route and to see that control orders are strictly enforced.

Specifically, I asked him what he was doing about the Canadian International Paper Company's mill at Hawkesbury on the Ottawa River, had it met the various deadlines in the control order which was placed on it in 1974? This control order was advertised as a model control order, because it contained a series of deadlines designed to reduce drastically the emissions and discharges from the plant.

This particular pulp mill was named in the recent review of water pollution control programs on the Ottawa River, a review done by the three governments, of Ottawa, Quebec and Ontario. It was named in the review as "the major single source of BOD 5 input to the river on the Ontario side."

BOD, as you probably know, Mr. Speaker, stands for biological oxygen demand. An excessive loading of BOD 5 depletes the supply of oxygen in the water, threatening the survival of aquatic plants and animals.

The May 1978 report to which I referred showed that BOD 5 loadings from this plant had actually increased by 65 per cent since the last water quality survey on the Ottawa River, which was published in 1971. That report showed that in 1969 the loading was 227,000 pounds per day. The new report showed that in 1976 it had climbed to 376,000 pounds per day. The report had set a target of 50,000 pounds per day, one seventh of the 1976 loading.

This standard is somewhat tougher than the 1965 guidelines set by the Ontario government but, as I pointed out in my question, the 1977 loading of BOD 5 from the plant was four times the Ontario guidelines. While the company has done a little better on reducing suspended solids, it is still discharging them at almost twice the 1965 Ontario guideline level. This guideline is below the federal, Environment Canada standard, but the May, 1978 report, which I mentioned, regards the Environment Canada standards for both BOD 5 and suspended solids as "a baseline for control," or a bare minimum.

I understand that the two 1976 deadlines in the CIP control order have been met, but I want specific information about the December 31, 1977, deadline by which date the company was to submit applications for approvals of facilities to control the emission of particulates and the discharge of spent sulphite liquor. I expect an answer to this question; and if the company hasn't met the deadline is the ministry considering a prosecution?

I remind the minister of the statement in the ministry's own report entitled *Alternative Policies for Pollution Abatement, 1976 Update* by Drs. Donner and Victor, which says on page 47 that, "Adequate economic incentives are needed which will make polluting more costly than abatement." Prosecutions and fines are part of that economic incentive.

I also want information as to whether the minister was engaged in renegotiating the next deadlines in the order which occur in 1980 and 1981. If the minister is in fact considering relaxing this model control order against a company which has such a bad record, how can we have any faith in the minister's commitment to protecting the environment and to the principle that polluters must pay?

I'd also like to ask what he is planning to do about the recommendation of the May, 1978, report on the Ottawa River, which suggests—

Mr. Speaker: The honourable member's time has expired.

Ms. Bryden: I'll just complete this sentence, if I may—which suggests that the existing control programs and measurement methods in implementation schedules should be reviewed.

Hon. Mr. McCague: Mr. Speaker, the honourable member has already referred to the parts of the control order which was issued January 23, 1975, which have been complied with.

Condition three was that the company was to submit two proposals by December 31, 1977.

One was a design to correct a particulate emission from the power boiler house, and the company did complete an engineering design for a new boiler house which would require an investment of \$5.4 million. The second proposal was that a design for the collection of 90 per cent of the spent sulphite liquor, and its incineration to reduce the BOD 5 load to the Ottawa River. The company hired a consultant to complete and to cost a design for such a chemical recovery system. The required investment is \$18.5 million.

Construction on item three—the first item I mentioned—was to be completed by December 31, 1980; and the second item I mentioned by December 31, 1981, to study and to propose abatement of residual effluents, in particular from the bleachery.

The current status of this is that the company advised, in October, 1977, that in view of the current conditions of the customer markets for the mill, to comply with the control order schedule would have serious effects at the mill. An amended compliance timetable was requested.

To meet the original timetable equipment purchase orders would have to be placed in the first half of 1978 and concrete poured during this period also. This has not been done. There have been several meetings with the company to develop an amended control order. On June 7, just passed, Mr. Hughson of CIP met with the ministry and indicated that the company could only afford to spend a limited amount of money for pollution control over the next three years. The company requested the control order be amended to a lesser level of expenditure.

Mr. Speaker: This item is disposed of.

The House adjourned at 10:40 p.m.

APPENDIX

(See page 3474)

ANSWER TO QUESTION ON NOTICE PAPER

FORD MOTOR COMPANY

84. Mr. R. Mackenzie—(Hamilton East): Would the Minister of Labour report to the House: 1. The total number of hourly rated employees in the bargaining unit at Ford Oakville in each month from January through to May 1978. 2. The number working 40 hours, 48 hours and more than 48 hours in each month from January to May 1978. 3. The number laid off in each of the months from January through to May 1978. 4. The number of permits requested to work overtime if any. 5. The overtime cost (costs in

excess of 40 hours) for each month from January through May 1978? [Tabled May 30, 1978.]

Hon. B. Stephenson—(Minister of Labour): Questions 1, 2, 3, and 5:

This information is not required to be filed with the Ministry of Labour under any current legislation.

4. The Ford Motor Company at Oakville requested, and was issued, the following permits from January 1, 1978 to May 30, 1978: a) Permit issued March 30, 1978 covering twenty (20) hourly rated employees in four different classifications; b) Permit issued May 30, 1978 covering two (2) plant protection officers; c) Permit issued May 30, 1978 covering nine (9) salaried employees in the marketing and cost analysis departments.

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Swart, M. (Welland-Thorold NDP)
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Thursday, June 15, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 15, 1978

The House met at 2 p.m.

Prayers.

Mr. M. Davidson: A point of privilege, Mr. Speaker.

Mr. Nixon: More delay.

PROPERTY TAXATION

Mr. M. Davidson: On Monday, June 12 during question period, when questions were being asked of the Treasurer (Mr. McKeough) regarding property taxation, I rose on a supplementary question. Hansard has recorded that question as having been asked by the member for London Centre (Mr. Peterson). I simply raise the matter to have the record corrected.

Hon. B. Stephenson: I am sure the member for London Centre will appreciate it.

STATEMENTS BY THE MINISTRY

BURSARIES PROGRAM

Hon. Mr. Timbrell: I would like to advise the House that in conjunction with my colleague, the Minister of Northern Affairs (Mr. Bernier), who is in Sault Ste. Marie today, we are re-establishing a bursary program to aid our efforts to correct the imbalance of doctors and dentists in our northern communities.

Mr. S. Smith: They are perfectly well balanced up there.

Hon. B. Stephenson: It is only in southern Ontario where they may not be. The imbalance is in Hamilton.

Hon. Mr. Timbrell: Starting in September of this year, the government will offer 50 bursaries of \$3,000 annually to medical students and 15 of the same value to dental students to help them through their last one or two years of undergraduate studies. University administrators will have details of the program in September, and we will advise interested students of the application procedure.

In return, the students will undertake after graduation to spend an equivalent length of time, that is one or two years, in either an underserved area or in one of our mobile

dental coaches. In the event they are unable or unwilling to carry out their commitment of service, they will be required to repay the bursary plus interest. Interest will be payable from the date of receiving the bursary.

Within the next few days I will be advising the medical and dental schools in Ontario of the specific details of the bursary program, which will be administered by my ministry. Members will recall that my ministry operated a similar bursary program from 1969 to 1973 to deal with a deficit of doctors and dentists in some areas of the north at that time.

The program was successful and provided 120 doctors and 30 dentists for underserved areas. It was discontinued because trends at the time indicated that sufficient doctors and dentists were trying to locate in the north. Recently, however, doctors and dentists have been leaving some smaller communities and the re-establishment of this program will help to provide replacements for them.

A particular problem which we will focus on is the recruitment of French-speaking medical and dental students because some French-speaking communities have difficulty attracting bilingual doctors and dentists. This program will cost a total of \$195,000 per year and is one of two programs my ministry operates to attract health-care personnel to underserved areas. The other, called our Underserved Area Program, involves financial incentives or guaranteed professional incomes for doctors and dentists who serve in certain designated areas.

The funds for this program are being provided from the regional priorities budget of the Ministry of Northern Affairs, which last year provided my ministry with funds for five new mobile dental coaches. These well-equipped mobile van clinics are staffed by professional personnel and serve the communities of Ignace, Elk Lake, Beardmore, Hornepayne and Chapleau.

These two programs, the bursaries and the dental coaches, are good examples of the coordinating role of the Ministry of Northern Affairs and its use of the regional priority budget to overcome special problems of residents of northern Ontario.

LOCAL GOVERNMENT REVIEWS

Hon. Mr. McKeough: Mr. Speaker, when the government received the report from Dr. Henry Mayo and William Archer on local government in the regions of Ottawa-Carleton and Niagara, it was clear that their recommendations were matters of intense concern to local people and that much discussion and debate would and should ensue before even the first action on the reports could properly be taken by the government. This, after all, was the purpose of the reviews. In the ample time provided, a great deal of local response was in fact received before the government released its white papers. At that time, I felt that a further month would be sufficient for discussion and consultation on the selected positions taken in the white papers.

This has not proven to be the case. While there is substantial agreement on some parts of the limited package presented in the white papers, other issues remain deeply contentious. The government would prefer, therefore, that more time be allowed for local discussion of these issues before taking any legislative action. It is the government's hope that in the near future, sufficient consensus will exist to permit introduction of legislation on those matters covered in the white papers and possibly some matters—

Mr. Roy: Backing off again.

Hon. Mr. McKeough: —not covered in them on which there is a will to proceed.

Mr. Speaker, when the report of the Hamilton-Wentworth Region Review Commission was released, impressed on all of us was the urgent need to settle quickly the question of the region's government. The review had been commissioned to examine the system of government in Hamilton-Wentworth in order to dispel the atmosphere of confusion and doubt that has characterized this particular regional government in the past year. The commission concluded that the two real options for Hamilton-Wentworth were to retain the two-tiered system or implement a one-tier system for the same area.

According to the commission, its major recommendation for a fundamental restructuring to a single-tier municipal government was formulated as the alternative that will best serve the goals of strong and efficient local government.

In the short time since the release of the Stewart report, I have been impressed by the volume of the response and by the many thoughtful and reasoned viewpoints expressed, both by citizens and their elected representatives. Nevertheless, a dichotomy of perspectives continues to exist in the region and no

consensus has emerged to indicate to the government that legislation to implement a one-tier government is appropriate now.

The government's decision therefore, Mr. Speaker, is to take no action at this time with regard to Hamilton-Wentworth.

Mr. Bradley: Complete inertia.

Mr. Laughren: A familiar refrain from you, Darcy. No action McKeough.

Hon. Mr. McKeough: We have concluded there may be merit in giving the existing two-tier system—

Mr. Cassidy: The minister of inaction.

Hon. Mr. McKeough: —more time to evolve and mature and to allow all parties more time to study the commission's detailed recommendations for reform.

One widely held view in response to the Stewart report was that the real problems of the region can be worked out within the existing framework. For now, then, we look to the elected representatives for their undertaking to work together to determine appropriate measures which will improve the functioning of the region. We would be prepared, at their request, to discuss suitable changes which may be necessary to effect improvements in the existing system; or, if experience shows that fundamental changes are necessary, to put the appropriate measures into effect.

VISITORS

Hon. Mr. Norton: Mr. Speaker, I would like to take this opportunity to bring to the attention of the honourable members that we have some special guests seated in Your Honour's gallery this afternoon in the person of 20 youthful Scottish exchange students who are paying a visit to our province and to our Legislative Assembly this afternoon. I would like to invite the honourable members to join me in welcoming these young persons and their tutors to this country.

PARLIAMENTARY INTERNS

Mr. Speaker: In keeping with that sentiment, I would like to call the attention of all honourable members to the fact that we have had 14 young parliamentary interns working for various members and caucuses for the past four and a half weeks and I am advised that tomorrow is their last day. As a gesture of hands across the border they asked if it would be possible to have their names entered into the record in Hansard, and so I am going to do that.

Under the supervision of Dr. Helen M. Graves, who is the assistant professor of political science at the University of Michigan,

the 14 young interns, who are under the Speaker's gallery, are as follows: Michael Schwartz, Russell Carniak, Robert Coates, John Gillies, Hal Sargent, Kathy Babcock, Ann Lawton, Helene Nadjuk, Nicole Paron, Marcie Blumenthal, Nikkie Kilpatrick, Alice Pasqualini, Elizabeth Silverman and Richard Roosen.

It has been a pleasure having you.

ORAL QUESTIONS

RENT REVIEW

Mr. S. Smith: A question for the Minister of Consumer and Commercial Relations, Mr. Speaker: In his statement of March 31, at page 1083 of Hansard, when discussing the committee on rent review, the minister said this "will give us time to move into the legislative drafting stage, implementing the general principles approved by that committee . . ." and "I hope to be able to announce the specifics of at least the government's intention, reflecting the desires of the Assembly as expressed through the standing committee's deliberations."

Given those statements, can the minister state whether he intends to implement the recommendations of the standing general government committee's report on rent review which have been made known through press reports, which I gather follow pretty closely our party's position and which all members of the committee are alleged to have signed?

Mr. Cassidy: Which position is this?

Mr. Foulds: Which one? Today's or tomorrow's?

Mr. Rotenberg: Wait for it.

Mr. S. Smith: Is the minister going to keep to his commitment of March 31 and will he be bringing forward legislation to implement those recommendations?

Mr. Rotenberg: Why don't you wait for the report?

Hon. Mr. Grossman: Mr. Speaker, I will wait until the report is tabled, which I understand may be after question period today—

An hon. member: All you have to do is read the Star and ask the member for Scarborough-Ellesmere (Mr. Warner).

Mr. Bradley: There's no honour among thieves.

Hon. Mr. Grossman: —in order that I may assess the report itself and decide what action the government will take, whether we will respond directly to the majority report, or perhaps the Hall report or the Campbell

report or the Breithaupt report or the Epp report; or whatever comes out of those deliberations.

Mr. Makarchuk: You guys asked for that one.

Mr. S. Smith: By way of supplementary, since the minister knows full well that he will learn in a few moments the report was signed by all members and is quite unanimous, will he stay by his promise of March 31 that he would bring in legislation which would implement the general principles approved by that committee? That's a promise he made on March 31. Is there any reason why he should wish now to weaken that particular promise?

Mr. Roy: The minister might as well back off again, he has the example of Darcy.

Hon. Mr. Grossman: If the honourable member will give us an opportunity to read that report, I think I will be in a position to make a statement to the House tomorrow morning. For those members who will hear it tomorrow morning, I will make a full statement to the House on our intentions. I can assure the member generally that of course I, like the rest of the government, live up to all our promises.

Hon. B. Stephenson: The member for Ottawa East (Mr. Roy) won't hear it.

Mr. Cassidy: Supplementary, Mr. Speaker: Will the minister agree that unlike the Liberal Party, the New Democratic Party has been absolutely consistent on this issue—

Mr. Bradley: Consistently bad.

Mr. S. Smith: Hurrah for you, Michael.

Mr. Cassidy: —that we have fought from the very beginning to get a continuation of rent review on a continuing basis to protect tenants of this province; and that it's because of the initiative taken by my party that the Liberal Party has finally found out the right action and has swung into line?

[2:15]

Mr. Rotenberg: You're consistent in leaking to the press. You're consistent in taking everything to the press, that's your only consistency.

Mr. Martel: Why don't you crawl back into your hole?

Hon. Mr. Grossman: The NDP has been consistent—and certainly the party whip has worked more effectively than the Liberal Party's whip—but it hasn't been any more creative than the Liberal Party either.

Mr. Roy: You'll have to borrow Cassidy's roller skates.

Mr. Kerrio: That's all we can say about what you have done, Larry—you've been creative.

PENSION FUNDS

Mr. S. Smith: I have a question which I guess pertains both to the Minister of Consumer and Commercial Relations and also to the provincial Treasurer. I'll try the Minister of CCR first.

Will the minister move as rapidly as possible to make employee representation on pension boards of private companies mandatory, so that employees are aware of and can influence decisions on their own pension plans? Will he also make mandatory the inclusion of an actuarial statement with each annual report of private companies, stating the position of the fund, the extent of the liability and the assumption upon which liability calculations and contributions are based?

Hon. Mr. Grossman: I, of course, wouldn't be prepared at this time to give a commitment to do any of those things without doing what I guess on this side of the House we put a high priority on, and that is first having extensive dialogue with all the people involved—

Ms. Gigantes: Dilly dally.

Mr. Roy: Get an expensive report.

Hon. Mr. Grossman: —the companies, the pension funds, the persons running them, and the employees involved.

Mr. Pope: Who refers everything to committees?

Hon. Mr. Grossman: We put that as a high priority and we will have that dialogue.

Mr. S. Smith: By way of supplementary: Since it is fully within the capacity of the Legislature to have committee hearings on any proposed legislation and to have all the dialogue necessary, and since I assume that the minister must surely be aware of the very serious rumours of unfunded liabilities which presently exist in both public and private pension funds, I would have thought these dialogues would have taken place already. Will the minister give this House some commitment that this is under active study and that we will have some legislation to give employees representation and to make public disclosure mandatory so that we will all know where we stand? Will he bring such legislation forward, at the very latest in the fall of this year?

Hon. Mr. Grossman: Of course, the member is aware that the royal commission on pensions is looking into the entire area and

all aspects of pensions. I don't think it would be appropriate for us to unilaterally come out at this time and undermine the work of that royal commission at this particular time.

Mr. Blundy: Tell that to the Prestolite employees who are losing their pension funds.

Hon. Mr. Grossman: It's just foolish to suggest that. May I further say that one of the things the private sector is telling us all the time is that it has to be in a position to have some reliability and some predictability on what government is going to do.

Mr. Roy: You can't rely on McKeough for that.

Hon. Mr. Grossman: When you set up a royal commission and you tell the private sector, the public at large and the employees that this is the forum in which these matters are going to be discussed, then it is obviously incumbent upon us, barring a crisis, to let that process play out. That's what it's all about. With respect, for a party such as the Liberal Party, which is falling over itself in trying to capture that part of the electorate, the private sector, and play up to private enterprise and free enterprise—all of which is quite properly the territory of this party, I am happy to say—

Mr. S. Smith: You are getting nervous, aren't you?

Hon. Mr. Grossman: —for that party, in an attempt to curry favour with that sector, to now say that unilaterally, without dialogue, without waiting for the royal commission to report, we should just slap on legislation isn't going to help it a heck of a lot as it tumbles down that road, fast on what it has done with the landlords just recently.

Mr. Bradley: That's just what we need, a lecture from you.

Mr. Renwick: By way of a supplementary question to the minister, because of the fear which may be created in people's minds because of the question raised by the Leader of the Opposition, will the minister now give a categorical assurance that none of the persons who may become entitled to pensions in the private or the public sector is in any jeopardy at the present time?

Hon. Mr. Grossman: I can phrase it in this way: The superintendent of pensions has not reported any critical cases to me since I have been in this job.

On the basis of that track record, I feel very safe in presuming that there is no imminent crisis upon us and no one is in that position.

I will, however, for the benefit not only of the House but of course, all those who have pensions which they may be concerned about—perhaps unnecessarily throughout the results of this exchange—check again with the superintendent of pensions and perhaps report as early as tomorrow morning, if possible.

Mr. Roy: How can the minister stand there and try to posture as a defender of the consumer, when he will not give an undertaking to my leader, and in fact he will let some of the consumers sit on board and have some input in pension plans?

How can the minister stand there and say that private enterprise in this province is looking for some predictability of government when one of his leaders, the Treasurer, stood up in this House in the last three or four days and backed off on every report he has commissioned in this province over the last two years?

Mr. Stong: Unreliable.

Mr. Makarchuk: Darcy's great flexibility; Flexible Darcy, they call him.

Hon. Mr. Grossman: What has been occurring in some of those instances—all of which the Treasurer has very carefully outlined and explained—of course to a very large extent results from carrying on the very type of dialogue this government likes to undertake prior to legislation, and obviously dialogue sometimes results in a situation in which you don't proceed.

Mr. Roy: Now he's defending the Treasurer. He is backtracking and he knows it.

Mr. Martel: A one-tripper.

An hon. member: Do you realize the Treasurer thinks your defence is the kiss of death?

Hon. Mr. Grossman: The member's party and leader, on the other hand, would prefer to go to legislation and talk later; have the dialogue later and then come back and rectify mistakes. We don't think that is the way to govern.

Mr. Roy: We will give leadership here. The minister's party has lost its will to govern over there.

Hon. B. Stephenson: Fiddle. You don't know what you are talking about.

Mr. Wildman: In his investigations, would the minister check with the superintendent of insurance on the Prestolite matter, where it is rumoured there is an unfunded liability in the range of \$5 million in that pension plan? If that is the case, will he look at the provisions of the American legislation which

requires at least one-third funding for any pension plan like this?

Hon. Mr. Grossman: We will look into Prestolite and will be pleased to report to the member.

NUCLEAR PLANT SAFETY

Mr. Cassidy: I have a question for the Minister of Energy arising out of the discussions of the last couple of days about the—

Mr. Yakabuski: Not again.

Mr. Cassidy: —proposed increase in allowable radiation standards which have been put forward by the interorganizational working group, a committee of which Ontario Hydro and the AECB are, apparently, members.

The proposal would raise the allowable exposure to 100 rads from the present 25. I want to point out that 10 rads causes temporary sterility; 250 rads would kill half of the population if people were exposed to that level.

In other words, it is a serious increase in the exposure level.

Mr. Speaker: Question.

Mr. Cassidy: When did Ontario Hydro discover that Ontario reactors could not meet the 25 rad safety standard in the case of an accident; and why is it that nobody at Ontario Hydro notified the Porter commission of these findings?

Hon. B. Stephenson: It depends on the intensity and the length of the period of exposure.

Mr. Renwick: He will answer the second part first.

Mr. McClellan: Let Stephenson answer; she knows the answer.

Hon. Mr. Baetz: Involved in that question were two or three premises that I cannot accept.

The premise that 25 rads is not safe is a premise which has not been accepted by the scientists involved.

Ms. Gigantes: What about 100?

Hon. Mr. Baetz: The whole study of the interorganizational working group that the honourable leader of the third party has referred to has been looking in detail at this very complex and scientific subject. They presented their first draft reports to the Atomic Energy Control Board some months ago; and also to the reactor safety advisory committee, which is a group made up of scientists and people coming from industry and from government and from universities and so on. They are now working on their second draft.

They have also told the Porter commission that this work was under way. To imply strongly in this House, as has been done just now, that Ontario Hydro is now operating at an unsafe level is most unfortunate. On a subject which is of such great public importance, I would hope that we in this House would try our best not to make a very volatile subject even more inflammatory.

Mr. Martel: You told us that about Denison too.

Mr. Laughren: Where is your responsibility?

Ms. Gigantes: You have blinkers on.

Hon. Mr. Baetz: I would hope we would keep the alarmist talk down.

We all owe that to the people of Canada and to the people of Ontario.

I can only assure the leader of the third party that Ontario Hydro operates today, as it always has, under the Atomic Energy Control Board's safety standards. Until those standards are changed, we are operating safely. Even Dr. Porter said the other day that he would live outside any of the generating reactors.

Mr. Martel: You told us there was no danger at Elliot Lake either. We got all the platitudes like that then as well.

Mr. Laughren: We have heard that before.

Mr. Cassidy: Supplementary: Will the minister confirm that Ontario Hydro has established that it cannot operate in the case of serious accidents within the 25-rad safety standard, and has, therefore, participated in recommending a 100-rad safety standard? Will he also confirm that, while the 25-rad standard could be marginally dangerous to people who were suffering that exposure, the 100-rad standard is very substantially dangerous in the event that anyone was exposed to that level of radiation?

Mr. Laughren: We have learned the hard way.

Hon. Mr. Baetz: I regret once again that there are premises and implications in that question which I simply cannot accept. It is true that Ontario Hydro, along with Quebec Hydro and others in the nuclear energy field, is participating in this study dealing with the radiation safety question.

Mr. Laughren: They have a vested interest.

Hon. Mr. Baetz: Until such time as that committee has done its work and until the Atomic Energy Control Board of Canada has made its decision, we have every assurance they are operating at a reasonable and safe level.

I think it would be most unfortunate and inaccurate if we were to perpetuate the kind of feeling here that until such time as that report comes out from AECB we are living in a very hazardous situation.

Mr. J. Reed: Supplementary: For purposes of clarification, I wonder if the minister would check the terminology of that report to establish whether we're talking about rads or rems or whatever, because there is a very distinguishable difference. It would be a good idea to make sure the statement itself is accurate.

Hon. Mr. Baetz: I would be pleased to respond to that. The committee itself is dealing with principles and criteria which are being established, which have been established and which may be amended, governing a number of safety features, including the famous acronym rad, which is radioactive something or other.

Mr. Breaugh: Use the technical term "hot stuff."

Hon. Mr. Baetz: I'll get the correct term.

Mr. Martel: And you want us to believe you know the answer?

Hon. Mr. Baetz: I will make sure that all members get the report, once the Atomic Energy Control Board has approved it, it will be public knowledge. We also understand it will be written in language which the general public can understand.

Ms. Gigantes: Supplementary: Is the minister telling us or denying the report that Ontario Hydro is participating in a study which is going significantly to loosen safety standards? Is there a yes or a no to that? If so, would he please table for our information the information on which Ontario Hydro is arguing the case so that the Atomic Energy Control Board will loosen its standards, and then he can come and tell us that it's all right because the Atomic Energy Control Board says so?

[3:30]

Hon. Mr. Baetz: Once again, there are premises and implications in that question I just can't agree with. Ontario Hydro is participating in this study, as it should. I think this is a responsible act on their particular part.

Mr. Foulds: Does the minister think increased radiation is a good thing?

Hon. Mr. Baetz: But the member must wait until the Atomic Energy Board of Canada has taken a look at it and also until the—

Mr. Cassidy: They wouldn't.

Hon. Mr. Baetz: —reactor safety advisory committee which is made up of the best scientists and engineers in the country, has looked at it.

Mr. Warner: Why doesn't the minister ask them himself?

Hon. Mr. Baetz: Once they have looked at it and come back members get that report, and so will we.

Mr. Foulds: The AECB says increased radiation is a good thing.

ESL PROGRAMS

Mr. Cassidy: I have a question for the Provincial Secretary for Social Development (Mrs. Birch) in the absence of the Minister of Education (Mr. Wells). Is she aware of the fact that the English-as-a-second-language program in Metro Toronto has been cut from 281 teachers this past year to 202 teachers for September 1978 when the Ministry of Education, which comes under that secretariat, has decided to increase the flow of legislative funds for Metro Toronto in 1978-79 by \$3 million to begin to address the needs of children who need to learn English?

Mr. Speaker: I'll turn my question over to the Minister of Education, who has just come into the House. That will leave the Provincial Secretary for Social Development off the hook, I might say. I'll start again.

Is the Minister of Education concerned at all that the Metropolitan Toronto School Board is cutting the English-as-a-second-language program this fall from 281 teachers last fall to 202 teachers, despite the fact the ministry has increased the grant for English as a second language by \$3 million beginning in the fall so that the school board could begin to address the needs of children who need to learn English?

Hon. Mr. Wells: We had a very thorough discussion about this particular matter during the estimates.

Ms. Gigantes: But no answers.

Hon. Mr. Wells: I would beg to differ with my friend from Carleton East. We did discuss the matter of teachers of English as a second language during the estimates of this ministry. We indicated that the numbers we're talking about now are the numbers identified as teachers of English as a second language. There will be other teachers teaching English as a second language who come from another section of the teaching appropriation that Metro gives to each board. That number will not be known for at least another month or so till the boards decide the numbers that are needed.

Further, I recall at least eight weeks ago giving the figures in this House to show that the numbers are adequate, based on the criteria the Toronto board used, because of the decreasing numbers, in their opinion, of those who need this instruction and based on their criteria of those who would be in classes for English as a second language.

Ms. Gigantes: They're your criteria.

Hon. Mr. Wells: I'm not saying they're right or they're wrong; however, based on their figures, there was a decline this year in the number of students who should be in these classes.

Mr. Cassidy: Supplementary: Is the minister aware that the cuts in provision of English-as-a-second-language services within Metro Toronto are going to be of the order of 28 per cent and that the anger and the outrage expressed by people from all of the ethnic group is almost without precedent in the history of the Metropolitan Toronto School Board? Will the minister act quickly in order to ensure that the priority the ministry has put forward to ensure there are more programs like this, is implemented by the board, and results in maintaining the ESL programs at least at last year's levels, if not by improving them?

Hon. Mr. Wells: I will give my friend a full report on this particular matter. I would point out to him again, there has been a decline in the number of pupils who would qualify for English as a second language.

Mr. McClellan: The minister knows why that is.

Hon. Mr. Wells: Therefore, applying the formula in the way the Metropolitan Toronto School Board does, it needs fewer teachers. I'm not saying whether that formula is right or whether the definition of who falls into this category is right.

Mr. McClellan: That's the problem, the minister knows it's the definition.

Hon. Mr. Wells: The fact is there has been a decline; therefore, using their formula, they find they need fewer teachers this year than they did last year.

Mr. Sweeney: Supplementary: If the Metro board, through their funding structure, can draw to them from the Ministry of Education additional funds for English as a second language, what mechanism, if any, does the minister have to ensure that those dollars are used specifically for that purpose?

Mr. McClellan: None. He doesn't have any.

Mr. Cassidy: None.

Hon. Mr. Wells: I think we have the assurance and the faith in the integrity of those people who are elected, as we are elected, to the area school boards and the Metropolitan Toronto School Board and who take their jobs as seriously as we do, that they will do what is best for those students in Metropolitan Toronto. I believe that they wish, just as sincerely, to be as sure those programs and teachers are available, as those of us who are elected to this Legislature do.

I don't have any legislative procedure, but I do have a procedure to pass that money on to the Metro school board—

Ms. Gigantes: To wash your hands.

Hon. Mr. Wells:—then I believe that those ladies and gentlemen, working with the problem they have before them, will be sure the money is spent in the areas where it should be spent.

Mr. Grande: Supplementary, Mr. Speaker: Since the minister is talking about a decrease in English-as-a-second-language students across Metropolitan Toronto, why is it that he and his ministry felt the need to boost that program by \$3 million when, if he is correct and if Metro is correct, the need was decreasing? Is that what the minister is saying, that the need is decreasing?

Ms. Gigantes: By the minister's definition.

Hon. Mr. Wells: I am saying that the figures I quoted in the House about eight weeks ago show that the number of students who qualified for English-as-a-second-language classes had decreased this year.

Mr. Foulds: How did they qualify?

Hon. Mr. Wells: Our weighting factor, which generates the extra money, is paid on the enrolment in the previous year; so the enrolment in this year will be what the weighting factor for English as a special language is based on in the next year.

Mr. Cassidy: So the grants will go down next year. Is that right?

Mr. Speaker: Final supplementary, the member for Kitchener-Wilmot.

Mr. Sweeney: Since the definition of need in Metro Toronto is based on the principle that a student may only stay in the English-as-a-second language class for two years, does the minister have any control over those students who may need it for more than two years? Or is that beyond the minister's control?

Hon. Mr. Wells: That's beyond my control—

Mr. Foulds: Most things are.

Hon. Mr. Wells: I think that my friend, having been a director of education, would know that the setting of the definition and the deciding of what the criteria would be for those in English-as-a-second-language classes are established by the local school board.

If they want to establish it at five years rather than at two years, then that's fine. But that's up to them; we don't set that kind of criterion. We just believe that there should be good English-as-a-second-language programs available. That, of course, I certainly subscribe to.

Mr. Speaker: The member for Bellwoods with a final supplementary.

Mr. Peterson: Final supplementary? Mr. Speaker, why do you always change the rule when I stand up.

Mr. McClellan: Supplementary: Does the minister not agree that since he funds the ESL program it is within his power to establish the criteria for funding which would give a broad definition to ESL, incorporating all kids who need ESL programs and not just children who were born abroad? May I ask the minister why he doesn't revise his criteria to require that kind of a definition?

Hon. Mr. Wells: As I said a few minutes ago, I think that's a reasonable suggestion to look at. But my friend shouldn't ever forget that there are also people elected a lot closer to the local community than he and I, who were elected specifically to look after the educational needs of the community.

Mr. Foulds: Speak for yourself.

Hon. Mr. Wells: We all talk in this House about these people having the autonomy and the power to make some of these decisions. They are the ones who have to make some of these decisions, and it behoves us sometimes to believe that they have the sense to make the right decisions.

Mr. Grande: To whom are they accountable?

Mr. McClellan: You know it's the right thing to do; you should just do it.

Mr. Speaker: The member for London Centre with a spanking new question.

PREMIUM ASSISTANCE

Mr. Peterson: Thank you very kindly, Mr. Speaker. I would take the liberty of informing you now, sir, that there's the possibility of a supplementary. I would beg your indulgence for at least one.

To the Minister of Health: Why, in applying for temporary premium assistance under

section 24 of the Health Act, are all applicants compelled to give full details of their liquid assets without being informed of the upper limits of such assets which would preclude eligibility from such assistance?

Hon. Mr. Timbrell: I am sorry, Mr. Speaker. As the member was reading that question, it didn't come across clearly. Was he asking about why they are asked about liquid assets?

Mr. J. Reed: That's about the way you read them.

Mr. Peterson: I would like to rephrase my original question in view of the Minister of Health's medical problem, not understanding it. The question is, why does the ministry not reveal to an applicant for temporary premium assistance, even though it requires a financial statement from him, what are the upper limits of his financial status which would preclude his being eligible for this assistance? Why doesn't the ministry tell him the rules?

Hon. Mr. Timbrell: I will check into the procedure. I don't review all the applications, obviously, but I would assume that when the procedures were established it was on the basis that those who need it will get it; those who don't, won't.

Mr. Peterson: Supplementary: In fact, there are no rules about who needs it and who doesn't need it. No one can apply unless the ministry has responded that yes, there are rules.

Let me read a letter from Mr. Hope, head of the pay-direct enrolment: "It was decided by OHIP that the upper limits for temporary assistance criteria may not be made available to the general public." Why does the ministry keep this secret? As there is an appeal, why does the ministry not let people know the rules from which they can appeal?

Hon. Mr. Timbrell: On the question of appeals generally, I have made it clear to my staff repeatedly—in fact there were one or two things that came to light recently—that in all matters where appeals are available we must develop—and this is under way—set forms or letters or whatever. These are to go to people if they are denied something to tell them that they do have the right of appeal.

Mr. Roy: Secrecy though—respond to the secrecy.

Hon. Mr. Timbrell: That was made very clear and will be cleaned up where it is deficient.

Mr. Peterson: But the applicant doesn't know; how can he possibly appeal?

Hon. Mr. Timbrell: I said I would check into the matter. I don't receive the applications to review them, but the taxable income criteria are very clearly spelled out. I'll check all the other information to see if it is deficient in any way.

BURSARIES PROGRAM

Mr. Germa: Mr. Speaker, a question of the Minister of Health with reference to his statement regarding the bursary program for medical doctors: The statement implies there will be a three- or four-year delay before any doctors are coming onstream as a result of this program. How does the minister plan to deal with the immediate program of shortage of medical people in northern Ontario which in some areas is acute right today?

Hon. Mr. Timbrell: Mr. Speaker, first of all, the first benefits of this reinstatement of the bursary program will be within a year. I pointed out that it is for the last one or two years of study so we will start to get people coming out of the schools within about a year. Secondly, I would point out that the underserved area program has been extremely successful. We are reinstating this as an aid to that program.

Mr. T. P. Reid: Not in all areas.

Hon. Mr. Timbrell: It isn't always perfect but I think our record in terms of the number of vacancies at any point in time has been extremely good.

Mr. Martel: Except if you are in those communities that don't have doctors.

Hon. Mr. Timbrell: I don't recall receiving any letters from the honourable member about particular communities, but if he cares to let me know, then we can get Dr. Copeman and his staff working on them. But I think if one looks at places like Chapleau, for instance—it's not that far from Sudbury—

Mr. Martel: Just on the outskirts.

Hon. Mr. Timbrell:—whereas I recall, there were two doctors—

Mr. Martel: Three hundred miles.

Hon. Mr. Timbrell: The member keeps telling me that in the north that is close.

Mr. Martel: Just a jaunt in the morning.

Hon. Mr. Timbrell: That's right. Might keep in shape.

Mr. Martel: You might jog there some day.

Mr. Wildman: What about Dubreuilville?

Hon. Mr. Timbrell: We have been very successful maintaining services there. We recognize for a variety of reasons we are facing problems in the future. To meet those

problems before they get too acute we have reinstated this program to assist the underserved area program.

Mr. Martel: I hope you make a tour to the north.

Mr. Germa: Supplementary: He motivated me to ask the next question. Is the minister aware that the only neurosurgeon we have in the city of Sudbury is leaving town and we are left without a neurosurgeon for a large population such as that?

Mr. Conway: Send Elgie.

Hon. Mr. Timbrell: I am very well aware of that, and that was the prime reason I was motivated to indicate that a CAT scanner will be allocated to Sudbury. It is obvious in this day and age you are not going to get a neurosurgeon back to Sudbury without that particular diagnostic tool. That is why I did it.

Mr. T. P. Reid: In view of the fact the minister is bringing this program back in, could he indicate to the House what shortage there is in doctors and dentists in the northern program? Could he also indicate if he has any other programs in mind to stimulate people to move to northern Ontario?

Hon. Mr. Timbrell: As I recall, we are running about 10 per cent vacancy right now, which is not considered to be a crisis or an unmanageable situation. Rather, looking ahead, we want to be sure it doesn't get much worse than that and we think the reinstatement of the bursary program will be of assistance in that regard.

[2:45]

Mr. Foulds: Supplementary: I would like the minister to clarify, if he would, whether he is restricting his efforts to bursaries for present undergraduate students or does it apply in the immediate situation, for example, to Lakehead Psychiatric Hospital dentists in Thunder Bay from which he withdrew the underserved area program grant? Is he reinstating that portion of the underserved area program—the immediate grant—to someone accepting a job in an underserved area? Secondly, is he applying it to nurse practitioners?

Hon. Mr. Timbrell: The answer to the second part of the question is no. In answer to the first part, I just sent the honourable member a letter yesterday, explaining all the details of the position at Lakehead Psychiatric Hospital and indicating how I think that can be resolved. I think the effort to date hasn't been totally effective because it hasn't been all-inclusive. What I have announced today is in addition to the under-

serviced area program; it is not rolled into the underserved area program.

MILK SUPPLIES

Mr. G. Taylor: I have a question for the Minister of Agriculture and Food. On a newscast last night, there was an item concerning the plight of the cheese processors and milk producers of eastern and central Ontario in regard to the lack of markets and diminishing markets.

Mr. Riddell: That's been asked. Where have you been?

Mr. Wildman: That was already asked.

Mr. Kerrio: I just happen to have the answer right here in front of me.

Mr. G. Taylor: When is the minister going to get tough with Ottawa and get back our quotas for our farmers and cheese processors in this area—

Mr. Martel: The minister put him up to that. Did he get help on this?

Mr. G. Taylor:—so that they will not be left in the proverbial position of sucking the rearmost mammary gland of some animal peculiar to farming?

Mr. Roy: You are only two weeks behind with that. We raised it here.

Mr. Martel: Good question.

Mr. Kerrio: Answer the last question first.

Hon. W. Newman: I believe I answered part of the question the other day for one of the members opposite, but I'll be glad to explain it to the member in a little more detail.

Mr. Martel: The member is fired.

Mr. T. P. Reid: Explain it slowly.

Mr. Bradley: That's an abuse of the question period.

Mr. Germa: Read Hansard.

Hon. W. Newman: I had the opportunity a week ago Monday to meet with the federal Minister of Agriculture regarding this particular matter. I made many suggestions to him about how he could allocate more industrial milk quota or MSQ to this province for the making of cheddar cheese, which we're short of now. We thought they were very constructive recommendations. One was that milk equivalent export outside of Canada would not affect the total national supply management system in Canada. Therefore, we should get credit for what we export from Ontario out of the country.

We felt we should get credit for industrial milk that was moving to other provinces from Ontario. Because we have been encouraged

by Ottawa to produce specialty cheese over the last three years in order to replace imports, which we have done in Ontario, where we have produced at lot more specialty cheese, we felt we should get the necessary credit we needed for industrial milk to supply the needs for cheddar cheese.

We went as far as to recommend to Ottawa that Ontario, in conjunction with the dairy farmers of Ontario, would be prepared nto to tender any powdered milk or butter to the Canadian Dairy Commission in return for a reduction in the in-quota levy of milk, and also for the additional quota we would need to produce the cheddar cheese that is desperately needed here in Ontario, not only for our own consumers but for export purposes.

Mr. O'Neil: Supplementary: I wonder if I could ask the minister when he feels these changes will be brought about so that the farmers in eastern Ontario will feel the effects of the changes?

Hon. W. Newman: As the honourable member knows, a week ago Monday I met with Mr. Whelan and all his staff. I think we presented a very good case. He also asked us to send through more detailed information and statistical data. We feel his people did not have accurate data—and that's a matter of opinion—so we sent him the data we had, which we felt was very accurate, in order to justify our particular case.

I'm sure he knows the plight we are in in Ontario. I'm very hopeful that some consideration will be given to some of these matters. We didn't go down only to tell him about our problem and how we needed the milk, but we offered him solutions without disrupting the whole national milk supply management scheme. I think that is very fair because we said, "This is what we will do to make sure it works." As the member knows, the total industrial milk quota is allocated by the Canadian Dairy Commission, which is under the control of the federal government and the Minister of Agriculture.

Mr. Yakabuski: Supplementary: In view of the fact that I met just yesterday with representatives of the National Farmers' Union and the Ontario Federation of Agriculture in Renfrew county regarding this very matter—

Mr. Bradley: You need a third arm to pat yourself on the back.

Mr. Roy: Do they still vote for you?

Mr. Yakabuski: —is the minister also aware of their concern that the shortage of cheddar cheese might lead to the acceptance of an imitation cheese that could get on the market here in Ontario and Canada?

Hon. W. Newman: Yes, Mr. Speaker. Pardon my cold. When I was down in Ottawa talking to Mr. Whelan we talked about many other matters. One of the matters which we talked about was cheese analogue, which is the phoney cheese, if you want to call it that.

Mr. T. P. Reid: You are the big cheese.

Hon. W. Newman: We've asked him to do an in-depth study of the contents of that commodity in order that we can deal with it at an appropriate time. I assume we will be talking about it at the federal-provincial conference in July in Yorkton, Saskatchewan.

Mr. Cassidy: I have the experimental farm in my riding, Mr. Speaker, which is why I'm qualified to ask this question.

Hon. W. Newman: I am glad to hear it.

Hon. B. Stephenson: I'm not sure that qualifies the honourable member.

Mr. Cassidy: Can the minister say whether it is a proposal or whether it has been agreed that the export levy in Ontario will, in fact, be cut? If it is going to be cut, what steps will he take to ensure that the benefit is passed on to the consumers of cheese and dairy products in Ontario?

Hon. W. Newman: Mr. Speaker, I'm not sure what the honourable member means by the export levy being cut.

Mr. Cassidy: That is what the minister said.

Hon. W. Newman: No, I said we should get a credit. It may be my cold, and the honourable member may not have understood. The amount of product going out of Ontario, outside of Canada, would not affect the national supply management in Ontario, but we should get credit in the province of Ontario for that MSQ that is being exported out of this province and out of the country.

NORTH BAY PSYCHIATRIC HOSPITAL

Hon. Mr. Timbrell: Mr. Speaker, on June 8, the members for Ottawa Centre (Mr. Cassidy) and Nipissing (Mr. Bolan) asked me to report on an incident in the North Bay Psychiatric Hospital on Tuesday night, June 6, in which two staff members were injured, one very seriously, by a male patient.

The member for Nipissing specifically asked if I was aware that this particular man had been a patient at Penetanguishene mental health centre on a Lieutenant Governor's warrant for some time. He also asked why the patient was released from the maximum security Penetang facility and transferred to what he referred to as a "loose security hospital" like North Bay Psychiatric. In addi-

tion, he requested that I explain the procedures involved in the transfer. The honourable member also stated that on the day in question, the patient had been given a pass to go to downtown North Bay.

In order to put the entire matter into its proper perspective I would like to outline the previous history of the patient in question, beginning on October 20, 1976, when he was admitted initially to North Bay Psychiatric Hospital on an order of remand under the Criminal Code.

On December 21, 1976, two months later, the staff at North Bay Psychiatric Hospital felt that the patient's mental condition had improved to the degree that he was able to stand trial. Consequently, he was returned to court and on January 24, 1977, he was found not guilty by reason of insanity. He was ordered to be held in strict custody until the pleasure of the Lieutenant Governor was known.

On January 27, 1977, the patient was admitted to the mental health centre at Penetanguishene on a warrant signed by Her Honour, the Lieutenant Governor. The warrant stated that the administrator of the mental health centre at Penetanguishene was to safely keep the patient until his discharge or transfer was authorized by lawful authority.

On May 9, 1977, the administrator of the mental health centre at Penetanguishene submitted a request to the director of the psychiatric hospitals branch asking that the patient's case be reviewed by the advisory review board in the fall of 1977.

On May 19, 1977, as authorized under section 31 of the Mental Health Act, I requested the secretary of the advisory review board, Barry Swadron, to have this man's case considered when the review board sat at the mental health centre at Penetanguishene.

The patient was seen by the advisory review board on October 14, 1977, and the board unanimously recommended that the administrator of the mental health centre at Penetanguishene be given the discretion to transfer the patient to North Bay Psychiatric Hospital to be safely kept at that facility. The patient was transferred to North Bay Psychiatric Hospital on January 3, 1978. This patient was not considered dangerous to himself or others on the date he was transferred to North Bay.

On admission to North Bay Psychiatric Hospital medication was prescribed and it was decided that the patient should get involved in work within the hospital. However, he was not allowed off the hospital grounds without staff in attendance because

of his status as a patient under a warrant of the Lieutenant Governor.

Records at the hospital indicate that the patient used his privileges well and did not abuse them. He had been working with the gardening crew without incident. However, on February 15, 1978, he refused medication. He agreed to resume medication on March 2 but refused again later that month. Medication was therefore discontinued on March 31, 1978. On June 6, 1978, he was again seen by the advisory review board. Following the interview, staff asked him to return to his ward, but he stayed in the corridor and was using the public telephone. The staff assumed the patient would return to his ward as usual. When he did not return, a ground search was initiated and he was located. When he saw staff in the area, he climbed on to the back of a truck, picked up a board and refused to let staff approach. An emergency call was made and additional staff came to the scene. Approximately 15 staff then surrounded the truck to prevent the patient from escaping.

As Mr. Bob Guillemette, registered nursing assistant, came out of the building near the truck, he was struck on the head by the board held by the patient. Mr. Guillemette had made no overt attempts to subdue the patient but was simply walking by the truck towards the group of staff surrounding the vehicle. Soon after this, Mr. John Black, registered nursing assistant, was struck on the head by the same board. Mr. Black had not made an overt attempt to subdue the patient but was attempting to assist Mr. Guillemette. The patient was finally subdued by staff.

At 7:50 p.m. the North Bay city police and an ambulance were called, and Mr. Guillemette and Mr. Black were transferred to Civic Hospital in North Bay. The administrator of North Bay Psychiatric Hospital immediately arranged with the duty medical officer at the mental health centre at Penetanguishene to accept the patient on transfer and called an ambulance to have him transferred to Penetanguishene, accompanied by staff.

The next morning, Mr. Bob Guillemette was moved from Civic Hospital in North Bay to the Toronto General Hospital. At the present time, Mr. Guillemette is in the neurological unit at the Toronto General Hospital in critical condition.

The second injured staff member, Mr. Black, was discharged from the Civic Hospital in North Bay on June 12, 1978.

Finally, my staff have assured me that on the day in question, June 6, the patient had

not been given a pass to go to downtown North Bay.

Mr. Roy: On a point of order, Mr. Speaker: I am certainly not trying to tell you what to do, Mr. Speaker, but in view of the lengthy statement and in view of the fact that the standing orders are quite clear, could we have some time added to the question period for that statement, please?

Mr. Speaker: Due to the amount of detail that was involved in the answer to the question, I think it would have been more appropriately made during statements by the ministry. I will add three more minutes to the question period.

Mr. Bolan: Supplementary, Mr. Speaker: Is the minister aware of the fact that, before this particular incident, several employees had complained to the administrator about the fact that this man was considered dangerous and that he should not be working in an area where there were tools such as garden tools and what have you? If that is the case, what proposals does the minister have where-by employees complain to the administrator about a situation which they might consider dangerous?

Ms. Gigantes: Bill 70.

Hon. Mr. Timbrell: Mr. Speaker, it is ultimately a decision of the physician in charge of a patient's case to assess the potential for physical harm to himself or to other patients and staff, and to prescribe a proper program for the treatment and rehabilitation of the patient. That is always the course that will be followed, and ultimately it is the physician in charge who must assume that responsibility.

Mr. Cassidy: Supplementary, Mr. Speaker: Now that the minister has had the opportunity to review not just this case but the general principles underlying the particular situation, is he prepared to recommend to his colleague the Minister of Labour (B. Stephenson) that no exemption be sought from the health and safety legislation for psychiatric hospitals so that workers in the psychiatric hospitals will be able to work with management in order to get the safest procedures to follow in cases like this so that this kind of tragedy will not happen again?

[3:00]

Hon. Mr. Timbrell: Mr. Speaker, as the member knows, the question of that particular legislation is one which is under active consideration by my colleague and the government but, as he also knows, the question of safety in the workplace in terms of dealing with patients and care for oneself is some-

thing which is stressed repeatedly and regularly in the psychiatric hospitals as well as in the public hospitals.

I may say that one of the things that happened yesterday in the standing committee on social development in reviewing Bill 19 is particularly germane to this particular incident, inasmuch as the committee had proposed to it by one of the members—my colleague the member for York East (Mr. Elgie), a treatment model which we had discussed with the medical association and others six months ago, which will be of tremendous assistance in cases like this, because this particular individual had refused—and he was competent, a competent patient—to take his medication as of the end of March. Under the amendment passed by the committee yesterday, we will now be able to deal with that kind of a situation to ensure that all possible is being done to assist the patient and, thereby, hopefully avoid any unnecessary incidents.

COLUMBUS McKINNON LIMITED

Mr. Bradley: A question for the Minister of Labour: Now that the strike at Columbus McKinnon in St. Catharines has reached a Niagara Peninsula record, I believe, of eight months in length and in view of the fact that several mediators from the ministry have been unable to bring about a settlement of this very difficult labour dispute, would the minister be prepared to intervene personally to resolve the differences between the two parties?

Hon. B. Stephenson: To my knowledge there has been no face-to-face negotiation for the last several days between the parties in this dispute, and it would seem to me to be the most appropriate action to encourage them, persuade them, cajole them, do something, to get them back to the table again to discuss their differences. That is actively being pursued at the present time by the director of industrial relations and it's hoped at this point that there will be yet another meeting early next week, at which time we will be actively attempting to resolve the problem.

Mr. Bradley: Supplementary: In light of the fact that the union reduced its proposals on the last two occasions when the parties met in Toronto and that the company has rejected these proposals without even offering the courtesy of a counter-proposal and in view of the fact that, as the minister says, no meaningful face-to-face negotiations have taken place, would the minister not agree that, since her ministry has worked very hard to resolve this question, the only real option left would

be the minister's own personal intervention using the best in her office, so to speak, to bring the two parties together and to encourage them to meaningfully negotiate a just and equitable settlement?

Hon. B. Stephenson: No, I am not convinced that I am the most able individual in the area of labour-management relationships in resolving problems.

Mr. Mancini: I have said that all along.

Hon. B. Stephenson: There are many on the staff of the Ministry of Labour who have had much more experience and, I think, are very much more capable. Those people we will be delighted to direct towards finding a solution to the Columbus McKinnon problem.

MANITOULIN ISLAND JAIL

Mr. Lupusella: I have a question of the Solicitor General: Considering that the conditions in Manitoulin Island police jail are "a clear insult to human dignity, disgusting and worse than a Nazi concentration camp" as was stated by a county court judge in last Tuesday's *Globe and Mail*, can the minister state to this House what he is prepared to do in order that the basic concepts of decency and humanity will prevail and that steps will be taken to provide adequate cells in the cause of law enforcement?

Hon. Mr. Kerr: Mr. Speaker, this is a rather unique situation in this particular area and as the article points out quite correctly—

Mr. Cassidy: They are all unique.

Mr. Germa: Whose riding is that?

Hon. Mr. Kerr: —the OPP is using other facilities when this particular facility is full.

Mr. Wildman: Yes—Espanola and Sudbury. Sudbury's 100 miles away.

Hon. Mr. Kerr: It is only in certain times, when this has happened in the past, and I have asked—

Mr. Germa: It is the member for Algoma-Manitoulin's (Mr. Lane) riding. He is not looking after it.

Hon. Mr. Kerr: —the commissioner to look into it. But as the article states there is a change in policy there. When that cell is filled, they use facilities in an adjoining community.

Mr. Laughren: You should spend a week-end there, George.

Hon. Mr. Kerr: It is quite definite that the conditions that prevailed in respect to the trial that took place before Judge Hogg will not happen again, and I have asked for a report that that will be confirmed.

Mr. Lupusella: Supplementary, Mr. Speaker: It's really a shame that this particular incident took place in Ontario. But, anyway, taking into consideration that maybe other OPP jails similar to the one which exists in Manitoulin Island exist elsewhere, would the minister undertake a widespread investigation of all OPP jails existing in the province in order that the situation will be corrected as soon as possible?

Hon. Mr. Kerr: As usual, Mr. Speaker, the member is prone to exaggeration.

Mr. Laughren: Spend a weekend there.

Hon. Mr. Kerr: It is not happening all over the province and he knows it.

Mr. M. Davidson: He didn't say that.

Hon. Mr. Kerr: There is nothing the matter—

Mr. M. N. Davison: They should lock you in that cell for a week.

Hon. Mr. Kerr: —with that jail cell. The cell is quite clean.

Mr. Cooke: You try to minimize everything.

Hon. Mr. Kerr: It's quite proper. It is quite a modern cell from that point of view.

Mr. Cooke: Why don't you talk to Frank?

Hon. Mr. Kerr: The problem here has been overcrowding. That is the problem. You can't put three or four people in a cell, and it shouldn't be done. It's a question of overcrowding. It's not a question of an old, ancient, improper facility at all. If it is used properly, it is quite a modern facility. To imply this is happening all over the province in OPP lockups is nonsense.

Mr. Foulds: One place is too much.

Hon. Mr. Kerr: If you have any evidence that there are other areas and other lockups that are like this, please let me know.

Mr. Lupusella: On a point of order, Mr. Speaker: I think the implication which was expressed by the Solicitor General is not what I have said. I encouraged the Solicitor General to undertake an investigation around Ontario in order that similar incidents wouldn't take place. It is as simple as that.

Mr. Laughren: He is misleading the House.

JURORS' UIC PAYMENTS

Mr. Roy: I have a question of the Provincial Secretary of Justice, in the absence of the Attorney General (Mr. McMurtry). That's one of the useful features of policy secretariats when the minister is not here. I would like to ask the minister this, Mr. Speaker.

In view of the fact that one of the highest duties of citizens in this province is serving jury duty, and in view of the fact there are a great number of people unemployed, would the minister agree to get in touch with the federal Minister of Immigration and Manpower and advise him that as a minister of the crown and as Provincial Secretary of Justice in this province he abhors, or disagrees with, the fact that unemployment insurance benefits should be cut off for an individual who serves on a jury and happens to be unemployed in this province?

Mr. Worton: Pay a little more for jury duty.

Hon. Mr. Kerr: I am surprised that is being done in view of the amount we pay jurors.

Mr. Roy: Yes—10 bucks. That's a supplementary income.

Mr. Martel: Don't brag about that one, George.

Hon. Mr. Kerr: I can't see how that would be considered a supplementary income to any extent. I would be happy to look into that.

Mr. Roy: If I may ask a supplementary, Mr. Speaker: While the minister is informing the federal Minister of Immigration and Manpower of the wishes of this House, that there is a contradiction in having UIC benefits cut off while serving jury duty, would he also give some consideration, as has been promised by many of his predecessors, to looking at what people who are serving on juries are paid in this province?

Hon. Mr. Kerr: To answer the last question, we are doing that, particularly in cases of long trials. For example, if, like the Jaques case, they extended over 10 days or two weeks, there certainly should be added compensation.

Mr. Roy: That's right, for self-employed people.

FRENCH-LANGUAGE SERVICES

Mr. Charlton: I have a question of the Minister of Revenue. In light of the fact we are going to be allowing for French-speaking juries in some areas of the province, and in view of the fact that French-language advisory committees are supposed to be elected this fall by the French-speaking ratepayers of this province, why is the minister not prepared to have identification of French-speaking Ontarians as a part of the municipal enumeration which will be conducted by the assessment division of his ministry this fall?

Mr. Laughren: Good question.

Hon. Mr. Maeck: I have never made the statement that we wouldn't be able to do that.

All I have said is we couldn't do it for this year—

Mr. Laughren: You came pretty close.

Hon. Mr. Maeck:—simply because the forms are already at the printing presses. The request for that came too late to the ministry. I am prepared to say now we can get that information next year. There was a misunderstanding with that particular group.

Mr. McClellan: It is a new idea.

Hon. Mr. Maeck: They understood we only enumerated every two years, which is, of course, wrong.

Ms. Gigantes: But there's only an election every two years.

Hon. Mr. Maeck: We do an enumeration every year. We are prepared to get them a list next year.

Mr. Charlton: Supplementary: Is the minister not aware that in addition to the information which the enumerators in his ministry collect for input into the computer, they are already collecting additional information which is dealt with manually by the assessment division? Does he not feel that in light of that fact, and the fact market value re-assessment has been postponed again, and in fact the staff in the assessment division may have a slight breather, he could ask the enumerators to ask one additional question when they are at the doors this fall and have his assessment staff take two or three weeks to compile those lists manually?

Hon. Mr. Maeck: As the member very well knows, the people who do the enumerating are temporary people. They are not civil servants as such and I think it would be a very difficult situation to ask each one of them to ask that particular question as they are enumerating.

Mr. Foulds: Just give them a second sheet of paper with questions typed on it.

Mr. Breaugh: Just because you can't walk and talk at the same time doesn't mean they can't.

Hon. Mr. Maeck: The other thing is, because of the changes in the Municipal Act this year, there is less time to do the enumeration than there has been in previous years, as the member also knows. I am not prepared to ask people who work on a part-time basis to obtain information that is not contained on the forms.

WASTE DISPOSAL

Mr. Gaunt: I have a question of the Minister of the Environment. The Environmental Assessment Board report on the Nanticoke

waste disposal site made the observation that, "There should be appropriate precautions and criteria established by the Ministry of the Environment for site selection, design, operation and security of any facility for the reception, treatment and containment or disposal of such materials." Does the minister agree with that statement? If so, are such criteria being developed and when will they be in place?

Hon. Mr. McCague: The criteria that the honourable member is mentioning I think could be subject to various opinions from any given number of experts. They are very difficult to develop. We are looking at it.

I think it would be valuable, if anybody is contemplating a facility such as the one in question, prior to that, to talk with the people in our ministry. Of course it still is subject then to the hearing and the opinion of the members of that board.

Mr. S. Smith: It didn't help in Nanticoke.

Mr. Gaunt: A supplementary, Mr. Speaker: What is happening to liquid industrial waste for which there are no other alternatives, particularly in view of the fact there have only been five loads delivered to the Beare Road site since April, all by the one company? Secondly, why isn't the ministry giving approval to Canadian Waste Technology Incorporated?

Hon. Mr. McCague: I didn't get the last part.

Mr. Gaunt: Why isn't approval being given to that company, because they do have a new technology which is apparently working?

Hon. Mr. McCague: I think the member said "why isn't?"

Hon. B. Stephenson: Is not.

Mr. Gaunt: Yes.

Hon. Mr. McCague: To the best of my knowledge the company has not asked for approval for its process. I think you are referring to a letter they wrote to me a couple of days ago in which they claim they can treat all liquid industrial waste in the province. I think that is subject somewhat to other opinions. They have not asked for approval, to my knowledge. There are people in the same solidification business who have asked for approval, and I am sure the honourable member is well aware of that.

Ms. Bryden: Mr. Speaker, I would like to ask the minister, in view of the crisis situation that is developing in the liquid industrial waste field and the need to develop these complicated criteria he is mentioning, would he consider recommending

setting up a select committee to meet over the summer perhaps, to develop these criteria and to develop a policy for disposing of liquid industrial waste in developing criteria?

Hon. Mr. Grossman: Set up another select committee.

Mr. Breithaupt: Excellent idea.

[3:15]

Mr. Ruston: We can't get a quorum together for what we've got.

Mr. T. P. Reid: It's called strange encounters of the fourth kind.

Hon. Mr. McCague: The suggestion the honourable member makes is one that was suggested to her as well as, I'm sure, the Liberal critic and myself, by Pollution Probe. They have a very nice letter in which they suggest that there should be a select committee.

I would have no personal objection to it. However, I think if the member would check with the members of her own caucus and if the member for Huron-Bruce were to check with the members of his caucus and we were to do the same here, I am of the understanding that there is absolutely no time this summer or into the fall for a select committee to sit on this matter. Furthermore, if the Liberal Party critic agrees with this letter from Canadian Waste Technology Incorporated, I don't think there would be any necessity for a committee.

REPORTS

STANDING STATUTORY INSTRUMENTS COMMITTEE

Mr. Williams from the standing statutory instruments committee presented the committee's first report.

Mr. Williams: I would ask that under provisional standing order 6 this report be placed on the order paper for consideration by the Legislature at a later date. Copies of the report have been placed in all members' boxes.

In presenting this report, I would point out to the House that this is the 10th committee of the House appointed pursuant to the Regulations Act to examine regulations of a legislative nature made under authority delegated by the House. Yet, this is the first substantive report to be made on the subject.

This report will provide all members of the Legislature with the first real opportunity to give consideration to a broad field of law that has received virtually no attention in recent time. This lack of attention is undoubtedly due to the fact that the regulatory process and all procedures thereunder have

been working well in Ontario. However, as a committee, we think there is still room for making improvements within the system.

Mr. S. Smith: Is this a speech or a report?

Mr. Williams: We will address ourselves to these matters in detail when the report is before the House.

Mr. Foulds: Is this speech necessary?

Mr. Williams: In the meantime, I wish to thank the members and staff of the committee in their dedication to the task.

An hon. member: It must have been tough.

Mr. Williams: In particular, I would recognize our legal counsel, Lachlan MacTavish, QC, without whose professional assistance, sage advice and commitment this report would not have been able to be presented to the Legislature this afternoon.

STANDING GENERAL GOVERNMENT COMMITTEE

Mr. McCaffrey from the standing general government committee presented the committee's report.

Mr. McCaffrey: I'd like to take this opportunity on behalf of all members of the committee to express our thanks and gratitude to our consultants, Lionel D. Feldman, who is with us in the gallery today, Mr. Henry Sears, Katherine A. Graham and Peter McInnis of the consulting firm Lionel D. Feldman Consulting Limited, who worked so diligently during the public hearings and who wrote this report.

On behalf of all members of the committee I would also like to thank Stephen Fram and Scott McAuley of the Ministry of the Attorney General for their valuable contribution.

The committee received full co-operation from the Ministry of Housing, the Ministry of Consumer and Commercial Relations, the rent review board, and the appeal board. We are also appreciative of the assistance extended to the committee during its deliberations by our clerk, Mrs. Fran Nokes, and her assistants, Frances Davidson, Donna Cantar and Barbara Michalak.

In arriving at our recommendations the committee conducted some 50 hours of public hearings in Toronto, London, Ottawa, Sudbury and Thunder Bay, at which close to 100 briefs and presentations were made, and we reviewed together more than 150 letters. In addition, two nongovernmental experts were invited to make presentations before the committee. The committee wishes to formally thank all those who devoted time and effort to make their views known, in particular

those landlords and tenants who took time off from work to make their presentations, during the day and evening hours in some cases.

The majority of briefs and letters concerning rent review came from individual tenants, tenant organizations, individual landlords and landlord organizations. The tenants almost uniformly argued for continuing the current rent review program indefinitely, with major modifications which would strengthen the controls and improve the administrative process. On the other hand, landlords' submissions almost uniformly argued for termination of the rent review program.

However, many landlords indicated, either in their written briefs or under questioning, a willingness to move from their preferred position of termination to an acceptance of a further extension of rent review or controls provided certain conditions are met. In essence, that was the balance that his committee tried to arrive at. Whether we were successful will be discussed by others and determined in this Legislature at another time.

Mr. S. Smith: You were successful.

STANDING SOCIAL DEVELOPMENT COMMITTEE

Mr. Gaunt from the standing social development committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 19, An Act to amend the Mental Health Act.

Ordered for committee of the whole House.

STANDING PROCEDURAL AFFAIRS COMMITTEE

Mr. Breaugh from the standing procedural affairs committee presented the committee's report which was read as follows and adopted:

Your committee has carefully examined the following applications for private acts and finds the notices, as published in each case, sufficient:

County of Lennox and Addington;
Poly Aire International Limited.

MOTIONS

STANDING ADMINISTRATION OF JUSTICE COMMITTEE

Hon. Mr. Welch moved that standing order 62 be suspended for the consideration of Bill Pr29, An Act to revive Poly Aire International Limited, so that the standing justice

committee may consider this bill at its meeting tomorrow.

Motion agreed to.

STANDING PROCEDURAL AFFAIRS COMMITTEE

Hon. Mr. Welch moved that the standing procedural affairs committee be authorized to sit concurrently with the House next week to consider the matter of the privileges of the member for Huron-Middlesex (Mr. Riddell).

Motion agreed to.

INTRODUCTION OF BILLS

GAME AND FISH AMENDMENT ACT

Hon. F. S. Miller moved first reading of Bill 123, An Act to amend the Game and Fish Act.

Motion agreed to.

POLY AIRE INTERNATIONAL LIMITED ACT

Mr. Leluk moved first reading of Bill Pr29, An Act to revive Poly Aire International Limited.

Motion agreed to.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, might I just take a minute for the information of the House while we are here.

This evening it was our plan to do second reading of Bill 103, which is An Act to revise the Condominium Act. For the information of the members, it is generally hoped that we might still proceed with that at 8 o'clock. Following that bill's getting second reading, we plan to go into committee of the whole to complete Bill 83. So for tonight we have for consideration Bill 103 and Bill 83 in committee with the understanding that divisions called for with respect to Bill 83 would be stacked and that there would be a vote at 10:15.

I thought the members should know that before they went to some other responsibilities. This would mean that for tomorrow morning we would do Bills 110, 111 and 121 for second reading and committee work if necessary. Then we would go into committee of the whole to do Bills 91, 85 and 96.

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

LABOUR RELATIONS AMENDMENT ACT

Mr. McClellan, on behalf of Mr. Breaugh, moved second reading of Bill 65, An Act to amend the Labour Relations Act.

Mr. McClellan: Mr. Speaker, could I ask you to remind me when I have used 15 minutes, so that I may reserve at least five minutes for a wrap-up?

I am very pleased to have the honour to introduce and debate Bill 65, An Act to amend the Labour Relations Act. I would like to take a couple of minutes to explain—I hope clearly—to the members exactly what this bill does. I think there has been some deliberate misinterpretation of what it does. I would like people to understand what the bill does so that they can at least vote for or against it on the basis of what it does and not on the basis of what other people say it does.

What this amendment to the Labour Relations Act states is, first, if a group of workers who are members of a certified bargaining unit go on strike, the bill will prevent anyone except, one, management or supervisory staff, and, two, anyone except people agreed to jointly by the union and by management, from doing the jobs that are normally done by the striking workers. That's the first thing the bill does. It prevents people from going into a plant, factory or workplace that has been struck and taking the place of the workers who are out on strike unless they are members of management or supervisory staff or unless management and union mutually agree to allow them to do the work of the workers who are on strike.

The second thing the bill does is establish unequivocally and clearly who may cross a legal picket line. The bill sets down five classes of people who may cross a picket line. I will review them quickly: 1. people who are management or supervisory staff; 2. people who are members of a bargaining unit at the plant who are not on strike and are not doing jobs that are normally done by the striking workers; 3. non-union employees who are not doing jobs that are normally done by the striking workers; 4. persons who need to have access to the plant for the purpose of doing emergency repairs or providing emergency services; 5. anybody whom management and the bargaining unit on strike agree should be allowed to cross the picket line.

[3:30]

Those five categories of people would be allowed to cross a picket line during a legal strike. Anybody else who crossed the picket line would be subject to the laws of trespass. Under subsection 4 of the bill, it becomes the duty of the police officer to ensure that only persons authorized by the bill cross a legal picket line.

It is useful to understand what the existing rights in law are of people who are legally on strike, and attempting to picket the struck workplace. I have done some research on the subject and it is very interesting to discover that there are no provisions in the Labour Relations Act governing the right of workers to picket. As a matter of fact, the legal right of striking workers to run a peaceful picket line is enshrined in a kind of backhanded way in the Criminal Code, curiously enough, under the section that deals with sabotage and the section that deals with interference.

In both of those sections there is a specific exemption. The sabotage section reads as follows: "No person does a prohibited act"—that is commit sabotage—"by reason that he attends at or near or approaches the dwellings, house or place for the purpose only of obtaining or communicating information."

We are in the ludicrous position of standing in 1978 with one of the basic human rights enshrined in law only by way of exemption to sabotage or to interference. Fortunately, the courts have defined and have enshrined through convention that striking workers have the right to picket for the purposes of providing information and communication. As I have said, that is the only right in law that striking workers have in 1978.

The question is how is this right upheld? The Fleck strike, which has been on now for three months, has shown very clearly that this right is not upheld at all in this province. Even the backhanded enshrinement of the right to picket through the sections of the Criminal Code that I cited seems not to be understood either by the Ministry of Labour or by the Ministry of the Solicitor General or by senior officials of the Ontario Provincial Police.

How is this right upheld in Ontario in 1978? On April 10 at the Fleck plant there were 520 officers of the Ontario Provincial Police on the picket line. On April 11 there were 523 officers of the Ontario Provincial Police at the Fleck picket line. On April 12 there were 517 OPP officers. On April 13 there were 516 OPP officers at the Fleck plant. What were they doing there? They were not there to uphold the right of the 75 courageous women who were on strike at the Fleck plant to run a picket line, an informational, communicative picket line.

They were not there to do that at all because of a combination of two things. First, the law does not seem to be sufficiently clear to guarantee to striking workers the right to a picket line. Second, the OPP has failed

to understand, as has government, what their responsibilities are respecting workers in this province. What the 500-plus OPP officers were doing there was providing an escort service to strikebreakers. In fact, what the 500 OPP officers were doing was preventing the 75 striking women from communicating at all with the strikebreakers going into the strikebound Fleck plant.

The time has come simply to modernize our labour relations law. That's what this bill attempts to do. In a labour dispute in this province, there are at least four parties to an industrial dispute. There is management, there is the bargaining unit that is on strike, there are the strikebreakers, and there is the Ontario Provincial Police. Under the present law, they are all entangled in the labour dispute, because the law is sufficiently unclear and sufficiently inadequate that it does not specify a proper role for the police and it does not bar strikebreakers from coming in and taking the jobs of workers who are out on a legal strike. It puts the police in the absolutely impossible position of having to provide an escort service for strikebreakers. It therefore puts the police in the position of having to support management as against the workers in an industrial dispute.

We believe that the role of police during a strike very simply ought to be twofold: to protect property and to keep the peace. That's precisely what these amendments would achieve. No longer would the police be required to provide an escort service for strikebreakers. No longer would the police be in the impossible and ludicrous and unfair and unjust position, because of inadequacies of the law, of having to side with management in an industrial dispute. Their role would be clear and simple: to protect property and to keep the peace.

This is not entirely novel legislation. A version of this legislation has been enacted in Quebec. It was enacted because that province was experiencing labour problems similar to the kinds of problems we are experiencing here in Ontario at the Fleck plant, or some time ago during the strike at Sandra Instant Coffee Company Limited in Ajax.

The time has come to give working people in this province the rights in law which are universally recognized as natural rights. It is very much to be hoped that there will be sufficient members on all sides of the House who will realize and accept the principle that it is wrong for laws to force the police to take sides in an industrial dispute and it is wrong for laws to make it possible

for strikebreakers to take the jobs of workers who are out on a legitimate, legal strike.

I will reserve whatever time I have left, Mr. Speaker, for some concluding remarks after the rest of the debate.

Mr. Acting Speaker: You have eight minutes left. Do you wish to reserve all eight minutes?

Mr. McClellan: Yes, thank you.

Hon. B. Stephenson: Mr. Speaker, right at the outset I should state that I really cannot support this bill. I object strongly to the central concept of Bill 65, which is the fact that struck employers may not realistically attempt to continue to function during a strike.

It should be pointed out that the Labour Relations Act in this province is predicated upon a balance between the rights and responsibilities of organized labour and the rights and responsibilities of management. The Labour Relations Act gives labour and management the right to exercise what has to be construed as approximately equal economic sanctions, the strike on one hand and the lockout on the other.

There are those who may argue that the strike is less effective as an economic sanction than the lockout. I'm not really sure that that is so, but I think it should be noted that the strike effort is, in effect, an extremely effective, economic sanction. It's been used effectively by unions to achieve their objectives in the collective bargaining process.

I think one only has to look at the importance which trade unions place upon the strike as an economic sanction to understand just how vital this is to their role in collective bargaining. They certainly object very strenuously when any mention is made of any infringement upon that right and, certainly, there is major objection if any suggestion of the removal of that right is made.

But it should be noted, I think, that neither the strike nor the lockout is a totally effective economic sanction. At present, a struck employer may, under the act, reassign management personnel or, indeed, the employer may engage temporary employees in order to continue the operations. Conversely an employee who is locked out or who is on strike may seek employment elsewhere in order to continue to obtain an income during the strike or the lockout.

Bill 65, as it's presently written, would upset this balance totally. It would, in effect, totally shut down a struck plant. It would prevent the employer from hiring any temporary help of any kind and, I think, thereby intensify the effect of the union's economic

sanction. However, it would not provide the employer with any additional power to exercise economic sanction over its locked out employees. It does not prevent the locked out employee from getting a job elsewhere during a lockout.

Mr. Speaker, I think the passage of Bill 65 would create an imbalance in labour management relations in this province which, I fear, could seriously damage the collective bargaining process as we know it in Ontario. For example, the bill would abolish the right of those persons who do not support a strike to continue working. This, of course, flies in the face of the democratic principles upon which the Labour Relations Act in this province is founded.

From the organizing stage to the certification stage, each employee in each workplace is given the opportunity to exercise his or her democratic right to self-determination. I think one must question whether that right should be totally abrogated during the strike or lockout situation. Yet such abrogation is implicit within Bill 65.

A union member would lose the right to decide whether or not he or she wants to support the strike or to continue working during a strike. The bill would require all members of the collective bargaining unit to refuse to do work. Regardless of personal choice, that would be imposed upon them. I'm sure such an infringement upon democratic principles must be unacceptable in this jurisdiction.

Under section 64 of the Labour Relations Act of Ontario, an employer must reinstate a striking employee within six months of the commencement of a legal strike upon the request of the employee.

Mr. Foulds: You know how well that worked in the Port Arthur clinic strike, don't you?

Mr. Breaugh: Then why don't you do it?

Hon. B. Stephenson: And this section also states, and I'd like to quote this: "The employer, in offering terms of employment, shall not discriminate against the employee by reason of his exercising or having exercised any right under the Labour Relations Act, such as the right to strike." This section, I think, incorporates the principles I mentioned earlier, the concept of balance and the concept of free choice.

Mr. Foulds: Yes, and you know how that is enforced, too, don't you?

Hon. B. Stephenson: If Bill 65 were to be passed, the right to seek reinstatement, I think, would be nullified. An employee, even

when reinstated, would not be permitted by this bill to do any struck work. I find such a concept unacceptable.

[3:45]

Having raised those specific objections to the bill, I'd like to make a general observation. The institution of collective bargaining is complex and delicate, but vital to the economy of this province. I don't think it can be, nor do I think it should be restructured without a great deal of thorough and thoughtful analysis. It cannot be changed piecemeal, as Bill 65 attempts to do, because if that is done, I think we run the risk of very severe long-term consequences.

I recognize the concern which I think has prompted this bill, the concern about collective bargaining and the process of collective bargaining. I would agree that as it is presently structured within this province and defined within The Labour Relations Act it is not perfect. However, I think it is important to state, and to remind the members of the House, that more than 90 per cent of all collective agreements in this province are renewed without resort to either strike or lockout.

Mr. Foulds: What about first agreements?

Hon. B. Stephenson: But if we look at the structure of collective bargaining and amend the Labour Relations Act in ways which will indeed improve that vital process, I think we have to do it thoughtfully and carefully.

Mr. Lupusella: When are you going to do that?

Mr. Foulds: You promised that that would be reviewed two years ago.

Hon. B. Stephenson: I think I should also remind the members of this House that over the last several months there has been an improvement in the labour-management climate in this province. I think it is partly due to the increased initiative in the areas of—

Mr. McClellan: Where have you been?

Hon. B. Stephenson: —preventive mediation by the Ministry of Labour and certainly in the areas of new initiatives and the quality of working life.

Mr. Foulds: Justify that statement.

Hon. B. Stephenson: There is no doubt in my mind that the collective bargaining process and the act which in fact guides it require further improvements, but the principles embodied in Bill 65 I don't think will assist us in that improvement. In fact, I believe deeply that they will do just the reverse.

Mr. Foulds: How?

Hon. B. Stephenson: Therefore, as I stated at the beginning, I truly cannot support this bill.

Mr. O'Neil: Mr. Speaker, I am very interested in the comments that were made by both the NDP member and the minister. I might remind the members of this Legislature and the member who brought in the bill, that a bill similar in some respects was introduced in the third session of the 30th Legislature of Ontario in 1976 by the then critic for the Ontario Liberal Party, Mr. Bullbrook. There is quite a difference in the bill he introduced and that bill brought forward today.

His explanatory note read, "The bill prohibits the use of professional strikebreakers," and I feel, as do some of the members of this party, that the explanatory note of Bill 65 is not the same at all. It was my understanding when Mr. Bullbrook introduced this bill that what he was trying to do was remove or get rid of the definition of the professional strikebreaker as someone who came or was hired by a particular company to come into a picket line and could possibly use force to break up that picket line. It is my understanding that that bill, dealing strictly with professional strikebreakers, would have been supported by this party. We do not see this bill here as dealing with professional strikebreakers.

Mr. Foulds: No, just amateur strikebreakers.

Mr. O'Neil: We see it as excluding replacement employees. We also see some problems in the definition of the legal picket line in the bill. We think it is vague and could lead to unusual results.

Mr. Breaugh: How about the principle of the bill?

Mr. O'Neil: Suppose the Teamsters are on a legal strike against a transport company. The Teamsters could set up a picket line outside the premises of any non-union employer, for example Eatons, and the employer would be prevented from hiring any new staff to cross that picket line. If the member doesn't agree with that, I would like his comments.

Mr. Breaugh: It is not a legal picket line.

Mr. McClellan: That is not a legal picket line.

Mr. O'Neil: That is why I said that the definition of a legal picket line is vague and I think it should have been expanded before this bill was written.

Mr. Foulds: Eatons probably should be unionized.

Mr. O'Neil: The labour relations experts estimate that only two or three per cent of

all employers hire new employees during a strike and we feel an argument might be made that this practice should be re-examined. It might also be suggested that this bill will reduce the violence that has been sometimes associated with labour disputes. The province of Quebec, as mentioned by the second previous speaker, introduced similar amendments to its labour code. However, there are currently a number of strikes in Quebec which have been characterized by violence, most notably the Commonwealth Plywood plant in Ste. Therese. As mentioned by the minister, it is also our fear that some of the smaller employers could be forced to shut down operations during a labour dispute, which could result in them being forced out of business. I don't think that any of the parties would like to see this happen. We are certainly interested in getting rid of labour disputes, but we also have to make sure jobs are retained, that jobs aren't lost across this province. We feel that possibly this bill would be the cause of some of those problems.

The concept of performing the work of an employee who is exercising a legal right to strike is vague and could give a rise to disputes. How would the labour board decide if a given piece of work was included in the definition or was excluded from it? The minister mentioned a few other examples. I would like to quote from one of the editorials in one of the large papers which quotes the Quebec law.

Mr. Foulds: Name it.

Mr. O'Neil: I think it was in the Star of last year.

Mr. Foulds: How can you quote it if you don't know where it is from?

Mr. O'Neil: The editorial talked about the bill that was put through in the Quebec legislature. The editorial said: "Quebec's plan to amend the province's labour code and outlaw strikebreakers threatens to undermine a basic principle of collective bargaining, the right of a company to try to continue to operate when its employees strike."

Interjection.

An hon. member: Are you the labour critic here?

Mr. O'Neil: I would invite the comments of members on this when they get up to speak, because they have a chance to refute some of these things that were said. I would like some of the answers on some of these things which we have looked into. Another thing the editorial refers to is the assumption that the union is always right in its demands and is, therefore, justified in shutting down

a business if its demands aren't met. But, as the editorial says, experience shows this is not always so.

As I say, we had some worries about the wording of this particular bill and the effects that it might have on destroying of jobs in both larger and smaller unions and businesses. We also are not happy to see some of the problems that have happened throughout the province, one being the strike at the Fleck plant. The intention of the bill is not to allow the employer to hire additional help to come in to take on temporarily some of these jobs that the strikers have left. We also wonder whether it was the member's intention in the bill that members from larger unions from across the province can't be brought to a picket line during a strike, and whether the definition of picket line would exclude people from other parts of the province taking part in those strikes.

There are several things at the Fleck plant which have inflamed the situation there. It could be said that the police have inflamed it. It could also be said that groups coming in from all over the province or other parts of the province have also inflamed it. We don't feel that the definition of a strike-breaker is covered enough. I would invite and like to hear comments of members to my left and from across the House on some of these matters. As I say, we are looking at the bill and we have some worries about it.

Mr. Breaugh: I am a little concerned that people are addressing themselves to clause-by-clause issues as opposed to the principle. I still am not sure whether the Liberal Party labour critic is in support of the principle of the bill or not?

Mr. O'Neil: I am in support of professional strikebreakers—

Mr. Breaugh: Let the Hansard show that the Liberal labour critic just indicated that he is in support of professional strikebreakers.

Mr. O'Neil: I am sorry. I am against professional strikebreakers, as I mentioned in my remarks on the bill.

Mr. Breaugh: That's one of the fastest turnarounds we have had.

Interjection.

Mr. Acting Speaker: Order.

Interjections.

Mr. Lupusella: Keep him under control, Mr. Speaker.

Mr. Breaugh: Let me attempt to deal very succinctly, if I can, with the principle of this legislation, recognizing that I am seeking the wisdom of the House in proposing that it

would go to a committee stage later on where the opportunity to debate it clause by clause would be provided. The principle is a relatively simple one, namely, that in this day and age and in this province the status of the trade union movement is recognized as such that it is no longer fighting for recognition. One of the few concessions we have managed to get from the Minister of Labour (B. Stephenson) lately is that she is now recognizing the validity of people getting together into a bargaining unit, that people have a right to do that.

Mr. Germa: She does it reluctantly.

Mr. Breagh: Perhaps with some reluctance—

Hon. B. Stephenson: No, it wasn't. For two years I have been asking that the validity of unions as part of our social structure be recognized.

Mr. Breagh:—but she did say that, and that is certainly to her credit. I want to address myself, though, to the principle of the bill, which basically is that in this day and age it is no longer appropriate to apply the use of force on a picket line. Where a picket line is legally recognized—and that is contained within the bill—and where the bargaining unit is legally recognized—and that is also contained there, so there are those two provisos—the use of force is no longer a proper exercise, certainly not on the part of the police officers—whom we all support; we all appreciate they have a difficult job. As the Solicitor General (Mr. Kerr) said in this House of the Fleck Manufacturing Company strike: "They are doing a job they don't want to do and that they don't like." Frankly, I think even the Solicitor General is beginning to recognize it is basically not their proper role.

The principle of the bill, very simply, is to remove that use of force—and in particular to remove from police officers the job they don't want to do and one that they don't do particularly well, that is to provide access to a legally struck plant.

What I find particularly irritating is that basic police decision which must be made at every picket line almost every day in the course of a strike where strikebreakers are used; that is some superintendent or sergeant deciding: "Can we provide access to that plant now? Do I have enough personnel on hand; do I have enough equipment on hand to move strikebreakers through a picket line?" That surely has to be a soul-searching moment for him.

The difficulty, too, is that whether they want to or not; whether they are there to do

this or not, the police are seen to be the aggressors in the instance. They are not keeping the peace; that's quite clear. They are not acting in a passive or defensive role; that's clear. They have to take, usually, a bus full of strikebreakers—in the vernacular they are scabs—through a legal picket line. A distasteful job at best, one that can't be done with much dignity or grace.

In particular, the initial instance for the drafting of this legislation was a strike at Sandra Instant Coffee Company Limited in Ajax. Even though that dispute has not been settled fully yet it is still apropos, and perhaps more so with the strike at Fleck where again we see the classic case of a small bargaining group attempting to get what they think are their legal bargaining rights, an exercise in what they think is a legal right to strike, and yet having the massive power of the police in this province directed against them to break that strike.

The minister talked about the economic sanctions and the differences between a strike and a lockout. I didn't hear her say that when a company locks the employees out the employees should have the democratic right to go to work and to receive a pay cheque. I didn't hear her say that; that certainly would be a needed balance that would have to be put into it.

Hon. B. Stephenson: I said they have the right to work elsewhere.

Mr. Breagh: What is the use of providing employees in Ontario with the right, in a legal sense, to get together in a bargaining unit, the right to have a legal strike and pretending they have an economic sanction, when you turn the full force of our police against them? That's certainly unrealistic in this day and age.

Interjection.

Mr. Breagh: There is a measure—and I am quite prepared to admit it—of infringement of democratic rights on people who might previously have been employees in that plant, there is no getting around that; but there is also no getting around the fact that if you join a bargaining unit and they negotiate a set of wage packages for you, you get them; whether you walk the picket line or not you are represented by those people. In the process of certification—and we might talk on some other occasion about whether that's fair or not—a majority of those employees in that plant said: "Yes, we want to belong to this bargaining unit." Before employees who do not support the strike to the secondary location.

they go on a strike, the majority of those people say: "Yes, we want to go on strike."

We can argue individual cases as to whether that was fair or properly conducted, or whatever you want, but you can't get away from the democratic process at work there. They voted, the majority of them, to join the bargaining unit in the first instance. Secondly, they voted, a majority of them, to go on strike. True, in any democracy sometimes we lose a bit of our rights. That's what a democracy is all about; a democracy exercises the right of the majority opinion. We don't get away from that, we should never apologize for that; it is the best system of which we know to function in.

So there is some infringement of democratic rights, for sure.

Mr. Ruston: That's not correct.

Mr. Breough: There's also some infringement of democratic rights, though, when human beings who work very hard for a living, who negotiate a contract and find themselves in a position they don't want to be in in the first instance, and that is on a legal strike.

You can't find me a trade unionist in this province who doesn't spend most of his or her time making sure the people they represent don't go on strike. The purpose of sitting through all that negotiation is not to get your people out on the picket line; it is to get a settlement. That's the purpose of the entire exercise.

[4:00]

There aren't people in this province who go around saying, "We want to have a strike." There are people who get to that point in the series of negotiations where they say: "We don't have any alternative. The last thing we have got is to withdraw our services as a unit." And that's the way it goes.

There are a number of related issues in all of this, not the least of which is—and I don't want to overemphasize this, but it has certainly got to be a factor—when you take an example like the Fleck plant, where we have now spent better than \$1 million from the public purse to provide police protection, police access to a plant. At some point in time there has got to be a limit to that price tag.

Stop to think about this: If we handed that \$1 million to the company—which I suppose this government would be quite prepared to do—and said, "Go settle your labour dispute with that \$1 million," perhaps that would be a preferable option. If we gave to the employees their share of that \$1 million of police costs, they would probably say:

"That's a good enough bribe for me. We'll go back to work now."

At some point in time we have to make that distinction; public cost must enter into the picture and, as of now, it does not.

The management of any company on a strike is given access to a rather substantial amount of protection, which they warrant, and of interference, which I don't think they warrant.

That public cost is getting to be a rather substantial total, which has got to be a consideration as we move through this type of legislation.

There are those who might say this bill expresses a bias on the part of a worker. I wouldn't back away from that at all. If anything, I would be saying they have been robbed of their rights for long enough that it wouldn't be a bad idea to put a little bias into legislation these days that would support the stance of the worker. In theory and in practice it would not do that.

In theory and practice the bill does two basic things. It says you can't, as an employer, hire strikebreakers. Whether you want to call them scabs, strikebreakers, amateur strikebreakers, or professional strikebreakers, they all accomplish the same purpose: they take the job of someone who is legally on strike. The bill does do that, and I do not back away from that at all.

The second thing the bill says is that in the instance of a legal picket line—and for the first time in our history it gives some reasonable definition of what a legal picket line is—the job of a police officer is to keep the peace. He does not have to mount up with riot gear on and escort a busful of strikebreakers through a legal picket line. He simply keeps the peace. That seems to me to be a job our police are well equipped to do and could handle without question.

If we see some awkwardness in the way the police forces of Ontario, both the provincial force and local forces, face this kind of situation, it is because it is not only distasteful, but also one which they cannot do without being seen to be taking sides in the issue. They don't want to do that. Frankly, every time they escort a busful of strikebreakers through a legal picket line, whether they intend to or not, they are taking sides in the issue. They don't like that role. They don't do it particularly well, and I am suggesting this legislation would put a stop to that and provide some measure of evenness in it.

In closing, I go back to the basic point. I think it is inappropriate in this day and age that the battle should be a street fight. In my view that is precisely what is happening in a

number of labour disputes. The police officers look down the line and say, "Can we make it through that line this morning?" If they can, through they go. If they can't, they simply call the management of the plant and say: "We're sorry, we can't give you access this morning. Try later on in the morning, try earlier in the morning, or don't try at all." That strikes me as being a ridiculous situation for us to be in, in this day and age—

Mr. Acting Speaker: The member's time has expired.

Mr. Breaugh:—and I would urge the members to set aside their bias on this particular type of legislation and support the principle of this bill.

Mr. Pope: Mr. Speaker, certain aspects of picketing and the strikebreaker issue are dealt with in other jurisdictions but, with the exception of Quebec, no province has a comprehensive prohibition on the use of replacements.

British Columbia legislation prohibits the hiring of professional strikebreakers as has been referred to by the member for Quinte (Mr. O'Neil), and regulates the where, when and how of picketing.

Manitoba prohibits an employer from disciplining an employee who refuses to perform the work of a striking fellow employee.

Prince Edward Island and Nova Scotia prohibit the supply of employees during a strike or lockout in the construction industry in which an accredited employer organization is involved. Ontario contains a similar provision, section 119. The Quebec provision, section 97(a) of the Labour Code, is the only one similar to that in the proposed bill. It has been in force for only a few months and Quebec officials indicate that it is much too early to assess the effects of the recent amendment.

I would like to deal with clause 1(b) of section 59(a). There are three requirements for a legal picket line: It must be composed of members of the certified bargaining unit; they must be moving; and they must be carrying signs.

I assume that if any one of those conditions has been breached—for example, if the line is not moving—it would not constitute a legal picket line. Neither the moving requirement nor the sign requirement are significant and I wonder why these prohibitions are necessary. It should be noted that this definition is more restrictive than the present law.

It excludes from participation in the picketing all persons who are not members of the bargaining unit. This group would include not only third parties but also, in many cases,

the union officials who have responsibility for conducting the strike. Third parties and union officials who are not members of the bargaining unit are currently allowed to participate in picketing.

Since bargaining rights need not be based upon certification, it is presumably not intended to restrict legal picketing to members of a certified union.

The reference to legal picketing raises the inference that all other forms of picketing are illegal. Picketing which meets the definition of 59(a) 1(b) will still be presumed to be illegal if it involves a common law tort or a violation of another section of the act.

I would like to deal with section 59(a)(ii). The principal problem with this section is in defining the work of a struck employee. The term "the work" is used in that section. This term must be more specific, both in economic and geographic terms. For example, is this section triggered if an employer chooses to produce the product at a second location and to supply his customers from that location? In a sense, the work of the striking employees is now being done elsewhere by other employees who may or may not themselves be organized. Is the section intended to cover this situation?

Mr. Cassidy: Did Bette Stephenson's ministry write this for you?

Mr. Pope: If not, larger multiple plant operations will have a decided advantage over smaller single plant operations and there remains the possibility of picketing activity at the secondary location. If it is intended that a secondary location of the same employer should be covered by the prohibition, there is an incentive to expand or locate secondary industry outside of Ontario.

It is also unclear whether the bill applies to an ally of the struck employer who performs the work ordinarily done by the employees of the struck employer and thereby assists him to continue to supply his customers.

I'd like to deal next with section 59(3), which deals with the definition of work premises. If "work premises" means where work ordinarily done by striking employees is done, it admits to the same geographic ambiguity referred to previously. It is not clear whether access is restricted to secondary locations of the employer or to the premises of an ally if struck work is being performed there. It is also not clear whether there is any prohibition against hiring new employees at a secondary location to perform struck work; or transferring managerial employees, non-union employees, or bargaining unit em-

All of these possibilities have occurred from time to time under the present law. If they are not covered by the proposed bill there will remain the potential for particularly bitter forms of picketing and confrontation. Alternatively, if secondary and ally situations are covered by the present law, then it will raise difficult questions of definition and its ramifications are consequently impossible to foresee.

It should be noted that the bill implies that legal picketing can only occur at work premises and not elsewhere. Even if one assumes that the restrictions on access apply only to primary location of the struck employer, section 59(a)(iii) seems to be drafted much more narrowly than is necessary. By implication, access is forbidden to members of the bargaining unit who do not support the strike and are prepared to continue work and perform work of their striking fellow employees.

The bill also forbids entry to the premises unless a person is a member of a certified bargaining unit—

Mr. Warner: This is close enough to clause by clause that we might as well give it third reading.

Mr. Pope: —that is not on strike and is not engaged in performing struck work; thus it would appear that even persons who are not performing duties of striking employees could not enter the plant unless they were also members of certified bargaining units. For example, a delivery could be made to the plant if the carrier was unionized but not otherwise. There appears to be no logical reason for this distinction.

Mr. Grande: Why don't you send us a copy?

Mr. Pope: I would next like to deal with subsection 3(c)—

Mr. McClellan: I think you should publish this as an article. Send this to the Law Journal, they will publish it.

Mr. Pope: —which deals with the position of members of the bargaining unit who do not support the strike. The position of the members of the bargaining unit who do not support the strike is unclear and depends upon the meaning of the term "non-union employee" used in section 59a(3)(c).

Mr. Grande: Don't support it.

Hon. Mr. Norton: You know you won't read a law book.

Mr. McClellan: I'd like to think you're right.

Mr. Pope: This term could mean non-member of the bargaining unit, non-union member of the bargaining unit, or member of the bar-

gaining unit who does not support the strike. Whatever the meaning ascribed to the term "non-union employee," it is clear that such persons cannot perform the work of any employee who is on strike, no matter how many employees there may be who do not support the strike.

Likewise, the restrictions on access to the plant attach regardless of how many employees in fact support the strike. Again, it will be important to determine what "the work of an employee on strike" encompasses, since there may be a qualification on the section 64 right of the employees to return to work as mentioned above.

Mr. Breagh: He is reading from a prepared text.

Mr. Haggerty: That's the worst part of it.

Mr. Pope: I'd also like to refer to subsection 4 of section 59(a)—because this is a mess—and ask how you can reach the conclusion that you're dissatisfied with the role the police now play? You set out a whole line of tests police officers at a striking plant have to perform in order to determine whether or not someone can gain access to the plant. In fact, the onerous conditions that police now have are made worse, because they have to go through a virtual checklist—

Mr. Ruston: By far, by far.

Mr. Pope: —in the presence of everyone to determine who can get access and who can't get access.

Mr. Breagh: Why don't you go out and visit the real world for once in your life?

Mr. Pope: In other words, this is a mess.

Mr. Cassidy: How many days have you spent at Fleck Manufacturing?

Mr. Pope: The principles are a mess—and I'm not through, I'm not through.

Mr. McClellan: You were through before you started.

Mr. Pope: I'd like also to deal with the use of the reference of the Petty Trespass Act.

Mr. Grande: Are you going to make mistakes if you don't have the right place?

Mr. Pope: In addition, it is simply not clear how the procedures of the Petty Trespass Act and the Ontario Summary Convictions Act can be applied to this situation.

Mr. McClellan: Did you lose your place in your prepared speech?

Mr. Pope: Normally, a trespass can only occur if a person enters upon lands or premises without the owner's permission, whereas here persons potentially liable to

trespass will inevitably have the owner's permission. Who will institute proceedings? Assuming one wished to create an unfair labour practice of this kind, there seems to be no reason why it should not be dealt with in the same manner as with any other unfair labour practice.

Mr. Breaugh: He is doing what Norton does all the time.

Mr. McClellan: Turn the page.

Mr. Pope: I certainly will.

Mr. Breaugh: He turned it back again. He lost his place again. Get them to do it in crayon.

Mr. Pope: The proposed bill seems to envisage a novel means of enforcement by prosecution before a provincial court judge under the Petty Trespass Act. At the present time many contraventions of the act may be brought to the Ontario Labour Relations Board, and in addition may, with the consent of the board, be subject to the matter of a criminal prosecution which can lead to the imposition of substantial fines.

Mr. Grande: We know you can read.

Mr. Pope: It is not clear how the new prohibitions would fit into the existing scheme. Neither the board authority nor the current consent to prosecute provisions are mentioned in the bill and the fines in the Petty Trespass Act are much lower than those currently possible for other breaches of the act.

Mr. McClellan: Have you ever seen a picket line?

Mr. Pope: Just before I sit down, I would like to quote from, I think someone in authority, who may have the respect of the third party, although I doubt that they respect anyone.

Mr. Breaugh: You can't impugn the motives of the members of this House.

Mr. Pope: This is a quote, and I'll read it: "I want to tell you something else which may be indiscreet of me, but I'll say it anyway. I don't agree with some of the people, including senior labour leaders in this province like Cliff Pilkey—"

Mr. Grande: See what happens when you talk, you get into trouble.

Mr. Pope: "—when they say that non-striking workers should somehow not have access in law. The law stands that you have a right to go on strike. The law also says that those who choose not to go on strike—"

Mr. McClellan: He was talking about the law as it is.

Mr. Pope: "—have a right to continue working."

Mr. McClellan: That's the law.

Mr. Pope: "That seems to me to be a legal and supportable proposition. I've never much liked the idea that should be impeded. So with considerable regret, I don't agree with Mr. Pilkey on all of that."

Mr. McClellan: He was supporting the law as it is.

Mr. Breaugh: The next thing we know he's going to read the Thoughts of Chairman Mao.

Mr. Pope: That quote is from May 31, 1978, by the member for Scarborough West (Mr. Lewis).

An hon. member: It's a joke.

Mr. Breaugh: Yes? Yes?

Mr. McClellan: He was telling you exactly what the law is.

Mr. Breaugh: Dynamite speech, but are you for him or against him?

Mr. McClellan: He was telling the police to enforce their own laws.

Mr. Mancini: I would like to address myself to Bill 65, which has been introduced by the member for Bellwoods (Mr. McClellan), but which had been, I believe, previously introduced by the member for Oshawa (Mr. Breaugh); which had previous to that in fact been introduced, almost somewhat in the same manner, by my former colleague, the former member for Sarnia (Mr. Bullbrook). Although I commend the member for Bellwoods for introducing the bill, it's not that original. Maybe the next time he gets a ballot item he can do a little better.

Mr. Lupusella: Will you support it?

Mr. Cassidy: Will you support it?

[4:15]

Mr. Mancini: Bill 65, I believe, deals with the basic rights of working people in this province. When an area, work site, manufacturing plant, a mine, or these other various work places are on strike, I don't think its very much to ask of anyone to let the strike continue legally and not jeopardize the rights of the working people who are trying to gain a fair and equitable contract. I have many establishments in my riding, some of which have been on strike on some occasions.

Mr. Lupusella: That's exactly the principle of the bill.

Mr. Grande: You don't understand the principle of the bill. I am sure about that.

Mr. Mancini: Even my father was one of the striking workers. I don't think it would have been fair for him or for any of those other workers to have someone else go in

and do their work, because if that is the way we are going to handle strikes in this province then the working people have no strength and they have absolutely no protection of their rights at all.

Mr. McClellan: You are right on.

Mr. Mancini: The principle of the bill is what I have just stated. That's why I am in support of the bill although the honourable member for—where is he from?

Mr. McClellan: Texasgulf.

Mr. Haggerty: From Spadina.

An hon. member: He is only temporary, don't worry about it.

Mr. Mancini: Yes, although the honourable member for Cochrane South, (Mr. Pope), who is a lawyer, raises many legalistic—

Mr. Pope: The member for Scarborough West doesn't agree with the principle of the bill.

Mr. Mancini: —problems about this bill, I don't think any of his concerns are things that cannot be corrected if he believes in the principle of the bill. If he doesn't believe in the principle of the bill, that striking—

Hon. B. Stephenson: The member for Scarborough West doesn't believe in this bill.

Mr. Mancini: —people have the right to strike when they are on a legal strike, then that's a different matter totally. Anyone who agrees with the principle of the bill knows that it states very clearly—

Mr. Grande: You show very little understanding of what is going on.

Hon. B. Stephenson: That's a different matter.

Mr. Mancini: —that under emergency situations certain personnel can go in and take care of emergencies. It states very clearly that groups who are authorized by the union and the management can go in and perform work activities. It states very clearly in this bill that all the management and supervisory staff can go in and work on the premises.

This is an utmost fair bill, and I say the bill deserves the support of the members of this House. The Minister of Labour can nod and shake her head all she wants, but she has not been a real Minister of Labour, although I consider her to be a good friend of mine.

Hon. Mr. Baetz: You should have read Claire Hoy today. He would set you straight.

Mr. Mancini: On no occasion has she refused to accept some of the very good suggestions made by both opposition parties. We have witnessed other things that have greatly disappointed us with the Minister of Labour.

I refer directly to the compensation benefits paid to injured workers.

Getting back to the principle of this bill, there is one section which I think would possibly have to be changed by the committee. It is section 2, subsection 4, and that deals with the police who are on duty. I think we would create some problems with the police and with the people involved on the strike site, so I think a great deal of work would have to be put into that section to make it more fair. In total, and generally, I support the bill.

Mr. Gregory: You are sitting in the wrong seat. You should be sitting over there.

Mr. Cassidy: Mr. Speaker, I welcome the speech by the member for the Liberal Party. I hope that indicates that all of his party, and not just one or two members, will be prepared to support the bill that has been put forward by my colleagues.

Hon. Mr. Baetz: Did you read Claire Hoy's article today?

An hon. member: You should listen to Remo.

Mr. Cassidy: It is a good bill. It is a bill which, in my opinion, will go a long way towards implementing the basic purposes of labour relations in the province of Ontario, to which all parties have, in fact, subscribed in the past. I just want to read the preamble to the Labour Relations Act of Ontario, which says and I quote:

"Whereas it is in the public interest for the province of Ontario to further harmonious relations between employers and employees by encouraging the practice and procedure of collective bargaining between employers and trade unions, as the freely designated representatives of employees."

It is our purpose to encourage harmonious relations through the practice of collective bargaining, and this is a bill which is designed to ensure a better balance between management and labour. Therefore, it is a bill which is designed to strengthen the practice of collective bargaining and this is a bill, Mr. Speaker, which is designed to ensure a better balance between management and labour and, therefore, it is a bill which is designed to strengthen the practice of collective bargaining in the province of Ontario—a right which, alas, is too often honoured in the breach rather than in the observance in this province.

Mr. Speaker, I was sorry not to be present for the minister's speech, when she talked about a need for balance. This is something with which I can agree; although I disagree from time to time with the way in which

she interprets that, because her interpretations seem to lean so far in the direction of management and so little in the direction of working people.

When the Fleck strikers came to meet with the minister not long ago, she told them she didn't see why they had to be out on strike for union security for as many days as they had been out. Unfortunately, the Minister of Labour doesn't see that a government has to act in order to implement those things to which it subscribes in words. All she has been capable of doing on that issue, as on so many others, is coming up with pious words which are not matched by action.

I want to say, Mr. Speaker that my predecessor, the former leader of the NDP, the member for Scarborough West, talked about the present legal situation in the province of Ontario. The present legal situation, as he said, is that there is a right of access by workers who wish to go into a plant where there is a legal picket line.

That is a legal and supportable fact, Mr. Speaker. What he had to say in addition was that if we are unhappy with the existing state of the law, as many in this province are, it is not up to us as legislators to go and tell people that they should break the law. It is up to us to change the law, and that is what we are doing in the province right now with this bill.

Mr. Pope: That wasn't what he said. You had better read the transcript of May 31, page 53.

Mr. Cassidy: We in the New Democratic Party believe that there is a crucial need for Ontario's labour relations laws to be thoroughly reviewed and amended on many counts; and this is one of the improvements which we consider to be absolutely vital.

The bill addresses one of the most serious failings of Ontario's present law. The law now allows employers to hire strikebreakers; even to hire professional strikebreakers who deliberately provoke, inflame and try to create violence on the picket line as a means of trying to prevent workers from exercising their rights of collective bargaining and using the right to strike as part of that particular right.

The present law also allows employers to take advantage, as we have seen at Fleck Manufacturing, of police forces—be they local or be they provincial police—by turning them into a kind of company police force. It is something we find unacceptable but which has to exist under the present law. That is another good reason, Mr. Speaker, why we think the law should be changed.

The way the law stands right now, the openings are there for an employer to find many means of prolonging a strike, because the employer can use these devices and is not necessarily subjected to the same economic penalties as the employees who are locked out or who have gone on strike. Surely if our position is that there should be a balance of rights and obligations, then in a situation where workers lose their income or livelihood, in a strike they have had to go into being unable to get a reasonable agreement, the employer should suffer the same kind of economic penalties. That is the basic position which is being taken in the bill which the members for Bellwoods and Oshawa have put forward.

What is at stake, Mr. Speaker, is not just the right to strike, not just the right to picket, but the rights of collective bargaining in general, which are fundamental rights in a free society, which I think every member in this Legislature should be prepared to uphold.

Mr. Speaker, if an employer has the right to continue operation without suffering economic penalty when a strike is taking place, then the collective bargaining right which the workers are meant to have becomes something like a myth. That isn't just a fanciful extension or hypothetical kind of suggestion of what might happen, because the facts are that for two thirds of the workers in the province of Ontario, the right of collective bargaining is something which exists on the statute books but not in reality because of antiquated labour laws in the province of Ontario. If we are committed to ensuring that any group of workers who wish to have a trade union, wish to get certification under our labour laws, wish to engage in collective bargaining and wish to have a legislated or agreed upon code of rights in its relation with its employer, that it should be able to have that right and not confine it to just one third of the employees in the province of Ontario, then I do not see how anybody in this House could not support the bill which we have before us today.

There are two specific situations to which this kind of bill applies. One situation is the kind we have at Fleck Manufacturing, where the strike is now close to 100 days old. In that situation, the workers are seeking a first contract. They're seeking a first contract and they're coming up against every possible hurdle that management and government together can put in their way—OPP constables who intimidate; the cops coming into the picket line the way that the member for Bellwoods has detailed in his speech; the prob-

lems with the local justice system being used as a means of standing in the way of the workers, the use of the Ontario Labour Relations Board in order to try to block the workers getting a perfectly legitimate, reasonable set of demands to have a contract and to have the protection of a union.

We shouldn't be in that situation in this province where workers have got to go through every hurdle imaginable just to get a basic right of collective bargaining. It's a difficult kind of thing to form a union. It should simply be accepted that if there are enough workers to form a union they shouldn't have to go through hassles where a management lawyer who is paid thousands of dollars tries to put them through the hoop to prove that everybody there is a member of the bargaining unit. These kinds of things should be accepted in the province of Ontario. It is in that spirit that strike-breaking should also be prohibited, if they get into a situation where a strike breaks out.

We think that another reform is needed, and that's why, within a very short period of time, Bill 107, proposed by the member for High Park-Swansea (Mr. Ziemba), which would guarantee workers seeking a first contract the right to a first contract, is going to come forward. That will have the support of all of the members of the New Democratic Party. That is another essential reform in the labour legislation of the province which, in our opinion, would help to create more harmonious relations between workers and management in the province of Ontario. That's clearly the goal which we should all be looking towards.

In other cases, there is an established trade union and there is a management which is trying to break the trade union and that's where you see the use of professional strike-breakers. That, too, is a situation where this bill is clearly applicable and clearly should be applied.

I'd like to see some other changes in the province. Forgive the frog in my throat; it's a toad, in point of fact. I'd like to see some other changes. I'd like to see a labour relations board which imposed and enforced the law about good-faith bargaining in the province of Ontario.

Mr. McClellan: That would be a change.

Mr. Cassidy: If that law were enforced and if managements were forced to bargain in good faith, then some of the situations against which this bill of the members for Bellwoods and Oshawa is directed would not, in fact, exist. It seems to me that the time has come in Ontario society when we do away with

the antiquated relic of nineteenth century labour relations. That's what we're proposing to do in the House today.

It seems to me that the government party, the Conservative Party, should have the good sense to understand the importance of this bill for labour relations in the province of Ontario, the positive contribution it can make to the interests of working people and of labour relations across the province of Ontario and that the government party should be prepared to take the opinion of this Legislature—

Mr. Speaker: The honourable member's time has expired.

Mr. Cassidy:—and not take the crafty way out, the easy way out, the dirty way out of blocking the bill. We would like to see a vote on this bill—

Mr. Ruston: Time's up.

Mr. Cassidy:—and I am confident that if a vote is not blocked by the government party this bill will pass. I'm then confident that it will contribute enormously to labour relations. I hope that the bill goes all the way through to be enacted in the statutes of Ontario.

Mr. Ruston: Come on. You're taking somebody else's time.

Mr. Speaker: The member for Bellwoods has reserved eight minutes. That means there is only one minute left for any other member. Does the member for Bellwoods intend using the full eight minutes?

Mr. McClellan: I intend to yield my eight minutes to the member for Cambridge (Mr. M. Davidson). If another member wishes to use up the minute, feel free.

Mr. Ruston: You're so generous.

Mr. Bradley: I'll forgo the opportunity to use up one minute, Mr. Speaker, because I couldn't express my views on this bill in one minute.

Mr. McClellan: I will yield my eight minutes to the member for Cambridge.

[4:30]

Mr. M. Davidson: Mr. Speaker, I would like to thank the member for Bellwoods for having allowed me the opportunity to participate in this debate. I do so because this is a piece of legislation which I personally, and many people I know within the trade union movement have been pursuing for many years.

I'd like to inform the members of this House that, contrary to some people's opinion, this piece of legislation was not brought forward simply because of the situation at

Fleck, but this legislation has been brought forward and proposed because of the injustices that exist within the collective bargaining structure in the province of Ontario and have existed over a good many years.

I would like to go over five major strikes that have occurred in the last 10 years. I emphasize that they occurred only in one industry. That was the textile industry, with which I was associated. First of all, we had the Tilco Plastics strike in Peterborough: violence on the picket line; the reason, the company was hiring outside workers to come in and replace the people who were out on the picket line. Sinrite Yarns in Listowel: violence on the picket line; the reason, the company was hiring outside workers to come in and replace those on the picket line. Hanes Hosiery, Rexdale: violence on the picket line; the reason, the company was hiring outside workers to come in and replace those who were participating in the strike. We had the same situation at Texpack in Brantford and Harding Carpets in Collingwood. In both of those cases, major violence on the picket line; the reason, because the company was hiring outside workers to replace the people who were participating in the legal strike.

All of those strikes were legal strikes. The reason for them being on strike was that the majority of workers in the plant, after negotiations failed, had agreed that their only recourse was to take strike action, and did so.

Either the Minister of Labour or the member for Cochrane South indicated that you could not change the Labour Relations Act in a piecemeal fashion. I suggest to you, Mr. Speaker, that that is perhaps true, but the reason that we find it necessary to put forward these so-called piecemeal amendments to the act, if that's what they can be called, is because the government on that side does not have the intestinal fortitude to bring forward the kinds of amendments that are necessary to bring the Labour Relations Act in Ontario up to today's standards.

We will continue to move so-called piecemeal amendments until we do, in fact, bring to the attention of that government over there, and to the people in the province of Ontario, its failure to move until it gets the message and does, in fact, amend the Labour Relations Act so that it does have some sense of relating to today's society.

Let me point out that although the member for Cochrane South seems to feel that this bill just doesn't do anything, it is supported by the Ontario Federation of Labour, it is

supported by the union which I represented at one time, the Amalgamated Clothing and Textile Workers' Union, it is supported by the United Steel Workers of America, the United Automobile Workers of America and every other trade union organization I know of in the province of Ontario. So to say that the people out there don't feel this kind of legislation is really necessary, let me assure you that there are countless thousands of people out there who do.

When I say they're supported by these organizations I'm not necessarily talking about the people at the top of these organizations, because the positions that are taken, either at the OFL convention or the Canadian conventions of the other unions that make up the Ontario Federation of Labour, those people are direct workers in plants who have been delegated to go and represent their trade union locals and speak on their behalf.

When this kind of resolution is being passed, it is not by Cliff Pilkey, nor Bud Clark nor any of the other people that make up the executive, it is being passed by the workers in the plants, and what we are trying to get across to the Tories over there is that the very workers that they seem to be condemning are the people who are asking for this kind of legislation, and it's about time this government found out that this is what's happening.

I would suggest to them that if they've never been on a picket line, if they've never participated or talked to people on a picket line, that they do so, because maybe then they might get a better understanding of what it is that this piece of legislation says. Maybe they'll understand that the kinds of laws that exist in the province today—

Mr. Pope: Stop being patronizing.

Mr. M. Davidson:—where violence occurs on picket lines during strikes, tears people apart, tears families apart and costs the taxpayers of this province thousands and thousands of dollars.

Now that is what this piece of legislation is trying to stop, that is what this piece of legislation is trying to get across to you; that the workers of this province do not want their families torn asunder anymore; they do not want to have to fight with their friends; and they do not want to have to pay taxes in order to bring police officers in from all over the province to ensure that the picket line is run the way the present law suggests.

I would urge the members of this House to support this amendment to the act, and then we can move on again, if the government does not see fit to bring in a full pack-

age of amendments, to another so-called piecemeal amendment that will help strengthen the Labour Relations Act for the working people in this province.

Mr. Speaker: We have two minutes before we transfer over to the second item. Does any other member wish to get involved in the debate?

Mr. McClellan: I think this has been a good debate. I think there has been good support of the principles of this bill expressed by two of the three parties. I hope very much that these very excellent remarks, from all of the speakers in support of this bill indicate sufficient votes for this bill to carry.

I want to stress again the words of the leader of this party, that we hope very much that this bill comes to a vote. The opposition parties are getting sick and tired of watching the government impose its quillotine on bills they are afraid of or do not agree with. The reality is that we have a minority government situation in Ontario and the will of the majority in this House ought to prevail, particularly in private members' hour. It is really a source of increasing disgust for members of both opposition parties that the government refuses time and time again to allow private members' bills to come to a vote. Let the majority of the legislators in this House decide whether a particular bill will pass or fail on the merits of the bill and not on the fears of the cabinet.

I hope that the Tory backbenchers, just once Mr. Speaker, will have the guts not to act like a bunch of trained seals and jump up and kill private members' bills on the orders of their political masters, because it is an increasingly servile performance.

Mr. Speaker: That concludes item 27.

SIMCOE DAY ACT

Mr. G. E. Smith moved second reading of Bill 99, An Act respecting Simcoe Day.

Mr. G. E. Smith: Mr. Speaker, I would like to reserve approximately four minutes for the wind-up.

In most countries of the world it is a tradition to recognize and remember historical figures who have made a valuable contribution to their country by making a public holiday for them. In the United States, for example, the contributions of George Washington, the first president, and Abraham Lincoln, the man who abolished slavery, are duly recognized. Indeed, American commemorative enthusiasm extends to Christopher Columbus, the man who discovered the land

mass on which the United States was built. Sadly, this is not so with Canadians.

Mr. Wildman: How about Sir John A. Macdonald?

Mr. G. E. Smith: Our tradition seems to be to forget or ignore the contributions of our national historical figures. We have an opportunity, through this bill, to recognize the contribution of a man who, like Washington, was our first leader, and like Lincoln, was the man responsible for the abolition of slavery in Upper Canada. That man was John Graves Simcoe. Let me refresh the assembled members' memories this afternoon—

Mr. Wildman: Rather a William Lyon Mackenzie day.

Mr. G. E. Smith: In 1790, Colonel Simcoe was elected a member of the British Parliament where he took part in the debates on the bill by which the province of Quebec was divided into Upper and Lower Canada. Therefore he had an intimate knowledge of what was intended by that bill, and no man was better qualified to be governor of this province than he was. In 1791 he was made first governor of Upper Canada, now Ontario, which had recently been settled by the United Empire Loyalists, a grand body of people to whom but scant justice is done by our historians, and whose descendants to this day are the backbone of Canada.

On July 8, 1792, Colonel Simcoe was sworn in as Lieutenant Governor of Upper Canada at Kingston. From July 9 to July 21, he held the first meeting of the newly appointed executive council in Kingston at St. George's church. His first task upon his arrival at Kingston in 1792 was to organize the government of the colony, and following the traditions of British colonial administrations, the form of government envisaged for Upper Canada differed profoundly from the republican institution of the United States, which virtually surrounded the colony. An elective assembly, with a legislative council, was brought into being, and an executive council was appointed to advise the Lieutenant Governor.

Simcoe had found it advisable to divide the old districts of Upper Canada into 19 counties, and these counties or regions still exist today although some of the boundaries have changed. The administration of justice, the development and control of a militia force, and the allocation of elected representation in the assembly were all facilitated by this move.

In September of 1792, he selected Newark, now Niagara-on-the-Lake as the capital and met his first legislature. He energetically

organized the new province, providing especially for its agricultural development and military defence. During that winter Simcoe toured the southwestern part of Upper Canada as far as Detroit. He founded, on the River Thames, the village of London and the county of Middlesex, both of which he also named.

In May, 1793, the second session of the first legislature met at Newark. One very important act passed during the second session concerned slavery. Simcoe was determined to eliminate this practice, although the final legislation only provided for its gradual abolition. It did, however, forbid the further importation of slaves into Upper Canada and provide freedom for those born in the province on attaining the age of 25 years.

He also introduced the Weights and Measures Act which was adopted, and was subsequently also adopted in the United States. There was also, at this time, a growing tension between Britain and the United States. Simcoe, therefore, set the Rangers to work constructing Dundas Street from the present site of London to the head of Lake Ontario. This road would provide a less exposed military route in case of war. It's interesting to note, Mr. Speaker, the allocation of the duty time of the Rangers. A third of the time, or two days of the week, was devoted to military work; two days of the week for road construction or other construction work; and two days were to develop housing and personal projects; with of course the seventh day a day of rest.

It might be interesting to note, too, that in the fall of that year when Simcoe journeyed to Lake Huron, he named Lake Simcoe after his father. He also visited Penetanguishene and the Midland area I might just pause here, Mr. Speaker, if I may, to make a personal reference. The town of Midland is recognizing its history and the early days. It's their centennial this year and this honourable member is attempting to get into the spirit of the centennial by growing a beard and attempting to promote here in the Legislature that outstanding event which will take place on July 1.

Having determined to move his capital, Simcoe chose the site of an old French fort on Lake Ontario for the new town, and in 1793 he founded York. This village of York eventually became the city of Toronto in 1834. Soon after, in the new year of 1794, a house was built for him on a hill overlooking the Don River. Simcoe named the house Castlefrank, after his son Francis. In May 1794 the first survey of Yonge Street was undertaken, and construction continued, with

interruptions, until the road northward was completed in 1796.

[4:45]

Simcoe's governorship lasted only four years, and throughout his term of office Simcoe attempted to fortify the colony against the powerful influences of the United States. He encouraged emigration to Upper Canada by advertising the colony's advantages throughout the Atlantic states and this advertising was most successful. At the same time, he prudently undertook road construction in the interior of the province in order that British supply routes would not be so easily exposed to American attacks in the event of war. He fortified the British frontier posts at Detroit and Niagara, which were technically in the United States' territory but were held by Britain until the ratification and execution of Jay's Treaty after 1794.

It is the good measure of Simcoe's ability and success that he guided the infant colony safely through the first few years of its existence with so many dangers on every hand, and he succeeded in establishing the solid governmental and social foundations on which this province has developed for over 180 years.

As I stated before, it is indeed unfortunate that we Canadians as a whole take our ancestors for granted to the point where they are almost forgotten. We in this Legislature have the ability to reverse this trend. We can unanimously approve this bill and show the people of Ontario that we have not forgotten the man who created the Legislative Assembly of Ontario, of which we are all so proud to be members.

Until very recently, Canadians had been content to let the past be forgotten. Slowly we have begun to appreciate that we have a heritage and that interesting and dynamic people like John Graves Simcoe have been a part of that heritage. Let us move one step further and officially acknowledge one of our fine founding fathers. Canada and Ontario have a great many historical figures who deserve to be recognized, and their contributions to this province and to the nation should be applauded.

I can think of Major General Sir Isaac Brock, William Lyon Mackenzie, Reverend John Strachan, John A. Macdonald, and I think the name suggested in the Legislature on one previous occasion was Richard Cartwright. However, I think that John Graves Simcoe deserves our attention first in Ontario as he was the founder of the government which we are a part of today.

I am not asking that a special holiday be created in his honour. I am asking only that an existing holiday known as Civic Holiday, which is virtually an unmeaningful name, be honoured by his name. It is an easy task, requiring no money, and fulfilling the need for attention to be focused on the past, albeit only for one day of the year, which can help us to foster a unique Canadian identity.

In my campaign over the years to have Simcoe Day proclaimed, I have received increasingly overwhelming support. At the moment I have the support of 65 municipalities, 23 associations and five newspapers. Needless to say, the John Graves Simcoe Memorial Foundation has offered encouragement and assistance from day one. The chairman of the foundation, Mr. John Fisher, "Mr. Canada," has been kind enough to write me a letter. He is here in the Legislature today, in the members' east gallery, and I personally appreciate his support and that of those of his associates who are with him.

I quote in part from his letter to me: "We of the John Graves Simcoe Foundation are delighted to support your bill. We think it is a fitting tribute to the man who founded Toronto and served as our first Lieutenant Governor. Simcoe was only in Upper Canada less than five years, but he accomplished an incredible amount of work. His record is familiar to you, but it is not to the general public, so we think Simcoe Day would make all citizens of this province more aware of his contribution.

"This is an appropriate year to introduce your bill because it is the 100th anniversary of the CNE. It is often overlooked that we owe to Simcoe's foresight the convenience and attractive location of the CNE. Governor Simcoe decreed that the land along the lake-shore should be public domain. He classified it as a garrison reserve so that no buildings would ever be erected on that site. So the famous CNE acquired one of its most prominent features from the man who founded this city and started our province. Most of his term of office was served in a tent. He didn't even have a house.

I also bring to your attention another Ontario attraction, the Queen's York Rangers Regiment stationed at historic Fort York. It too was one of Simcoe's accomplishments. Isn't it interesting that the Queen's Rangers was the regiment Simcoe commanded with such distinction in the Revolutionary War of the United States?

When he was appointed our first governor, he asked permission to rebuild his old regiment and in later years the Queen's Rangers were merged with the famous York regiment

which fought so valiantly at Detroit, Queenston, the 1837 Rebellion, the Northwest Rebellion and other conflicts.

"Last September the Queen's York Rangers went to Philadelphia to commemorate the battle of the Brandywine and the occupation of Philadelphia by British forces in the Revolutionary War.

"Along with the American regiment, the great friendship between the United States and Canada was honoured by our ambassadors of goodwill, the Queen's York Rangers.

"The colours of this regiment have now been restored and are kept in the officers' mess at Fort York.

"Also at Fort York is the parole document setting Colonel Simcoe free. He had been taken prisoner of war and the certificate of parole is signed by Benjamin Franklin.

"In Toronto are many of Mrs. Simcoe's sketches and watercolours giving us a picture of those early days in the life of our province.

"Simcoe was more than a governor. He was an administrator, a legislator, a dreamer, a builder, a soldier and he built our first streets, houses and roads. Surely we should set aside one day of the year to salute our founder through this Simcoe Day Bill."

I also received a letter from the president of the Midland Historical Society just yesterday, and this is one that wasn't included previously, and I quote in part from that.

They are supporting it and the president, Mr. Norfolk says: "It was Colonel John Graves Simcoe who laid well the foundations of the great Province of Ontario as its first Lieutenant Governor and set an example which is still an inspiration to us even today".

I might also say, Mr. Speaker, last Monday I visited the Wabashen Public School as well as St. John's Catholic School, at Wabashen. I met with the students. I talked to them. I asked, "Can anyone identify John Graves Simcoe?"—and without fail, they were all able to identify him in some fashion in relation to our historic background.

Of course he did name the village of Fesserton, which is in that immediate area, but these students were certainly well aware and, naturally, they supported my concept of naming our Civic Holiday after John Graves Simcoe.

Maybe we as Canadians should be doing a little more flag waving. It might help us capture that sense of Canadian identity that has apparently alluded so many of us in the past.

As a result, I urge the members assembled here to enact Simcoe Day to make it become a reality. It will be a step towards real-

izing the identity of a statesman, a man who made a sincere contribution to this province and whose memory should be perpetuated.

I ask the honourable members to join in supporting me on second reading.

Mr. Breithaupt: This item has come before the Legislature on two earlier occasions while I have been a member.

On May 15, 1972, the member for Simcoe East moved a private bill to establish Simcoe Day.

On June 14, 1976, the member again brought forward this idea in the private members' hour.

Hansard records the contributions made on both occasions by various members in the House.

On both of those occasions I spoke in favour of this suggestion, and I do so again today. With the new rules for the private members' ballot business, there is now the opportunity for members to agree on this suggestion and for it, in fact, to be accepted.

On Bill 99, I was asked by the member for Simcoe East to be the seconder for his bill and I was certainly happy to oblige him.

I believe that we must, wherever possible, encourage our citizens to remember the history of our province. We have the easy opportunity today to replace the meaningless and rather dull title of the August holiday with a better and more meaningful title.

In 1972, I called upon the House to consider the wisdom in celebrating the virtues and principles of the pioneers of our society as we move through times in which the only constant appears to be change. In 1976, I suggested that by approving this idea we could help to pay tribute, not only to John Graves Simcoe, but also particularly to his many contemporaries, not necessarily of English, Irish or Scots background, but many of whom were immigrants from Europe and immigrants with a loyalist tradition from the United States.

I do suggest this approach again, even as I cite to the House a review by Dr. Georg K. Weissenborn of a book by John Andre entitled, *William Berczy: Co-founder of Toronto*. Let me read just a few paragraphs from that review as it was printed in the German-Canadian yearbook of 1973. "If Andre is right and, judging by the disdainful silence with which his books have been received, he may well be, then Toronto owes a greater debt of gratitude for its existence to a man named William von Moll Berczy and his ragged band of rugged European refugees than to the illustrious Lieutenant Governor of Upper Canada, John Graves Simcoe and his Rangers.

"For the conquest of new territory, the soldier or a reasonable facsimile thereof is as indispensable as the farmer and the skilled craftsman are for colonization. On a new frontier, forts and military outposts may be erected one day, only to be removed or abandoned the next for strategic reasons. Camps spring up for the economic exploitation of a richly endowed geographic region which may just as quickly turn into ghost towns. It is the farmer who comes to cultivate the land in order to stay and raise crops, cattle and children. The farmer comes to colonize or to take possession of the land.

"In the case of York-Toronto, it was Simcoe who had the soldiers and von Moll Berczy who brought the artists and farmers. In 1792 they followed him from Hamburg, Germany across the sea to New York State where they'd been promised land in the Genesee valley. When it was discovered that the immigrants were to be tenant farmers in the promised land and not landowners, as expected, they sent their leader, Berczy, north to seek a better deal from the Canadian government. Governor Simcoe offered 64,000 acres, 1,000 to each family, in return for Berczy's assurance that they would build roads and houses and that he would bring more immigrants with badly needed skills to the unsettled and unsurveyed territory. Although," says Andre, "Dorchester's Toronto and Simcoe's York had existed on paper since 1788 and the fall of 1793 respectively, the site was still empty.

"Early in 1794, William von Moll Berczy brought to the uninhabited wilderness more than 180 people, a veritable army, and not a mere few dozen German settlers, as a prominent historian would have his readers believe. Not only did Berczy provide the manpower, but also from his resources he financed the first large scale cattle drive from Connecticut to Upper Canada of bulls, oxens and cows, whose total cost of purchase, transportation and upkeep even exceeded the maintenance cost for his settlers. They used over 100 of these precious beasts for bulldozing pioneer roads to and in Markham where the German mills were built, which supplied flour and lumber to the newly-founded settlement of York.

"Berczy estimated the cleared ground area of the 15-mile long and 18-foot wide Yonge Street and 30 miles of Markham Road to be about 98 acres in total. He saw the birth of primitive industry. Commerce, banking and transportation in Toronto and the surrounding area coincide with the arrival of Berczy's people and the Connecticut cattle. "It was Berczy who in 1794 erected 'by far the best house in Toronto, which was located at the

southeast corner of the present King and Sherbourne Streets.'

"The co-founder of Toronto who, in addition to all these other accomplishments, struck the first bridge across the Don River, was also a sensitive, talented artist and Canada's first portrait and landscape painter of note. Being polyglot, he prepared manuscripts in several languages and wrote the first statistical account of Canada, which he apologetically pre-faced with his remark: "Though I am not an Englishman born, I have ventured to write in that language, emboldened to make the attempt under the conviction that a statistical work required but a correct and clear style, wherein logical accuracy is the essential requisite.'

[5:00]

"There can be little doubt that today a man of Berczy's calibre would easily earn the required number of points to qualify for entry into this country. Without doubt a man of his intellectual acumen and artistic capability would appeal to any immigration officer as the ideal immigrant. Nevertheless, for the first executive council of Upper Canada he remained a suspicious alien. When it came to the delivery of land titles, the government not only broke its word, but Berczy and his settlers had to learn that as aliens they could neither be trusted nor legally hold land before seven years' residence here as subjects of the crown.

An unsympathetic government, envy, slander and political intrigue ruined one of Canada's most colourful early pioneer personalities and gifted artists. He died a broken man under mysterious circumstances in New York in 1813.

He represents just another one of the immigrants that came to Ontario in those years. The member for Simcoe East has commented on the formation of the country structure that Governor Simcoe had, and it may be well to remind members of the House that before that structure there was a structure of districts. The districts were called Hesse, Nassau, Mecklenburg and Luneburg, named after some of the familiar areas to the court of Hanover, ruling, as it was at that point, under George III.

Mr. Conway: I thought it was Eric Winkler there for a minute.

Mr. Breithaupt: I have given to you an example of another pioneer of our Ontario of the early years in someone such as William Berczy. However, we can't honour everyone. We have a chance though to honour them all in the name of our first Lieutenant Governor. As a result I'm pleased to support this

bill and I commend it to the House for approval.

Mr. MacDonald: Mr. Speaker, since this bill seeks to attach the name of John Graves Simcoe to the Civic Holiday and make it a distinctive provincial holiday, I think it might be useful for a moment just to go back and take a look at the man and his ideas.

The sponsor of the bill has already given us a bit of the picture. I always find myself compelled to get a bit of balance into that picture.

Mr. Conway: I don't believe that.

Mr. MacDonald: John Graves Simcoe was—

Mr. Conway: Balanced socialists don't exist.

Mr. Acting Speaker: Order. You may continue.

Mr. MacDonald:—was an active officer in the British army during the American rebellion. He learned to detest everything American, in their way of life and their institutions. When he went back to England he went back with a well-developed set of ideas. When it became apparent that he was going to be appointed the first Lieutenant Governor of the colony of Upper Canada, he began to dream dreams of building in the wilds of North America a little Britain.

He took a look at the map and he noticed that the map has this peninsula that stretches from Windsor through to Niagara, and it jutted down into the United States. He thought that he would be able to build here a showcase that would prove to Americans that their institutions and their way of life were inferior to the British way of life.

So he came out with his preconceived notion, these dreams that he dreamed in front of the crackling fire in his manor back somewhere in Great Britain. He dreamed of York, our capital, yes; he dreamed of London, yes, another town out in the wilds on the River Thames. He dreamed of building military roads—Dundas—out to connect these two centres of habitation. He dreamed of building Yonge Street, another military road that would be built north to protect us from God knows what—maybe the Eskimos were going to make an attack.

Mr. Foulds: Atikokan.

Mr. MacDonald: He was going to build his concept of the British society here in the North American wilds.

For example, just to complete the picture—and I concede that even years ahead of Great Britain, the colony of Upper Canada took the first steps to abolishing slavery—what John Graves Simcoe conceived of as the political structure in Upper Canada was a hereditary

council like the House of Lords and of a legislative assembly which, believe it or not, he was going to make the prerogative exclusively of the half-pay officers in the militia. Nobody else was going to be permitted to be elected to the legislative assembly.

Mr. J. Reed: Typical Tory strategy.

Mr. MacDonald: In short, he was going to build an aristocratic society out in the North American wilds.

Mr. G. Taylor: What would you have done?

Mr. MacDonald: There was one rather interesting quote from John Graves Simcoe to give you some idea of his approach. He was travelling from Montreal through to York along the St. Lawrence River, and he quotes in the records which are to be found back in those days: "In my passage from Montreal to Kingston, I understand that the general spirit of the country was against the election of half-pay officers into the assembly and that the prejudice ran in favour of men of lower order who kept but one table."

Mr. Germa: I didn't know that.

Mr. MacDonald: Let me translate that into the reality: the people who dared to eat their meals along with their workers, their slaves of that day or anybody else. He wanted a society in which the manor and those at the head of the manor would eat at one table and all the rest of the human rabble would eat at another table.

That was John Graves Simcoe's concept of a society that he wanted to build out in this North America.

Mr. McClellan: How enlightening.

Mr. MacDonald: The man who brought John Graves Simcoe out of dream world, in touch with the reality of the North America that we're living in, was Richard Cartwright—not Sir Richard Cartwright.

Mr. Conway: Here it comes.

Mr. Gregory: A well-known socialist.

Mr. MacDonald: As I have indicated in an earlier debate on this topic, I happened to have the pleasure—will you stop prattling?—many more years ago than I will admit to this House, of doing my master's thesis on Richard Cartwright, one of the founders of Upper Canada. One of the most interesting aspects of his life was his battle to get John Graves Simcoe to face reality.

I express once again my appreciation to the late Leslie Miscampbell Frost who appropriated some funds from the provincial treasury in Ontario to publish that thesis along with a couple of others. Those who are interested can find it in volume three *Theses*

on Upper Canada in the library, and in all school libraries across the province of Ontario.

What Cartwright did was to say, let's deal with the reality. Let me give you two or three quotes from Cartwright which show the common sense of the man.

Mr. Worton: Are you giving examples now Don?

Mr. J. Reed: He must have been a Liberal.

Mr. MacDonald: He said, for example, on one occasion: "There is no maxim more incontestable in politics than that a government should be formed for a country and not a country strained and distorted for the accommodation of a preconceived or speculative form of government."

Let me give another quote from the early days in his conflict with John Graves Simcoe: "I hope this plan of Simcoe will not be persisted in. For it appears to me as a complete piece of political Quixotism as I recollect having met with and would be going out of the way of the inhabited parts of the country instead of coming to the government.

"If the grandiose scheme were persisted in," he warned, "the government will waste its sweetness on the desert airs, sir. The energy will be spent where there is nothing to operate upon and the money will be lavished away where it can be of little permanent advantage to the province, however useful it may be to some individuals." That was the approach of Cartwright.

He got into other battles with Simcoe and I use this one other example to illustrate it. Simcoe had the idea, of course, in this little Britain built in the wilds of North America, that he was establishing the Anglican church as the established church.

Mr. Worton: Great church.

Mr. MacDonald: Only five per cent of the population were Anglican but he was going to impose the Anglican church on others to this extent, that anybody who wasn't married by Anglican clergyman wasn't legally married and all their children were bastards.

Mr. Martel: Fine fellow.

Mr. MacDonald: This rather offended Richard Cartwright. Richard Cartwright was a Presbyterian. He wasn't married by an Anglican. He was married, as the law permitted back in those days, by the officer in charge of the closest military establishment. He fought to oppose the idea of the establishment of the Anglican church.

Let me say this to the honourable member for Simcoe East: When he says that John Graves Simcoe laid the economic and the social foundations of the province of Upper

Canada that is true to some extent, but I will tell him something else he did—he established the Family Compact which distorted the life of the province of Upper Canada for 50 years and from which it had to struggle to escape. Men like Sir John A. Macdonald, who became the leader of the Conservative Party to disassociate himself from the Family Compact, called it the Liberal-Conservative Party.

Indeed, men like Cartwright, who was Progressive Conservative before they put those two contradictory terms together, back in those days fought against the imposition of the ideas of the Family Compact. That's what John Graves Simcoe did, to establish an approach that was totally foreign to the natural development in Upper Canada.

Mr. Lane: Shame.

Mr. MacDonald: Do we want to enshrine those ideas in the one provincial holiday of Ontario? When I debated this some four or five years ago when the honourable member introduced it, I said that I had some misgivings, and I repeat those misgivings. I would think that Cartwright Day—although Cartwright is less well known than John Graves Simcoe—would be more reflective of the real ideas that helped to build Upper Canada, because in his own way Cartwright was a more effective founder of Upper Canada than John Graves Simcoe. It was Cartwright who saved Simcoe from his greatest follies.

However, having said all of that, I will agree with the honourable member that there is wisdom in the proposition of moving away from a meaningless name like Civic Holiday. I have to acknowledge—I can't rewrite history as some people like to do—

Mr. T. P. Reid: Oh, you do that regularly.

Mr. MacDonald:—that John Graves Simcoe was the first Lieutenant Governor in the province of Ontario; with all of his mistaken ideas and with all of his élitism, he nevertheless was the first governor of Upper Canada. If we have to move to some other name, and the honourable member won't accept the name of Cartwright—or if he won't accept the name of my colleague from Windsor whose birthday is on that day and who therefore wants to make it Cooke's Day—if the honourable member won't accept that, then I think there is merit in moving, if for no other reason than to get people to be more conscious of their history.

Maybe, in becoming conscious of John Graves Simcoe, we won't listen to just the Pollyanna laudations that come from John Fisher or come from the member this afternoon, but we will get a real picture of John

Graves Simcoe—the reality of what he attempted to do and the reality of his ideas. That isn't being offensive to our history. It is just living with the realities.

I support the bill, because I think it is wise to move away from the meaningless Civic Holiday to something that is more meaningful in terms of our history. But I do it with the reservations which I record once again.

Mr. Speaker: The member for Simcoe Centre.

Mr. Wildman: William Lyon Mackenzie Day.

Mr. J. Reed: Hear, hear.

Mr. G. Taylor: Thank you, Mr. Speaker. I am sure the "Hear, hear" was for William Lyon Mackenzie Day, not for me.

Mr. Foulds: You're right.

Mr. G. Taylor: I would follow up on what my colleague from York South has said when he talks about names and their usefulness. We seem to be going through a state of providing names and euphemisms for everything we do today to put it by pleasantly. God knows, the creators of this country and our forefathers were not perfect individuals, as the member would want. Even in this House, I am sure we have some members who might have skeletons in the closet, a little bit of clay around their feet, or some other things—

Mr. J. Reed: How can you be so derogatory?

Mr. G. Taylor:—but surely 100 years from now they might not recognize them. We might go about recognizing them for some little bit they have done, but I would hate to think they would then draw out all the person's weaknesses and not his merit for naming some holiday or some event after him. Indeed, we might go down the corridors out there and scratch from the marble roster the names of members who didn't turn out as properly as we might have liked them to in today's more liberalized society where everything must have a euphemistic name attached to it.

Even in this very House we avoid using our own names, which most people respect. We go around labelling members as Simcoe Centre, Simcoe East and so on, but we remove them by their own name and only by their own name when they are to be punished and removed from this House. There again we have a reverse; we want to put a name on them only when they have been bad, as we shall say, or incorrect in their manner.

Mr. Conway: It's McCarthy, is it? Dalton McCarthy?

Mr. G. Taylor: Let's look at this man, and at what the member for Simcoe East has put forward, as a chance to recognize a man with all his good points and all his faults that may have been put forward in that time, and to give his name to this holiday, which now carries the misnomer of Civic Holiday, which again was put forward euphemistically to call it a holiday.

Many of our present holidays are losing their meaning. When I look at Remembrance Day, and see how much it has changed over the course of the years, it is now referred to as a holiday rather than possibly by its original meaning. Indeed, it is such a vital thing in our history that it is only recognized primarily by luxurious establishments such as civil servants, members of the Legislature and public bodies, and not by the general public at large. There again we have seen something happen.

[5:15]

This great man, as he was in those days, albeit he might be criticized for some of his views—look what he did for this province. He started it. We recognize that as a beginning. He looked forward to roads and railroads. He planned, and the vision that came forth today is the heart-blood of this province. We see it converted into Highway 400, that first visionary road north that is now Highway 400; and the water routes that have gone forth. Penetanguishene was the original settlement in the area. We see how he followed those forefathers, Champlain, Brulé, and the Indians, LaSalle, up north—the same routes that they originally took—and established a great community on those routes.

Again, I refer to two years ago when, following those same routes, the students who involved themselves in the Penetanguishene military and naval establishment, walked and recreated the same routes that he followed in the early days, providing some of the people along the routes with re-enactments of the original historical moments.

Two of those places in Simcoe county named after his father were put forward—Midland celebrating its 100th anniversary and Barrie celebrating its 125th anniversary; they are putting forth ideas. There is one member in Barrie who may again go over those canoe routes, recreating our history. When many people are trying to find and get back to their roots, it is very befitting that here is a chance to look forward to naming a neutered holiday to something, recognizing one of our great leaders in this country.

Mr. Foulds: Nonsense.

Mr. G. Taylor: I now read from a text, as we all can when we get to these historical moments; when we look forward to some of these moments.

“But at first the new government in Upper Canada worked wonders. Colonel John Graves Simcoe, the veteran commander of the Queen's Rangers, was appointed as the first Lieutenant Governor of Upper Canada. He arrived in Kingston July 1, 1792, and organized his Legislature at Newark, now Niagara,”—we've changed that name, to give you an example—“in the same month. For over four years, he governed the province and immensely influenced its future.

“Simcoe was a notable man. He had a vision that looked a hundred years ahead and that lingered also a hundred years behind. He could see in the sandbars and marshes of Toronto a mirage of a metropolis; his great military roads swept, in his fancy, east and west 500 miles; he held the north in his hand and Niagara was his footstool. For him, Upper Canada—so he told his parliament—went in its responsibilities ‘infinitely beyond whatever, till this period, have distinguished any other colony.’

“Yet to Simcoe, a democrat meant scoundrel; dissenter; snivelling hypocrite; and without the Church of England morality would go under. But he was all for what he considered progress; he must have schools and grammar schools; he looked forward to a college. He gathered in a printer to set up the Upper Canada Gazette and American Oracle; he collected three refugee clergymen of the establishment to make a church; and asked the crown for a bishop.

“For government, Simcoe wanted the British government and he wanted it all; its established church, its hereditary titles, its forms, its feathers”—

Mr. Wildman: Do you support that?

Mr. G. Taylor: —“its venerable humbugs, and nothing newer than Queen Anne. On these terms, Simcoe called his first Legislature together on September 17, 1792. It met in a frame building close by the village of Niagara with uncleared bush all around. It numbered 23 men in all, seven councillors and six elected assemblymen. The councillors, handpicked, were gentlemen, but more than half the others were a rougher lot, ‘fellows of one table,’ that is, fellows who ate with their servants and, hence, to Simcoe, disqualified for British government.”

Hon. F. S. Miller: The Liberals and the NDP.

Mr. T. P. Reid: Tut, tut.

Mr. J. Reed: Please don't lump us together.

Mr. G. Taylor: "But Simcoe's vision saw it in all its colours of the autumn woods. He read its future in the majesty of the lake and the broad sweep of the river. All that Ottawa now is, he saw it then and he must have pomp to match it. There he went into these great areas, to sow seeds for the harvest that is yet to come."

When we are searching for such an identity, I even go back to the same text written in 1941. I'll give you the author in the moment, Mr. Speaker.

Mr. Foulds: Yes, please do.

Mr. T. P. Reid: Quite a reader, George.

Mr. Roy: That's very good, George.

Mr. G. Taylor: "It is exactly at that point that our literature in Canada still stands. There is not as yet a Canadian literature in the sense indicated, nor is there, similarly, a Canadian humour, nor any particular Canadian way of being funny, nor is there, apart from varying accents, any Canadian language. We use the English for writing, American for conversation and slang and profanity, and Scottish models for moral philosophy and solemnity."

Mr. Kerrio: What about fuddle-duddle?

Mr. G. Taylor: Or bunk? We look at what is written here by one of our leading Canadian persons.

Mr. Foulds: Where do you find that stuff? Who wrote that?

Mr. G. Taylor: It was written in 1941 by Stephen Leacock, one of our renowned Canadian historians and humorists. Even at that time they were hunting for this Canadian identity.

Hon. Mr. Baetz: Good for Stephen.

Mr. G. Taylor: Here we just have one slim chance, a minor chance of putting some Canadian identity into our history books, and into our everyday style of living. I think we should support this bill. It's one of the few we can bring forth as a private member that won't cost a great deal of money, and it won't cost a great deal of inconvenience to anybody.

So all those practical things, at which we look at times are here to be celebrated in the future, with a label that will be recognized in the future, so when somebody says "Simcoe Day," they can also pull out history books. There are so many things in my county, in the riding that I represent, that have those names. There is the township of West Gwillimbury—

Mr. T. P. Reid: Gwillimbury?

Mr. G. Taylor:—which has the maiden name of the wife of John Graves Simcoe attached to it. The townships of Tay, Tiny and Flos have the names of the dogs of the Lieutenant Governor at that time.

Mr. Foulds: That's enough, surely.

Mr. G. Taylor: All of these things are historical.

Mr. Wildman: This is getting a bit too much.

Mr. G. Taylor: The areas he opened up are the historical heartland of this province. I think it would only be fitting that we should try to recognize this man with this one singular little bit of effort on our part in this Legislature. I hope it receives the recognition and support from all members of this Legislature. I'll be looking forward to listening to my friend Mr. Conway bring forth his historical items on this same subject.

Mr. Roy: Hey, George, you should have given us advance notice and we would have given you background music.

Mr. Conway: Mr. Speaker, the debate we are having this afternoon is one which some of us will remember having participated in on previous occasions.

Mr. Foulds: And too often.

Mr. Conway: Perhaps too often, but that's for the member for Port Arthur to say. I must say that I well recall the member for Simcoe East previously introducing this particular bill.

An hon. member: That takes a lot of nerve.

Mr. Conway: I must say that at that time I was perhaps more likely to support him than I am now since I've come under the very socialistic influence of my legislative intern, Mr. Christopher Waddell, who informed me in his very significant research on this matter that there may be less cause to support this than I had previously thought. Notice the socialist horde applaud when I say that.

I sit here and the member for York South—there isn't a more distinguished parliamentarian and historian in this assembly, as he himself, I'm sure, will allow from time to time—he complains of the degree to which the members opposite, and perhaps others on this side, pay little attention to the context of the time. Simcoe was many things, as the kindergarten history some of us are interested in and concerned with teaches us. I listened to what he had to say and how terrible Simcoe was in terms of for what he stood. A lot of that is true. There is a certain antiquarian disinterest in the sort of Tory aristocrat for which he stood.

Mr. Speaker, with all due respect, we know your escape to the chair is one which has removed you from the clutches of the purity which we all know to be—

Mr. Wildman: Elevation.

Mr. Conway: —not nearly what the socialists would have us believe in this Legislature. I listen to them, time and time again, suggest that they and only they are consistent in a historic sort of way, and that the Tories today should not wish to force John Graves Simcoe on us because all that he stands for is repugnant to us. Perhaps that might be.

Mr. Wildman: You said you were going to support the bill.

Mr. Conway: That might be the debatable point. That certainly might be the case, but I just refer members of the assembly, in somewhat of an allied fashion, to this morning's Globe and Mail in which the Ottawa correspondent, Mr. Geoffrey Stevens, wrote an article entitled "The Official Secrets Act." He does, I think, great justice to the present debate by rolling back to the introduction of that particular legislation in 1939. There is some relevance in this, believe it or not, when the distinguished Ottawa columnist—

Mr. Foulds: You are certainly not using the research of your parliamentary intern.

Mr. Conway: —of the Globe and Mail quoted the even more distinguished former CCF member of the federal House, Mr. A. A. Heaps from Winnipeg North, about the Official Secrets Act, something about which modern-day socialists have not unheard-of opinions. The columnist this morning cites the former member for Winnipeg North as supporting entirely the Official Secrets Act. He says, and he quotes the member at the time as saying, "I think every honourable member . . . will approve of the principle [of the Official Secrets Act] embodied in this proposed legislation. In times such as the present . . . every nation has the right to protect itself . . . Honourable members cannot be anything but wholeheartedly in support of such a measure."

Now, the point of that instruction, of course, is that we should not take, all too seriously, the purist platitudes of the member for York South who fails, as he knows he fails, to give the proper context to the times and circumstance in which John Graves Simcoe found himself. There is a certain intellectual dishonesty in much of his argument, inasmuch as he knows, even the socialists in this House know, that in 200 years Ontario has changed to some degree.

The member for York South, notwithstanding my earlier comments, makes some very valid points about what it is John Graves Simcoe stood for. He was an arch Tory, not unlike the blue-vested member for Carleton (Mr. Handleman) just arriving in the Legislature. He understood Toryism as I suspect few of his contemporaries and many of his successors understand it.

Mr. Roy: He could not be as far right as the member for Carleton.

Mr. Conway: I understand it only inasmuch as I am appalled by its regressive inequalities. I understand it inasmuch as I know the majority of the people of this province today want little or nothing to do with it. I understand it, inasmuch as I can say with the member for York South, that John Graves Simcoe indeed wanted an assembly of half-pay officers. That might be better than an assembly characterized by half-wit ministers.

Mr. G. Taylor: Or fully-paid members of the opposition.

Mr. Conway: That might be better, but I don't want to suggest that it is something that I, as a liberal in the classic sense of the word, want to foist upon the people of this province. But let us understand, for the edification of the Minister of Natural Resources (Mr. F. S. Miller), that that is what we seek to honour when we talk of John Graves Simcoe; an arch Tory who wanted to make this a little England in the bushlands of North America; who wanted to establish and maintain an official relationship between church and state; who wanted, and perhaps this is something that might recommend him to the member for London South (Mr. Walker), to make London the capital of the land and thereby help the Legislature escape from the sometimes difficult clutches of Toronto. This is something that all members should perhaps consider. He wanted, as I said earlier, to make this a province characterized by an invented aristocracy, something which all members are completely, I am sure, at odds with in the modern context of 1978.

Mr. Nixon: Did Chris write this stuff?

Mr. Conway: He did indeed; a fine research assistant.

But I must say, Mr. Speaker, that many of those features which Simcoe stood for were relevant in the period of the late 18th and early 19th centuries.

Mr. G. Taylor: Glad you understand history, Sean. The members to your left don't.

Mr. Conway: To that extent, those characteristics, which the first Lieutenant Governor of Upper Canada wanted to establish, were

ones which met with widespread support within the provincial community at that time. But I would suggest to the honourable members that those may not be virtues we want to hold forward 200 years later.

I would suggest that inasmuch as honouring Lieutenant Governors is concerned, it is not a bad idea to pick John Graves Simcoe out of what is really a questionable list. I think of John Graves Simcoe as certainly better than Francis Bondhead, known as Francis Bonehead to those liberal reformers of the day. It certainly seems better than Peregrine Maitland.

[5:30]

Hon. Mr. Baetz: You are plagiarizing now.

Mr. Conway: It certainly seems better than George Arthur who brought police state repression to the rebellion-ridden province in the 1830s. To that extent, I would agree with the member for Simcoe East in his suggestion that John Graves Simcoe is a name better than others. But I must say it is a vision which I do not feel succeeded in this country, as all of us know.

This is not a land of aristocracy, despite the Minister of Energy. This is not a land of church-state dominance, despite the Minister of Energy. This is a province that has developed under the wise guidance of liberal reform political ethics.

Mr. Handleman: Do you mean Mitch Hepburn?

Mr. Conway: It seems to me that if we have to pick from the list of Lieutenant-Governors or Governors General, then John Graves Simcoe is certainly acceptable to me. I remember well last year the member for Port Arthur suggesting, as he will no doubt suggest later this afternoon, that others might be more representative.

Mr. Speaker: You've got 10 seconds left.

Mr. Conway: He suggested Agnes MacPhail. Not wishing to be sexist, I would suggest that if we must have a name, perhaps the genius of Ontario in both its past history and some of its present direction would be most typified by naming the Civic Holiday for the non-partisan George Brown.

Hon. Mr. Baetz: Your researcher gets a C minus for that lousy speech.

Mr. Foulds: I am afraid that once again I must say to the member opposite and to you, Mr. Speaker, that I cannot bring myself to support this bill. Sir John Graves Simcoe, after all, embodies all of the worst characteristics of the early founding of our history in political terms. As the member who has just spoken pointed out, I can understand the commitment of the Tory party to Colonel

Simcoe and to Simcoe Day. If the Conservative Party could turn back the hands of time, it certainly would restrict entrance to the Legislative Assembly and voting rights to half-pay officers. In the 20th century, that would be the OPP.

I readily admit the framework of time in which he lived and I readily admit the engineering skills and vision that he had and the second-rate Roman attitude that the building of roads and highways was the primary thing to do. However, the fact that a county is named after his father—most people think it is named after him—and that the Simcoe name is embodied in the name of one county, two provincial ridings, one lake and a downtown Toronto hotel is enough honour for one man. When the downtown Toronto hotel elevates him to the peerage, which never happened in history, surely that is honour enough.

I am not always sure of this, but I think that we have moved somewhat forward in terms of democracy from Colonel John Graves Simcoe's time. I almost elevated him to the peerage myself. Maybe that could be done posthumously. There are a number of other illustrious people in Ontario's history that could be honoured and I suggested a number of these back in 1976. My own favourite, or one of the suggestions I made, is that we should have a Macdonald Day to honour—

Hon. Mr. Baetz: Which Macdonald?

Mr. Foulds: —all of the Macdonalds who have contributed so much to the history of Ontario—

An hon. member: Let's go for a hamburger.

Mr. Foulds: —Sir John A., John Sanfield Macdonald, and our own Donald C. Macdonald. I think that, in fact, would be an honourable suggestion embodying a number of honourable traditions in political history.

Mr. MacDonald: We might even include Donald S. Macdonald.

Mr. Foulds: Why not? That way all three of the active political parties could be represented, and everyone in the province could feel that they were participating in a day that was honouring one of their particular heroes.

We could name it after Joseph Brant, if we wanted to honour one of the native builders of this province. We could name it after one of the northern native leaders, Shinguakouce who, in fact, spent a considerable period of time walking from his home between what is now Thunder Bay and Sault Ste. Marie to York. I think he walked that distance in 10 days, in order to make contact with the leaders of the Anglican Church to encourage

them to bring schools and education to his people in the north.

I am sure the Minister of Natural Resources, the member for Muskoka (Mr. F. S. Miller), would want to name it after the most illustrious son of his riding, the person who is probably the best-known Canadian around the world, and that is Dr. Norman Bethune, who contributed so much in humanitarian terms to the development of our recognition of the country and to medical science and humanitarian efforts.

I am sure many people would want to honour one of the other builders of Ontario, Sir Adam Beck, the founder of Ontario Hydro, or, if you want to look at the social field, the eminently prestigious educationist, Egerton Ryerson, who after all only has a polytechnic named after him so far. My own favourite person, in terms of Ontario's political history would be, as I indicated last time, Agnes MacPhail. She pioneered in a number of areas, both provincially and federally, in terms of representation on a political level.

I have switched my thinking a little bit since 1976 and I am not bound by those. I have a feeling that perhaps it might be more fun—and after all, a holiday should be fun—if we named it after one of the people who have contributed to this province in terms of the arts. I thought of Tom Thomson, and I thought of some of our writers. I actually thought of having a pitch for national unity and naming it Laurier Day as an expression of goodwill to our brethren across the Ottawa River, and I thought of naming it Group of Seven Day.

However, I think if you really want to capture the essence of Ontario, the essence of fun in a holiday in midsummer, what better person to honour than Stephen Leacock, who after all in many ways embodies all of the virtues of Ontario along with a sense of humour that is notably lacking in most of our politicians. I would think that if we had a day in the late summer in honour of Stephen Leacock the people across the floor should find that acceptable. He was a Tory, after all, a Tory economist.

Hon. W. Newman: You would like to name it Foulds Day, I know.

Mr. Foulds: He had a sense of satire and humour that would leaven the turgidity that passes for speechifying and speech-making in this House and often on the hustings. So my nominee this year for honour in terms of the Civil Holiday is Stephen Leacock. It is not that I disrespect the nominee from the member for Simcoe East, but I honour my nominee more.

Mr. Rotenberg: Mr. Speaker, I will support the bill this afternoon. I was somewhat amused by the member for York South, who has switched his allegiance, but I listened to his speech and discovered why he is suddenly a fan of John Graves Simcoe. He discovered in his research that John Graves Simcoe was anti-American.

Of course that is one of the pillars and foundations of NDP policy. Anyone who is anti-American is, of course, a friend of theirs.

An hon. member: What about John Diefenbaker?

Mr. MacDonald: Anti-Americanism was the basis of the Tory policy in the 19th century.

Mr. Samis: What about John A. Macdonald? You get dumber every day.

Mr. Rotenberg: I am a little surprised at those across the way—some who support this bill and some who oppose it—who are standing up here this afternoon and making fun of the British and the Anglo-Saxon traditions and making fun of John Graves Simcoe.

Mr. Samis: You weren't even here.

Mr. Martel: Take your halo off.

Mr. Samis: Bring back Havrot.

Mr. Foulds: He was even a Neanderthal 180 years ago.

Mr. Rotenberg: We have to judge John Graves Simcoe in light of 180 years ago, in light of the 18th century. We shouldn't be judging him by 20th century standards and, of course, if you put John Graves Simcoe into the 20th century, I know he wouldn't be acceptable in the NDP caucus. But in light of the standards—

Mr. Foulds: It is probably presentable in the back benches of your caucus.

Mr. Rotenberg: Could I have a little order, Mr. Speaker?

In light of the standards of the late 18th century, and if you look at John Graves Simcoe's record, in light of the standards of the time, he comes out as a very progressive conservative.

Mr. M. Davidson: That's what he looks at, his record.

Mr. Samis: How much of an ass can you be. Gordy, this is demeaning to your speech.

Mr. Rotenberg: We have had a number of debates in this Legislature, a number of debates, talking about preserving and perpetuating ethnic traditions and ethnic cultures. We debated heritage language, we debated culture, we debated grants to all of the ethnic organizations; and those opposite have always claimed to be in the forefront—

Mr. MacDonald: John Graves Simcoe would have done that. He would have made them all become Anglicans.

Mr. Rotenberg: —claimed to be in the forefront of those policies and trot out their politics.

But I wonder sometimes why those opposite who want to perpetuate all of the other ethnic minority cultures do not want to help perpetuate the culture of the largest minority group in Ontario which, of course, is the Anglo-Saxons.

Mr. Nixon: It is an endangered minority.

Mr. Martel: Who writes your lines?

Mr. Samis: You make Yakabuski sound sensible.

Mr. Eaton: Nobody interrupted when you guys were speaking.

Mr. Makarchuk: You are the complete Neanderthal.

Mr. Rotenberg: I wonder if you might enforce the rules of the House, Mr. Speaker? Would you ask the NDP to have only one member heckle at a time, please?

Mr. Samis: Okay, we will.

Mr. Grande: Don't be so provocative.

Mr. Martel: Maybe we can also get the speakers up one at a time.

Mr. Rotenberg: John Graves Simcoe, for all his faults, was really the founder of the establishing of the Anglo-Saxon culture and tradition in Ontario.

Mr. Nixon: His brother-in-law was a minister of the government.

Mr. Speaker: Order. Every honourable member of this House has a right to be heard.

Mr. Martel: Let's make an exception.

Mr. Nixon: He started the famous Ontario pork barrel.

Mr. Rotenberg: I wonder what set them off? They have no respect at all for wisdom.

What I simply want to say is that I, who do not come from an Anglo-Saxon background, will support the honouring of John Graves Simcoe, who brought Anglo-Saxon tradition to Ontario. Why, suddenly do those across the way who do come from Anglo-Saxon backgrounds simply seem to want to negate their tradition?

Mr. Samis: Who are you talking about?

Mr. Foulds: We blindly honour a dunderhead.

Mr. Samis: Is the cabinet ready for you?

Mr. Rotenberg: We complain so often—I hear the complaining especially from those

opposite—that we do not have a Canadian identity. They complain we lack a Canadian identity, and here we have a chance to take a silly little name like Civic Holiday, which is meaningless to everyone, call it Simcoe Day to establish an identity, a truly Canadian identity for one holiday, and those who brack and bray about wanting a Canadian identity, when the time comes are just not home; they are out to lunch.

Mr. T. P. Reid: All those in favour of Rotenberg Day?

Mr. Foulds: What about John A. Macdonald? I'll settle for Macdonald.

Mr. Rotenberg: I think we should honour John Graves Simcoe. About 16 years ago we established in this province the John Graves Simcoe Foundation and I am very pleased to have had some part in that establishment.

Sixteen years ago I was a member of the Toronto city council and not a member of this Legislature. Back at that time it was drawn to our attention that Wolford Chapel in Devon, the burial place and the home of John Graves Simcoe, was in some state of disrepair and ruin; it was actually owned by the publisher of the Exeter newspaper. It was surrounded by the land of a gentleman named Le Marchant whose ancestors had come over with William the Conqueror.

I had the privilege that summer, Mr. Speaker, of visiting Devon and the representative of Mr. Harmsworth of the Exeter newspaper took me to visit the chapel. I visited with Mr. Le Marchant and asked those people, would they grant this little piece of Ontario in England to the government of Ontario through a responsible non-profit organization if one could be set up. They said they would.

[5:45]

When I came back as a member of the Toronto city council I approached the city council at that time and they wanted no part of it. I came to the government of Ontario which respects all traditions. I would like to pay particular tribute to the present Chairman of Management Board, who was then Minister of Tourism. The Honourable James Auld was very receptive to the idea of setting up a foundation—to the idea of Ontario taking over John Graves Simcoe's home and burial place.

The government of Ontario stepped in, set up the foundation, and purchased the land for a dollar. Ever since then, we in Ontario are honouring John Graves Simcoe by perpetuating his home and his burial place in the chapel in a little bit of Devon. If we in

Ontario can honour him in England, certainly we can honour him within our own province. I suggest, as a non-Anglo Saxon, that we pass this bill, and give some honour to the Anglo-Saxon tradition in Ontario and to its founder.

Mr. Makarchuk: You've said that about five times now.

Mr. G. E. Smith: I would just like to say a few words in summing up. I've appreciated the comments of the members supporting the bill and I've listened with a great deal of interest to the others' comments from those who were not quite so enthusiastic.

I was interested in the comments of the member for York South when he indicated—and I think one or two other honourable members indicated—that John Graves Simcoe apparently was a Conservative or a Tory. I can understand them assuming that now because the member for York South did indicate that John Graves Simcoe was attempting to appoint army personnel to form the government. He indicated that he was trying to bring the class society from England to Canada. But like any good Tory he sensed that wasn't what the people wanted and he abandoned that.

Mr. Makarchuk: Obviously, he was the last of the good ones.

Mr. G. E. Smith: As a result, I can understand now that he likely was a Tory.

Mr. MacDonald: He was clobbered into it by Cartwright.

Mr. G. E. Smith: I believe it was the member for Port Arthur who suggested that Chief Joseph Brant would be a more suitable name. It's interesting to note that Joseph Brant and John Graves Simcoe were personal friends. They had a great deal of mutual respect. Certainly Joseph Brant was a very fine gentleman, as were some of the other people mentioned by the honourable members taking part in this debate. But it comes back again to the point that John Graves Simcoe was the first Lieutenant Governor of Ontario. As a result I think he should receive greater preference than some of the other names that were mentioned.

While Simcoe may have had his faults, he had a grand design for Ontario and an impact upon its development which has lasted to this day. By honouring Simcoe we would be recognizing as well the contributions of all early settlers and administrators in this province.

In conclusion, I would like to say that the Barrie Examiner supported it editorially. I'll have to condense it because I see my time has elapsed. They headed the editorial, "Sim-

coe Day—A Good Name for the August Holiday." They sum it up by saying, "Besides, Civic Holiday is rather a blah name, is it not?"

I hope the honourable members will support this bill on second reading.

LABOUR RELATIONS AMENDMENT ACT

Sufficient members having objected by rising, a vote was not taken on Bill 65.

SIMCOE DAY ACT

The House divided on the motion by Mr. G. E. Smith for second reading of Bill 99, which was approved on the following vote:

AYES	NAYS
Auld	Bryden
Baetz	Campbell
Belanger	Cassidy
Birch	Charlton
Breithaupt	Conway
Brunelle	Cunningham
Cureatz	M. N. Davison
Deans	di Santø
Eaton	Dukszta
Elgie	Foulds
Epp	Germa
Gaunt	Gigantes
Gregory	Hall
Grossman	Handleman
Havrot	Kerrio
Hodgson	Lawlor
Johnson	Mancini
Jones	Martel
Kennedy	McClellan
Kerr	McGuigan
Lane	McKessock
Leluk	B. Newman
MacBeth	Nixon
MacDonald	O'Neil
McCaffrey	J. Reed
McCague	T. P. Reid
McNeil	Riddell
G. I. Miller	Roy
F. S. Miller	Ruston
W. Newman	Samis
Norton	Stong
Parrott	Swart
Peterson	Wildman
Philip	Worton—34.
Pope	
Renwick	
Rhodes	
Rotenberg	
G. E. Smith	
Stephenson	
Sterling	
G. Taylor	

AYES

Van Horne
Villeneuve
Walker
Welch
Williams
Wiseman
Yakabuski—49.

Ayes 49; nays 34.

Ordered for committee of the whole House.

Mr. Kerrio: That is how private members' hour is supposed to function.

Mr. Martel: Now we will find out how it goes back to the House.

Mr. Speaker: Order.

Hon. Mr. Welch: Actually, we are giving very serious thought to having a special committee meet all summer at Niagara-on-the-Lake to discuss this.

An hon. member: How about Lake Simcoe?

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, usually at this point we indicate the order of business for next week. The House leaders have met today and with the permission of the House we would almost like to do it on a daily basis, because although it is alleged we are getting close to recess, it is going to be difficult really to predict too far into next week until we know what progress we have made.

Mr. Conway: That's what Winkler used to say. He is now driving buses.

Hon. Mr. Welch: You seem to have that name on your mind—not much more on your mind, but at least you have got that name on your mind.

Hon. B. Stephenson: He has dandruff on his mind.

Mr. Conway: Well, I don't have the stuff you have got there.

Mr. Speaker: Order.

Hon. Mr. Welch: It has been indicated that tonight we will start at 8 o'clock with second reading of Bill 103, and then we will go into committee of the whole to complete Bill 83. It is my understanding there will be a bell because of divisions within committee on Bill 83 at 10:15 p.m. We will clean up those two items tonight.

On Friday, we will go to second readings of Bills 110, 111 and 121, then into committee on Bills 91, 85 and 96.

Perhaps we might go as far as Monday: On Monday, first thing, at motion time, we will establish the select committee on health costs. We will then do third reading of Bill 48. We will do Bill 86 in committee and then continue with anything left over from Friday's schedule. Following that we will consider Bills 113, 114, 115, 116, 117, 118, 119, 120—the Minister of Community and Social Services (Mr. Norton) package of children's legislation. That will be done on the understanding, of course, that the House would agree to dispense with provisional order 30, because we may have the social development committee in session outside the House.

So if, in fact, we might carry it that far, Monday we could give a report for the balance of the week. On Tuesday, the first order in the afternoon, as has been agreed, will be the second reading of Bill 112.

Mr. Speaker, if I may be permitted one further comment, there will be an evening sitting on Monday.

Mr. Speaker: Agreed?

Mr. Foulds: No. We need a motion.

Hon. Mr. Welch: We don't need a motion.

The House recessed at 6:03 p.m.

ERRATUM

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Should read:

Mr. M. Davidson: Supplementary: Given that

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No. 88

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Daily Edition

Second Session, 31st Parliament

Thursday, June 15, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 15, 1978

The House resumed at 8 p.m.

CONDOMINIUM ACT

Hon. Mr. Grossman moved second reading of Bill 103, An Act to revise the Condominium Act.

Mr. Breithaupt: On June 1, the Minister of Consumer and Commercial Relations introduced Bill 103. At that time, he gave to the House a statement which, I presume, he is not going to repeat at this time. Printed copies of the bill were available on June 5, and we are to debate the principle of this bill just 10 days later.

Since this bill is a complete revision of the earlier Condominium Act, it would ordinarily have been entirely unreasonable to expect quick approval on second reading and, in any event, the final steps of approval in committee or third reading with royal assent before the House would be expected to adjourn a week tomorrow on June 23.

There are, however, two reasons why we are able to proceed this evening. The first is that the bill is based on a 100-page report of the Ontario Residential Condominium Study Group which filed its report with the minister in late March. That group had lengthy public hearings and received briefs and submissions while they met in Thunder Bay, Windsor, London, Brampton, Ottawa, Toronto, Hamilton, Kingston and the Kitchener-Waterloo area. Those submissions alone were from some 280 interested persons and groups. As a result, the group has very actively canvassed the interested parties in the condominium world.

The second reason we can proceed is that public opportunities have been arranged for, so that any additional comments on this bill may be heard in early October. I understand that tentative arrangements are being made for those hearings in the first and second weeks of October, so that all who have further comments to add may be accommodated at that time.

The process then for this bill will have followed five steps. First, we have had the public hearings and, secondly, the report to which I have referred. As the third step, we see legislation before us which will receive

second reading. There will then be the opportunity over the summer months for review of the proposed bill by those persons who are particularly interested. We will then have the opportunity of that fifth stage to have further comments from the public, to which I have referred, during the committee stage of the bill. All those who will be interested can now know the exact legislative view of the government with respect to the comments and suggestions that have been made in the report.

The bill as proposed will make a large number of particular changes. There are some 15 cited generally as themes in the introduction of the bill, and I certainly shall not review them here. I will, however, refer to one of the important changes which is the establishment of a bureau, as it is cited, whose function will be to assist condominium corporations and owners by providing advice, information and a forum for settling disputes. The goals for which that corporation is to be organized are ones which we would all share. We want to turn the comprehensive report of the Ontario Residential Condominium Study Group into better protection for the purchasers.

It is only since 1967 that condominiums have existed in Canada. Now there are some 1,000 corporations with perhaps 100,000 units across Ontario. Originally, the concept was to provide larger units and more square footage of living space for the dollar available to be spent than one could normally otherwise obtain in that price range. Condominiums are a sound idea whose time may not as yet have fully come. This may be because the concept went into effect rather quickly in some areas and perhaps without necessary thought and balance.

However, this period of digesting has now been accomplished, and the result is seen particularly in the idea of the proposal for Condominium Ontario. That kind of a phrase reminds us of everything from GO Transit to many of the other terms which the government has coined over these last several years. I suppose that as long as the provincial flag and the trillium appear prominently on the green and white letterhead,

approval for those styles will quickly come from the minister.

Mr. Nixon: He likes his name on it too.

Mr. Warner: The minister is embarrassed.

Mr. Breithaupt: No, he doesn't embarrass that easily.

Mr. Nixon: We've yet to see the day that he is embarrassed.

Mr. Breithaupt: The organization should hopefully, provide a forum to settle many of these disputes that have arisen from time to time in these projects. The organization is going to be providing public information and that, together with the involvement of the 10-day cooling-off idea, is a good addition in these proposals.

I am interested in the matter of the approval process, particularly because I read one comment which suggested that this bill is not particularly referring to some of the difficulties in the approval process for condominiums that at least those who build these projects might wish to have attend to. As a result, I would expect that the builders who are involved in the problems which may be occasioned by certain of these delays will come before the committee to which this bill will be referred so that if there are additional changes which should on balance be included, there will be the opportunity to do so.

I think it is probably unnecessary to recite the various items that are in the bill. Surely we should be able, in my view, to approve this bill quite readily on second reading with the knowledge that there will be substantial public opportunity to suggest the kinds of changes which may be required as the bill moves through its various legislative stages.

As I have said, we have a bill based substantially on a report which was lengthy and which, in turn, was based upon much public input. We have the opportunity then to use that basis upon which to go further and complete legislation that is going to come to a stage of approval and which is going to ensure that persons who have purchased condominiums will have the best balance of protection and involvement that we can provide.

We're certainly pleased to see that the bill is before us. With the opportunity for public involvement at the committee stage, we have no difficulty in approving the bill on second reading.

Mr. M. N. Davison: Since we've been informed that the bill will go to committee stage in late October, there is no need this evening for a lengthy and exhaustive debate on this very important piece of legislation. The real debate will, of course, take place in

the committee stage at the justice committee in the first two weeks of October. There are, however, some general matters which I think are in need of clarification and there are a number of other matters that I think should be added to the record tonight so that we establish the proper background for our hearings in October.

It has now been more than a decade since condominium ownership was officially recognized as a distinctive form of tenure in the province of Ontario and condominiums, frankly, have not been the success that some hoped they might have been. That is why, I guess, we have before us a piece of legislation from this ministry which is not an act to amend a bill but rather to revise a bill.

The Legislature and its members have received recommendations for very major changes in this area of legislation, and that statement is not meant to legitimize the nature of the changes proposed by the minister but rather should be seen as a comment on their number, which is legion. I think it is important that we in this House understand just how badly the government has failed in the question of condominiums. Up until this point in time the government's record has been rather dismal, I am afraid.

It is also, I think, important for us in the Legislature to understand just how serious the problem is that is now before us. According to CMHC, as of December 31, 1977, there were 111,107 completed condominium units in the province of Ontario. At a press conference this past Tuesday, the Minister of Housing (Mr. Bennett) stated that there were approximately 40,000 condominium units completed but unsold in this province. The figure suggests that, apparently, 36 per cent of the units completed to date remain unsold. That means that for every two units that have been sold, one is standing unsold in the province of Ontario.

It is because of that failure of near-crisis proportion in the province that the condominium legislation must be totally overhauled and, in fact, changed drastically and dramatically. Because the government is no longer able to ignore this very serious problem, it has come forward with these recommendations, with these proposals of change to the legislation.

The first step along the path that the government took was the establishment of the Ontario residential condominium study group last year, and the Kealey report, in my estimation at least, did a reasonably good job of outlining the problems condominium owners face in the condominium field.

However, in its recommendations, the Kealey report did not quite keep up with its own standard and the recommendations fell short of meeting the needs of the condominium owners.

This revised Condominium Act that we have before us falls even further short of reaching the Kealey report than that report did of meeting the original needs and as such I think we can quickly judge it to be at best inadequate. The minister, to be fair with him, has never purported or suggested that the changes he is bringing forward are anything more than an attempt to fully deal with the consumer protection aspect of the condominium problem. However, I suspect many people who own condominiums would agree with me when I say that it falls short, even in this limited endeavour.

Hon. Mr. Grossman: Then vote against it.

[8:15]

Mr. Warner: Don't be provocative.

Mr. M. N. Davison: Fortunately, we are interested in solving a very real problem. We very well understand the nature of minority government. We have a real desire not only to make minority government work but to solve the problems of condominium owners. We are quite happy to work with you—

Hon. Mr. Grossman: So you will support it?

Mr. Wildman: We are trying to get you to listen.

Mr. M. N. Davison: —so that those owners can be provided with legislation that will properly meet their needs.

Mr. Warner: You put out the crumbs and we make cookies out of them.

Mr. M. N. Davison: That's the purpose of the exercise from this side of the House. If you see some other purpose, that's your business.

Mr. Lawlor: You are starting to lead a kind of fantasy life. You see bogey men everywhere.

Mr. Deputy Speaker: Order.

Mr. M. N. Davison: That's why he sleeps with the light on at night.

Fortunately for us and fortunately for the condominium owners in the province, it's going to be possible to amend this legislation during committee stage so that we can put some teeth into it and animate this paper lion that the minister's constructed.

Hon. Mr. Grossman: Paper tiger.

Mr. M. N. Davison: Paper tiger? Okay.

Mr. Lawlor: A paper tiger that will bite.

Mr. M. N. Davison: I suspect the minister did as good a job as he could selling this to his cabinet colleagues—

Ms. Gigantes: We don't know, and we don't count on it now.

Mr. M. N. Davison: No? Oh well.

Mr. Warner: Don't bet on it. We know about beer in the ball park.

Mr. M. N. Davison: The government's failure to act in areas such as the reduction of costs through improved registration and approval processes, the overcharging for municipal services and the inadequate construction standards is really beyond the understanding of people who have seen this legislation.

The minister justified this rather typical lethargy on June 1 when he stated in the House, "The ministries of Housing and Treasury, Economics and Intergovernmental Affairs, the municipalities and the building code branch of my ministry all have a role to play in the revision of the front-end processes. We have had submissions about the efficacy of the process from virtually every sector. Because of the great divergence of opinion, the planning and approval stages require careful thought. It is essential that we move cautiously in these areas and explore fully the ramifications on municipalities. Therefore, we will be reviewing the following," and he sets out those three areas.

Perhaps I could read the minister's words back to him once again: "1. Processes by which condominium projects are approved and registered in order to reduce the time and cost of developments; 2. municipal planning standards and provisions of services to improve the amenity of condominium living and lower operating costs; 3. Building codes as they apply to condominium construction as part of our continuing review of the building code."

I would assume from that, as I am sure most of us in the House would at this time, that the minister had some idea the legislation would be passed relatively quickly. I guess viewing it from the perspective of June 1, perhaps he had in mind the date June 23.

Hon. Mr. Grossman: Ever the optimist.

Mr. M. N. Davison: Now that it is quite apparent that it will be almost four months, almost a third of a year, before we get to committee stage with this legislation, I am sure the minister would like to adjust that position.

Hon. Mr. Grossman: We might as well take it now. Do you want to go to third reading?

Mr. M. N. Davison: Now there's plenty of time for those ministries involved to get their acts together so that in October the minister can provide the justice committee with a position paper or, better yet, draft legislation. Then when the committee sits down in October for two weeks to do its work, they could do what they should be doing—that is, studying the entire matter of condominiums in its entirety rather than this piecemeal approach. As of June 1, 1978, this was the minister's position and frankly, Mr. Minister, this is not adequate.

The minister has failed to fully resolve—as a matter of fact he's even failed to really talk about—the question of over-assessment of condominiums between 1971 and 1975. It is the position of my party today, as it has always been on this issue, that the government should ensure that rebates are paid by the province to all overassessed condominium owners.

One of the major problems facing owners in the field of condominiums is that of property management firms. This issue has, by the minister's legislation, in effect, been left to the industry to resolve for themselves. That, as we know in Ontario, is not always the best way to approach these matters although it is the favourite approach of the government to such matters.

Frankly, the establishment of—what do you call it?—Condominium Ontario: that's a body with very limited authority. Only 50 per cent of its membership is composed of condominium owners; and on behalf of the owners, let me say that that organization will not be able to provide any real incentive for the industry to impose standards on itself.

If the minister and the government weren't always so quick to reject regulation as if it was a disease—

Hon. Mr. Grossman: It often is.

Mr. Wildman: Only when you're administering it. You are a cancer.

Hon. Mr. Grossman: But benign.

Mr. Makarchuk: I'm not too sure about that.

Hon. Mr. Grossman: Not terminal.

Mr. M. N. Davison: —he might have understood that the only way to proceed properly if we are going to solve the problem is through direct regulation of property management firms by a registrar of condominiums. That's rather simple to see.

Hon. Mr. Grossman: More regulation.

Mr. M. N. Davison: But the minister and the government seem to have a Pavlovian reaction to the word regulation. They always

abandon it without even trying it, without even looking at it.

Hon. Mr. Grossman: Look who is talking.

Mr. M. N. Davison: While in some cases that may be a good idea—

Mr. Makarchuk: It would be better to get rid of the minister than the regulations.

Hon. Mr. Grossman: Order, Mac.

Mr. M. N. Davison: The minister will have a chance to respond to these mild and gentle suggestions later on in the debate.

Mr. Lawlor: You are known as the minister of regulations, aren't you?

Hon. Mr. Grossman: De-regulations.

Mr. M. N. Davison: I'm sure that during the next few months, and during the committee meetings, the minister is going to enter into the debate in the spirit of listening to everyone who comes before the committee, to everyone who approaches the minister; and that he will, to some extent, be able to leave behind him when he enters the committee room his prejudices and his biases—

Hon. Mr. Grossman: There is not a prejudiced bone in my body.

Mr. M. N. Davison: —and the Tory dogma that he surrounds himself with. I trust that when the minister properly understands the facts—

Hon. Mr. Grossman: Oh, that's my problem.

Mr. M. N. Davison: —he will be willing to change his mind and be willing to accept a position—support a position that will more properly meet the needs of condominium owners, who are the ones who are suffering right now.

Mr. Warner: You might as well try to melt cement.

Mr. M. N. Davison: If I might conclude, our party will on second reading support this legislation, not so much for what the legislation does, but rather because it is a revision of the act which therefore lends itself very nicely to very broad and very serious amendments; so that when we adopt legislation upon third reading and pass it into law, we will have in place an excellent piece of legislation which other jurisdictions will look to, and which will adequately and properly meet and protect condominium owners' interests.

Mr. Deputy Speaker: The member for Carleton East.

Hon. Mr. Grossman: At least she knows what she is talking about; now we will learn something.

Mr. Swart: You just listen there, Larry.

Ms. Gigantes: It is a pleasure to be able to participate briefly in this debate—

Hon. Mr. Grossman: Now I will listen; she knows what she is talking about.

Mr. M. N. Davison: What are you so agitated about this evening?

Ms. Gigantes: If I could suggest, Mr. Speaker, the minister seems like the lady who doth protest too much. He is a little overly defensive these days.

Hon. Mr. Grossman: What about the man who protests? Don't be chauvinistic—the man who protests.

Mr. Lawlor: That thick skin is getting very thick.

Ms. Gigantes: I think he is going to have to learn to change his mind just a little bit more than he has just over the last week or so. He has seen the light on rent review, and I think given a few more weeks of discussion of this legislation he can be brought to see the light on the review of condominium legislation in this province.

Mr. Lawlor: Never; never that.

Hon. Mr. Grossman: Never open minded; never malleable.

Ms. Gigantes: Mr. Speaker, I will be brief. My interest in condominium legislation arises from the fact that in the riding of Carleton East we have a very large number of condominiums. Further, I am one who has had the experience personally, so I have something of a personal interest in this bill. I have learned that the experiences in the riding of Carleton East have been very much like the experiences in other parts of the province. I have learned this from other condominium associations and groups, and also from colleagues in the Legislature reporting on what is happening in the areas they represent.

This bill was a long time coming. The original condominium legislation, when it came into effect in Ontario back in 1970, was far from perfect. It was wide open to abuse by developers and it was abused.

By 1974, when I had the privilege of being a candidate for the New Democratic Party in the by-election held in Carleton East, it was quite clear there was a crisis in condominiums in Ontario.

Mr. Nixon: That was before anyone ever heard of Darwin Kealey.

Mr. Martel: Darwin who?

Ms. Gigantes: I didn't win that election so I didn't have a chance in the fall of 1974 to bring those concerns to this Legislature. But when I ran again in 1975, my Con-

servative opponent was a worthy gentleman named Darwin Kealey.

Hon. Mr. Grossman: Conservative.

Ms. Gigantes: He still is a worthy gentleman. Darwin and I developed a—

Mr. M. N. Davison: Even the minister likes him, eh?

Mr. Warner: Protect him, Larry, he needs all the help he can get.

Ms. Gigantes: Darwin and I developed the kind of political relationship I like to have with my Conservative opponents, and that is the relationship where I win. It's a very satisfying one.

Mr. Makarchuk: An excellent relationship.

Ms. Gigantes: There is no doubt in my mind that poor Darwin would have had a much better chance in the riding of Carleton East if he had understood the problems of condominium corporations.

Hon. Mr. Grossman: If she lost she would have got the job—the Gigantes study.

Mr. Martel: I doubt it.

Mr. Breithaupt: Both had a chance to learn.

Ms. Gigantes: I recall very well being at an all-candidates meeting where an enraged group of condominium owners had to listen to Mr. Kealey suggest that in order to be able to bring about some change in the situation they were in, where they were being double taxed at the local level, perhaps they should withhold their municipal taxes. They almost threw him out of the hall.

Mr. Makarchuk: Those Tories are anarchists.

Ms. Gigantes: That was the Conservative candidate's approach to one of the major problems facing condominium corporation owners then, and one which remains in spite of this bill.

The minister decided we were going to have to have a lengthy review of the situation, in spite of the fact the word came from Carleton East and from other ridings around this province that there was a crisis in condominium legislation. There was a crisis in the way that condominiums were being sold in the province of Ontario and the ways people were being ripped off, there is no nicer word available for it.

The figures on the number of unsold units speak for the dramatic public resistance to purchasing condominium units that arose because of those inadequacies in legislation and the ways in which the public was ripped off in condominium ownership. The minister

decided we must have a long, lengthy study, which he initiated after Mr. Kealey lost for the second time in 1977.

Mr. Martel: Twice.

Ms. Gigantes: By this time Mr. Kealey had learned something of the problems of condominium ownership and he set about that study, I think with great conviction. As my colleague from Hamilton Centre (Mr. M. N. Davison) has pointed out, what the report of that study gave us was an excellent outline of the problems and not very much in terms of hard recommendations to deal with those problems.

[8:30]

This bill reflects the inadequacies of that report. There are three areas in which this bill simply does not meet very grave needs of condominium owners. The structural deficiencies that were built in and are being built into condominium developments are not responded to by this legislation whatsoever. There is no real protection for a condominium group, or for condominium owners as individuals when they buy a building and find it is falling apart or working badly. There has to be that kind of protection.

There has also to be some kind of proposal from the government whereby owners who have been ripped off in the past will get redress. It should be redress that comes in a form that does not involve expensive lawsuits against developers who may well have gone out of business by now, or at least changed corporate names and structures.

Let me give you one example of what I'm talking about on this subject. Across Elmsmere Road, which is the road I live on, there is a condominium named the Hillview Towers. There's a gentleman who lives in the Hillview Towers named Ed Tremblay. He's a fireman. He got burned in one condominium project, called Sutton Place, also in Carleton East. As a fireman, he decided he was going to take financial fire prevention measures about the purchase of his second condominium.

He watched as the building went up, noted the kind of construction going on and the way design specs were not being met. When he moved into the condominium and it became registered, he immediately worked on the maintenance committees of the condominium corporation of Hillview Towers.

Over a period of four years, two of which he was the president of the condominium corporation, he amassed a document this thick. It was a compilation of documents and his correspondence with every authority who

moved that he could appeal to for help about the condition of that building.

He finally got a lucky break, and his condominium corporation too was very lucky, because among the owners in the Hillview Towers was one Senator Molgat, former president of the Liberal Party of Canada who arranged a meeting—

Hon. Mr. Grossman: That's a lucky break.

Ms. Gigantes: —between Mr. Tremblay and the well-known Mr. Teron, who runs CHMC.

Mr. Wildman: He's a Liberal too.

Ms. Gigantes: Yes, he's a Liberal, too; he's a well-known Liberal.

Mr. Makarchuk: They've always been screwing the people.

Mr. Philip: Point of order. That's not parliamentary.

Ms. Gigantes: Mr. Teron, in turn, arranged for Mr. Tremblay to meet various officials of CMHC—

Mr. Warner: He hides behind bushes.

Ms. Gigantes: —who then went to the development company in question and said: "If we finance an independent engineering review of the complaints made by the condominium corporation will you undertake to repair whatever the independent review shows to be deficient?" The company, to its credit, said, yes. That company was Minto Development, and I think it deserves credit for that.

What this independent engineering review discovered was out of dozens—and as I recollect, the number was somewhere up in the 80s—of major complaints about the structure of that building, well over 80 per cent were upheld. Eighty per cent of those complaints were upheld by the independent engineering arbitration.

Minto, again to its credit, said: "Fine, we said we'd carry out the repairs, and we will." I estimate, and Mr. Tremblay, who has spent a good deal of time, over four years, estimates those repairs were probably worth, to the condominium owners, if they had had to undertake them themselves, somewhere up in the range of \$1 million. That's on one building.

Furthermore, one of the points the independent engineering arbitration awarded was a problem with the plumbing. The problem was the hot water pipe was set right next to the cold water pipe. That meant everybody on the top floor was running their cold water for several minutes in order to get cold water. That cost the condominium corporation money.

Minto said: "We're not going to tear out every pipe in all the walls in this building.

We'll give you a flat annual payment for your costs on this one." Mr. Tremblay said: "Fine, that sounds good to me." Minto said: "How much do you think it would be?" Mr. Tremblay said: "I'm not an expert on this, but I reckon about \$10,000 a year." Minto said: "You've got to be kidding." Mr. Tremblay said: "Well, if you don't agree with that figure, go and do your own tests on it and give me your estimate. Then we'll discuss it."

Minto did that and came back to him and gave him a contract that said that it would provide \$10,000 a year every year to that condominium corporation. That's just one little point. It's worth \$10,000 because the pipes were put in wrong. They never met the building specs as designed, it wasn't built as designed.

There is no protection in this legislation for consumers who have been ripped off in this way and haven't been as lucky as to have somebody with Mr. Tremblay's knowledge and perseverance, and also to have Senator Molgat living in the building. In fairness to the development company, it was willing to say: "Yes, if we have provided you with a building that's less than it should be and if that's proven to us by an independent arbitration, we will make good the repairs that need to go in." Most condominium corporations are not in that situation, and this legislation is not going to help them.

The second point that this legislation really doesn't deal with—nor did the Kealey report though he outlined the problem most clearly—is the problem of double taxation. That happens to every condominium owner who lives in a development which has less than standard municipal services or physical features installed in it, or roads that can't be ploughed by the municipality and for which a municipality will take no responsibility. The fire hydrants have to be maintained by the corporation. The lighting in the street has to be maintained by the corporation.

That goes on and on with services that should be municipal. Yet there is nothing in the way that condominium corporations are being assessed that at all compensates for the fact they are paying for these services which are provided through normal municipal taxation for other home owners. There is double taxation going on. This legislation does not say a word about it nor has the minister nor does the Kealey report.

When the minister told us he has delayed legislation for so long so as to be able to bring in a package, I don't think that's adequate. Either we get something in terms of a commitment from this minister to deal with

double taxation or we can't accept that this is a package that deals with the real problems of condominium owners.

My colleague from Hamilton Centre mentioned also the outfit that's going to be known as Condominium Ontario, the bureau that is supposed to operate on behalf of condominium owners. I find that's an absolutely outrageous proposal, that after all they've had to suffer over the last eight years under existing legislation and the kind of ripoff we've seen in condominium sales and developments, condominium owners should now be asked to pay for what should be a government-administered bureau that provides them with some decent services so that they can have a minimum kind of guarantee of government involvement and control over condominium developments in Ontario.

That is absolutely ludicrous. I don't know how the minister has the gall to propose it. After they're down, he kicks them. It's just an incredible proposal. I'm sure the minister is going to change his mind on that.

Hon. Mr. Grossman: No.

Mr. Makarchuk: Do you mean even if the committee suggests it?

Ms. Gigantes: I promised I would be brief.

Mr. Lane: Don't say anything.

Ms. Gigantes: I look forward very much to be able to participate in the process of changing the minister's mind about the efficacy of this legislation.

Mr. Makarchuk: He said he was open-minded. He is close-minded.

Mr. Martel: He is going to withdraw the bill.

Hon. Mr. Grossman: I am going to go to the people.

Mr. Deputy Speaker: Order.

Ms. Gigantes: —and helping my colleagues present amendments that will meet some of the very severe problems which—

Mr. Wildman: He is not open-minded, but empty-headed.

Ms. Gigantes: —are left untouched in this legislation and for which this minister really has failed to meet his promise that he would bring in an adequate kind of reform package in condominium legislation.

Mr. Philip: I rise in support of the bill, but I must admit I do so with considerable hesitancy. I guess my feeling about the bill can best be summarized in words—

Hon. Mr. Grossman: Fantastic, deliriously pleased.

Mr. Philip:—that have already been used to the minister; words that were used by a representative of the Ontario Condominium Association, who after reading the bill and meeting with the minister on Monday said, and I quote—the minister will recall these words—“We expected a feast and we got a few crumbs.” That is what this bill is.

Hon. Mr. Grossman: They won't vote for your party next time.

Mr. Wildman: Fantastic crumbs though.

Mr. Philip: I think there's a few more than that. You will find that if you talk to some of the condominium owners in Ontario.

Ms. Gigante: Don't be silly; why are you so defensive?

Mr. Wildman: A crumb is better than half a loaf though.

Hon. Mr. Grossman: Relax, relax.

Mr. Philip: I think that if the minister would listen to some of the condominium owners, he would realize there may be more opposition from the condominium owners than Mr. Handleman provides for them in the justice committee on certain bills.

Hon. Mr. Grossman: That would be hard to do, that would be a lot of opposition.

Mr. Philip: That will be a lot of opposition, Mr. Minister.

Mr. Swart: Think what would happen if you were promoting French.

Mr. Philip: If I may continue, because I am sure the minister is deeply interested in my comments.

As a condominium owner myself, and a representative of my own condominium on the Etobicoke Condominium Association, I resent the fact that the government has ignored the major complaints of condominium owners that have been presented over and over and over again to the Kealey commission—faulty construction, poor maintenance, and double or excessive taxation.

This bill falls very short in meeting the problem of faulty construction. I challenge the minister to explain to the residents in my riding in the Martingrove area why they must wait one and half years to get repairs to their homes under the Home Warranty Plan. I challenge him to explain to the residents of York West, the riding south of me represented by a Conservative member, why they must suffer fungus or mould on the walls of their dream home apartments, which they have spent so much money for.

At least 12 units in that project, in one building and five units in the next-door building, both built by the same developer,

are suffering from this problem. The builder insults the intelligence of myself as a member of the Legislature, of the new owners of those apartments, and of the press who have closely examined and taken pictures of that project when he tries to say it is a hygiene problem. An awful lot of people in the honourable member for York West's (Mr. Leluk) riding must have hygiene problems, then, if that is the case.

The maintenance problems haven't been answered by the bill. Indeed, the minister has the audacity to provide that the condominium owners must pay for the professional development of the managers, that's what this bill does. I don't know of any other professions that have their professional development paid for by some other person.

Hon. Mr. Grossman: What section is that?

Mr. Philip: I'll give the minister the section in a second if you need to refer to it. It is the section that deals with Condominium Ontario.

Hon. Mr. Grossman: Okay, we will wait.

Mr. Philip: No, the minister doesn't have to wait. I just told him where it is. If he were as familiar with the bill as I am—maybe he can get Darwin to explain it to him. He will be glad to show it to the minister.

Hon. Mr. Grossman: If you are so familiar, just read out the section to me. What section is it?

Mr. M. N. Davison: I don't think the minister has read the bill.

Mr. Deputy Speaker: Order, order.

Mr. Philip: We'll be debating it section by section. It's Condominium Ontario, and the minister clearly—now stop trying to mislead the House.

Mr. Makarchuk: The minister will get it on second reading.

Mr. Deputy Speaker: Order, order. I would just like to remind the members that this is not a question and answer period.

Mr. Philip: The problem of over taxation or double taxation which was discussed time and again by condominium owners who appeared before the Kealey commission was ignored by that commission, except for one paragraph that said words to the effect that there's very little that we can do about it.

Now the minister adds injury to insult. After years of doing nothing to protect condominium owners or to service them, he sets up Condominium Ontario, and to this he adds an extra tax—or fee or whatever you want to call it, but it is an extra tax on condominium owners of \$5 to \$10 a year.

Then he admits to me in the House when he first gives his statement regarding the bill that it is really a kind of open-ended thing and it might go a lot higher than that.

[8:45]

Those who have suffered from double taxation get one additional tax added to them. Not only that, but he doesn't even provide for the kind of seed money which most responsible governments provide for new projects.

Mr. M. N. Davison: Whoever said he was responsible.

Mr. Philip: One would even think at least, if he were trying to be responsible, he would provide for the cost of operation for the first two or three years of Condominium Ontario. He fails to do that. Not only has the minister not listened to condominium owners on major issues, but after all of the study, and after all of the expense of the Kealey commission, he still doesn't even understand some of the simplest problems of condominium owners.

In clause-by-clause debate in October, we will be pointing out many of these faults. Let me just provide one example of this kind of problem.

In section 37 of the bill, regarding the reserve fund, the minister talks about five per cent of the amount required for the contributions to the common expenses exclusive of the reserve fund—five per cent. Anyone who has been involved with condominiums knows five per cent is a paltry amount. While the principle of a reserve fund which is not refundable on the sale of a unit is a good principle, five per cent is simply a sop to the developer. The developer will see five per cent as a maximum and that is what he will pay.

In fact, those people who have been involved with condominiums will point out that as high as 15 per cent is a sensible amount in a deferred fund, and possibly another 15 per cent in a deferred maintenance fund. The minister's own staff person, I believe his name is Mr. Simpson, in a meeting with the Ontario Condominium Association, suggested eight per cent might be a reasonable amount; but five per cent is what is included in this bill.

If we go through it clause by clause, we see some of the tremendous impracticalities of the bill. I don't want to take up time on second reading to point out all of these, but we will be doing clause-by-clause examination and pointing them out. For example, the quorum the bill suggests and the quorum for bylaw changes is just unrealistic and unreasonable when you talk to condominium boards and directors. The minister knows that, because the members of the Ontario

Condominium Association in their meeting with him on Monday pointed these problems out to him. Yet we didn't see any change in his attitude. We will, of course, see considerable change in the clause-by-clause debate.

I think the best summary I could do on this bill would be to give a detailed summary of the initial comments of condominium owners. I would like to do that. I would like to read a letter which was written by Mrs. Monica Rouleau, the vice-president of the Etobicoke Condominium Association. She was not speaking only on her own behalf because I checked it out this evening on the telephone.

I read the letter to the president of the Etobicoke Condominium Association, Mr. Terry Littlefield. I said: "In fact, does this seem to represent the kinds of things you feel, and the Ontario Condominium Association felt when it had an opportunity to meet with the minister?" After I read that letter to him, Mr. Littlefield said: "Yes, that seems to express some of our gut reaction to some of the problems, although we pointed out many other problems to him as well."

I would just like to read into the record the views of one condominium owner. She is probably the one person who has done more than anyone else in building condominium associations in this province. Mrs. Rouleau writes in the Etobicoke Guardian, June 14,

"The new Condominium Act has finally reached the Ontario Legislature. It is more voluminous than the old act; 60 sections instead of 26 sections. But bigger is not necessarily better. Sure the new act is mainly directed towards future condominiums; the best new proposition probably being my very own recommendation which gained prolonged applause at the public hearings of the Kealey study group. From now on, developers have to hand over warranties as-built and as-built plans, to the elected owners' boards of directors on takeover from the developer. This hardly ever happened up until now and created endless hardships and problems to existing condominiums.

"Where I have trouble with the new act is that in spite of the public outcry at the public hearings, occupancy fees—that is, rent—until registration are still with us. This is one of the hottest issues, since the developers sometimes made an astonishing amount of money on top of purchase price by delaying registration through slow selling. Now developers have to take 'reasonable steps.'"

The words "reasonable steps" are in quotation marks. It's amazing how "reasonable" is used over and over and over again. I'm not a lawyer, but my legal friends tell me how hard

it is to prove what is reasonable in a court of law. It's found over and over and over again in this bill, always in relation to what the developer must do. One wonders how those who are accusing the developer will ever collect under those kinds of circumstances in the legislation of the Ministry of Consumer and Commercial Relations.

Mr. Lawlor: It's not confined to the lawyers. "Reasonable" is fairly pervasive. It's rather hard to find.

Mr. Ashe: I'm sure you fellows have more.

Mr. Philip: Getting back to the letter: "It's also hard to comprehend why the minister set the reserve fund at a minimum of five per cent, which is not sufficient, except to throw a bon-bon to the developer who now has to establish the fund before the owner takeover.

"What is really hard to take is that the block marketing of its units to investors is now possible by law. Nobody who has not lived in a condominium can appreciate the problems that absentee landlords cause. Blocks of rental units are totally detrimental to the condominium concept."

If I may digress from the letter for just a moment: As I listened to presentation after presentation before the Kealey commission, at least in the Toronto area, one condominium association after another brought up the whole problem of absentee landlords. Mr. Kealey at least tried to listen to that, but there's no reflection of that in the bill.

"The bill goes even farther. Developers have created a demand for rental units through overbuilding of condominiums. Let them rectify the market, but not at the cost of unmanageable condominiums.

"Existing condominiums had looked to the Kealey report and the new act for some relief from their manifold problems. Two issues are overshadowing everything else: the high property tax on condominiums for municipal services not rendered but paid double through maintenance fees, that is, snow removal, sewers, street maintenance and street lighting; and the request for low-interest government loans to rectify major structural deficiencies which we hope will now be taken care of by HUDAC, but which could drive condominiums built before 1977 into bankruptcy.

"A precedent to make this demand feasible was set by the Ontario Home Renewal Plan. The new Condominium Act is not relieving financial hardship; but it is adding to it. Instead of the government registrar we have pleaded for at the public hearings, Larry Grossman, Minister of Consumer and Commercial Relations, opted for a bureau, Condominium Ontario, which will be financed

by condominium owners at \$5 to \$10 per unit annually, a small price to pay if it is efficient in what it has set out to do.

"But why add insult to injury and put the bureau in charge of setting up management courses? Property management firms realize good profit out of their condominium management; that's why they are popping up all over the place. Let them pay for their own courses. The government should have also complied with the condominium owners' request insisting that they are licensed."

That is the view of a condominium organizer, a person who has organized on behalf of condominium owners and somebody who was elected by the condominium owners' associations in the borough of Etobicoke, consisting roughly of four ridings in this city.

The minister has failed to deal with the basic problems of condominium owners. We accept that a good many sections of this bill are valuable. I was particularly pleased to see section 60, which will deal with the whole problem of the way in which certain people can get around condominium conversion bylaws in converting rental buildings to condominiums without going through the proper channels which the municipalities have decided are appropriate. There are other sections of this bill which also make a lot of sense.

We look forward to the clause-by-clause consideration. Members of this caucus will be meeting, as has been requested, with not only members of the Ontario Condominium Association, but also other condominium groups, throughout the summer, and I look forward to being part of the justice committee that will be debating this bill clause by clause in the first two weeks in October.

Mrs. Campbell: I'm going to be brief, Mr. Chairman. I welcome the bill. The reason I welcome it is the opportunity to fully debate all of the bill in conjunction with those who have been eagerly awaiting the amended legislation. I'm not going to go into it clause by clause as some appear to have done. I don't think it comes to grips with many of the problems of the condominium people as they are evidenced in my riding, but then I hope that in committee I will be able to deal with the aspects of the problems which are not very carefully considered in this legislation.

I suppose one of the major problems in my riding is people having to deal with latent defects in the building, and I don't see the warranty program covering those. As far as HUDAC are concerned, they don't go into the history of the person who has built shoddily; they simply take everybody in. I'm

astounded that this could go on. So I have no such hope for the HUDAC kind of operation.

Hon. Mr. Grossman: There was a lot of support from the parties to that.

Mr. Makarchuk: They're not doing a good job, Larry.

Mrs. Campbell: I hope we will be able to bring forward into that committee the people with the stories to tell so that the minister may have an opportunity to hear at first hand, not just the people whom he regards as partisan, but also those people—who are probably partisan but not politically partisan—who wish to plead their cause before an all-party committee of this Legislature.

When we have these hearings, I hope we will make provision for the numbers that I expect will attend to express themselves, and that we will have adequate space for such hearings, because I expect that we will have many people, very expert as a result of their experience with the animal, who can help to bring enlightenment to this legislation.

I really believe that when the bill comes out of committee it may be a very vastly different bill. I hope it is. I think that all legislation can stand improvement, but this bill is a difficult one. I know the minister has sincerely tried to meet some of the problems which have surfaced, but I have to say with regret that in my view he hasn't addressed himself in depth to many of the issues which are burning throughout the ridings of this province.

[9:00]

Mr. Lawlor: Mr. Speaker, I believe this is called the Condominium Act. I remember on a previous occasion seeing a similar bill. Down through the years, we have had numerous variations on the theme, and they are always a kind of degradation. This is quite an improvement on the whole, if I may say so from a purely quixotic legal point of view, of course.

I remember when the first act was brought into this House. The salient feature of it remains as certain remarks made by the erstwhile member of this assembly, Mr. Vernon Singer, Mr. Singer said then, and he said three years later, that as a practising lawyer he would not accept a real estate transaction having anything to do with condominiums in his office. He felt the possibilities of a lawsuit against him for some kind of remote failure were diverse and numerous. They still are.

The legislation is covering one or two in the process. I mean the pitfalls had to do with the entrance into the contract. There was no protection. I have one in my office at the moment; and it is not all that different, you know. That condominium is not registered, and those people are going to have to move in very shortly. I don't expect it will be registered before they do move in. How that is done, don't ask me. I am only the lawyer on the deal.

Hon. Mr. Grossman: What are their names, Pat?

Mr. Lawlor: I am told, "There is no point in looking at the title to see whether the people who are pretending to sell it are the owners and have the right to sell it under the terms and conditions under which they might do so because it is not registered yet." So we sit and wait and twiddle our thumbs until this is done.

The minister does have some Planning Act provisions in this. Whether he will take as his area of responsibility to any degree speeding up that process, et cetera, and establishing title before people get into occupancy and possession, I am not sure. We will, no doubt, find out in committee the extent and ambit he deems to be his authority in this particular regard.

Then, of course, we have the whole plethora upon us. No wonder people didn't want to buy condominiums; as they became more and more acquainted with them they found the snares and the mare's nest of difficulties were labyrinthine and manifold, so that neither the legal profession nor the individuals who got caught in the snare—and the amazing thing is there were really on the whole so few people who were so pilloried and became disgruntled as a result; but there have been enough to bring about the legislation before us tonight, because the gaps and the traps were far too numerous and too many individuals were shying away.

I don't know what the situation is at the moment, but six months ago you could not sell a condominium. Somebody who owned a condominium could not resell it in Etobicoke. The prices of condominium units are falling all over the place for precisely that reason.

I don't know if what my colleague has said is part of your legislation or not, except you do make mention of the model building code which falls, of course, within your jurisdiction. In any event, it wasn't long ago when people came to see me on constituency business largely from Mississauga. I haven't too many condominiums in my own area.

I do half of what Kennedy is supposed to be doing anyway in this particular regard.

Hon. Mr. Grossman: Half as well.

Mr. Lawlor: They had moved in and were on, I think, the second or third floor. The condominium developer had seen fit to establish both showers and sauna bath on the first floor just below them, without making any provision for air conditioning or for cooling down the premises. So there wafted up, in warm weather and in cold, innumerable stinks, smells, odours of sanctity and otherwise, and an enormous temperature. They went all that winter with their windows wide open in the hope of receiving a breath of fresh air.

Hon. Mr. Grossman: Look at their heating bill; it was practically nothing.

Mr. Lawlor: Well, this construction problem and the business of the frippery and corner-cutting with respect to developers in this area is commonplace, where on the seventh floor of a condominium, you can hear the fullest extent of the love whispers being consummated on the beds seven floors below. This is commonplace and you haven't made any adequate provision for that particular kind of thing.

Hon. Mr. Grossman: We will add an amendment.

Mr. Breithaupt: No extra charge.

Mr. Kerrio: Save you money. You don't have to buy a TV.

Hon. Mr. Grossman: The province of Ontario has no place in the bedrooms of condominiums.

Mr. Lawlor: And so Mr. Singer felt that he would shy clear of this and forfeit the little largesse he made from time to time on the side. I suppose living out there today in burgeoning circumstances—I haven't seen the beggar since he left—he still doesn't take condominium deals, and I suppose we can all commiserate with him and say, "Starve to death, you wretch, but keep your fingers clean."

Hon. Mr. Grossman: He's probably acting for the developers now. He acts for the builders now. It's easier.

Mr. Lawlor: Now I quite blindly, despite the lack of legislation, have gone forward with those deals and I haven't yet been sued once. I just pray while I do them and close my eyes. After a few years everything washes away—

Hon. Mr. Grossman: And the liability insurance is always there.

Mr. Lawlor: And the liability insurance remains if I can only remember the company I had it with.

Hon. Mr. Grossman: But I have to pay for yours. I don't like paying for yours. We all paid it together.

Mr. Lawlor: You haven't had to pay a penny yet. Hold on to your hat. It may come any day, as you know. The only thing that counts, is what you do to this particular profession, and it comes up 10 years later invariably, after you have completely forgotten how sinful you were in the past.

Hon. Mr. Grossman: Our executors can worry about it.

Mr. Lawlor: Now you see written in the covenants here, covenants with a vendor to take all reasonable steps to register a declaration. You remember the old days when they wouldn't register the darn things. They would sit and sit for 18 months, 24 months. Why? They were pulling in the rental fee.

Let me tell the House, incidentally, that occupancy fee in the legislation ought to be included in the declaration; the declaratory statement that was set up that is given to a purchaser and which, on the occasion in question, he may withdraw from. He has 10 days after that statement is delivered to pull out of the deal. By the way, that statement is delivered quite far on. He may be in occupancy for a very long time before the time for that statement comes into fruition, and at that particular time he may pull out of the deal.

It seems to me that the statement should say precisely what that occupancy fee is, in advance of his moving in so he knows where he stands. The minister has provided for a number of other things but not that. I think it's an oversight. I think the minister should get it in there, switch it over I mean.

There was nothing more irritating, and still today, there is nothing more irritating for people who have, for the first time in their lives, been able to get out of an apartment which they didn't like—many people don't—and into their own dwelling, and that's what a condominium is deemed to be, and begin the long, hard, tortuous process of paying for the thing so at the end of the day they are fee simple owners with something garnered, some capitalization made, something that as they get older they could perhaps sell; in any event, not just giving it away in exorbitant rentals such as the minister is advocating by his present purblind policies of seeking to lift the rental restrictions as they are at present. The minister knows there would be a ripoff immediately if that were

done. The whole society is one vast, greedy ripoff. He subsidizes it and bows his head. Well, bow it in shame, my friend.

I suppose we will learn the truth tomorrow morning. The brave bulls will be in the arena and we will find out where the minister stands on that.

Hon. Mr. Grossman: Have I ever let you down before?

Mr. Lawlor: In any event, they perpetuated the situation, and still do, where people do not get into the process of paying off the principal and becoming owners, with the pride of ownership in this particular regard, but are extended indefinitely on the basis of the way the system works at present.

Nothing could be more regressive and defeatist with respect to the condominium concept. Listen, it's a profoundly socialist concept. It is the one form of ownership that recognizes community, that people share, and that when they become owners of property they take an enormous responsibility along with them. People who want to live in blank houses and throw no stones, those who want to live in isolation from other human beings, which is the single-family concept—it's the way I live; so I won't play it down, although I do walk across the fence once in a while and say hello to the guy next door.

In condominiums there is the very concept of having to share accommodation in close proximity to other human beings and to take the responsibility of the running of it. I often say to people, "Are you mentally equipped to handle it? Has your consciousness been raised sufficiently to recognize that there is a dimension of sociability in human life and we don't all live as atomic units in dire isolation from one another?"

Hon. Mr. Grossman: It's tough to handle socialism.

Mr. Lawlor: "If you are a child of this society, then don't move into a condominium. Stay home. Stay somewhere else."

Hon. Mr. Grossman: Stay out of socialism.

Mr. Lawlor: "But if you are a vital, personable human being, desirous of and enjoying the presence of others, and having a certain maturity in terms of openness—which is precisely the definition of maturity—then by all means, it will be an invigorating experience. But you will have to play a role on the directorate; you will have to attend the meetings. It's all very demanding and, like most demanding things in life, it's very satisfying if you do it well."

Hon. Mr. Grossman: Only you and I could make it, Pat.

Mr. Lawlor: As the concept declines, because there isn't the ethos, there isn't the spirit in this society to bind people together in his kind of union, they do it perforce; they do it without understanding the philosophy involved in the condominium concept. Again, despite the extent that we move to restructure it and make it more easy to accommodate, a long process of education is necessary in this particular field. The hard burdens involved in getting along inside that building, and with the common expenses and the common space to be enjoyed, offer a vision of possibly a new society.

Hon. Mr. Grossman: If it's socialism, I am withdrawing the bill.

Mr. Lawlor: What was that?

Mr. M. N. Davison: I think the minister is making a joke.

Mr. Philip: Did Sid Handleman get to him?

Mr. Lawlor: I'm afraid the minister is going to have to withdraw the bill, Mr. Speaker. It makes me feel badly, but if he doesn't know the colour of the beast's eyes—I mean the beast he spends all his time talking about—and shows so little understanding.

Ms. Gigantes: Bring in a private member's bill.

Mr. Philip: Is the rent minister going to succumb to Mr. Handleman?

Mr. Lawlor: We've been destroying legislation like that for hours every day here. Practically every piece of legislation in the contemporary world is quasi-socialist, if not otherwise. How could it be otherwise?

Mr. Breithaupt: Why don't you pass this bill quickly and prove it?

Mr. Lawlor: If we happen to be in the van of mankind, with the most imaginative concepts as to human development, what could you expect? If you want to move an inch, we're already there; we have been there before—

Hon. Mr. Grossman: You are lucky it is me tonight.

[9:15]

Mr. Lawlor: Our difficulty is we are always moving on too quickly. Maybe we should dynamically stand still for a moment.

Hon. Mr. Grossman: Oh, really, I'm going to use that one.

Mr. Lawlor: Those are a couple of the faults which have been mentioned here. As for the covenant for the vendor to take all reasonable steps to sell the other residential units, that's a great thought. The situation

continues and the legislation goes some degree to perpetuating it, although the bill modifies it by way of forcing the lease situation.

It became a scandal. There were a number of people who bought on the understanding their co-owners would be on a parity with themselves and that they would enjoy this particular form of co-determination and co-operation. Then they found that many of their neighbours, good fellows and good ladies as they may be, did not participate in the same concept of the living relationships that were assumed.

The condominium owner, as a pure, free-enterprising spirit, had bought up at depressed prices a number of condominium units, filled them up with whoever he could get in there, enjoyed the rental and thumbed his nose at the whole obligation concept that is behind it. In other words, he destroyed the concept root and branch.

One couldn't expect people who were in the position of the lessees to regard it any differently than any other apartment house, from which the sooner they could move out, the better. They took no interest and no responsibility. As a matter of fact, the whole attitude worked diametrically opposite to the basic concepts. We will see just how far the modification of that position goes when we get into committee in this particular regard.

We have mentioned the business of registrable deed and I think we can move on from there. The title disclosure provisions for purchasers and the possibility of the cancellation of the contract within a reasonable time and after second thoughts, I can't help but find valuable and commendable.

The business of setting up a trust fund of those purchase moneys and holding them, again on certain terms and conditions under the legislation, gives a protection to the purchaser which he hasn't previously enjoyed. That is very necessary. As to the business of giving some protection with respect to liens on the property, I think of two different kinds of liens. On the one hand, there is the condominium owner who has repairs done to his own personal premises and in the past has not paid his bills. Then along comes a repairman who has done this work and hasn't got paid, and slaps a lien on the whole building. The business of making provision for that kind of thing, it seems, is allocated to the particular owner.

In terms of wider liens, there is a provision giving the condominium corporation some kind of power and force whereby it can recoup from that owner his own per-

sonal and specific account for which the condominium corporation has become responsible in one way or another.

The business of being able, in effect, to atorn the lessee with respect to the rents which the absentee condominium owner is collecting without paying his part of the common expenses and saying, "No, you can't continue to do that; we will move in on that lease and take over the moneys forthcoming," is a perfectly sensible provision.

There are a number of these things in the legislation which win one's assent. Nevertheless, there are a wide number of these, some of which I have pointed out, which are not yet picked up into the legislation. Why the minister has failed in these areas to adopt the full provisions extended to him under that study that has been made by the condominium people themselves and of which we've been well aware for two or three years now, quite puzzles me. I would think that as we get into committee there might just be a few of your loopholes to be closed up, or at least more tightly bound than what you at present choose to do.

The only other thing I want to mention is under section 39, the modifications of the common elements. In the case of a fire or in the case of major repairs having to be done, 80 per cent of the individuals may agree upon going forward with the reparation of the premises et cetera. But if there's somebody who dissents from doing so, your legislation makes it obligatory upon the others to buy him out. Isn't that quite a burden to impose upon the other owners because you get one fellow or maybe a couple of people? Of course, the more there are, the more difficult it becomes. The fund that has to be collected from the other owners might be at that stage quite considerable and most of them might find themselves financially quite unable to do that. I wonder if that concept has been thought through as to what the full impact of it might be.

In some instances, this would be the very thing that a disgruntled condominium owner would be waiting for. What a glorious opportunity to unload and to force his particular unit off on to others who desire to retain the premises and to rebuild them as a living accommodation. Do you not build a position of advantage which is undeserved in that context?

This is complicated legislation. There's a wide diversity of notions involved here. Some of the sections are, in my opinion, quite intricate, particularly with respect to the exceptions written in. It will require, I think, rather

detailed study and it won't be done overnight.

Hon. Mr. Grossman: I will attempt to be brief, notwithstanding I'll probably fail in that attempt.

Mr. McClellan: The House leader wants you to be brief.

Hon. Mr. Grossman: We wanted you to be brief too, but it didn't make any difference.

Mr. Makarchuk: He didn't speak.

Hon. Mr. Grossman: First, we have to say that we did not adopt the posture recommended—

Mr. Lawlor: I wasn't elected to be brief, I was elected to be long. ,

Hon. Mr. Grossman: —by the member for Lakeshore of dynamically standing still. Rather, we chose to dynamically move forward, as is always the custom over here. That being the case, we did move—

Mr. Lawlor: What you do is statically move forward.

Hon. Mr. Grossman: —very expeditiously from the tabling of the Kealey condominium study group report. Members of the third party predicted I would not table that last fall before the House rose, but I did, in accordance with my commitment given last fall. I might point out we did move expeditiously in spite of the fact that members of the third party specifically—

Mr. Warner: Are you kidding? A wounded turtle moves faster.

Hon. Mr. Grossman: —complained that we were moving too quickly. We weren't allowing enough time, they said, for further study—

Mr. Philip: We predicted you would table it the last day and you did.

Hon. Mr. Grossman: —for further input, further communication, before we moved to legislation. Instead, we opted to move rather quickly.

I'm happy to say that the people who went to work in my ministry did a very fine job—an enormous job, as a matter of fact, starting at the end of January. This was the period of time we allowed municipalities and others to respond to the study group report. Starting from January 31, they moved under the guidance and expertise of two of my most able staff members whom I do want to mention—Mr. Robert Simpson, Bob Simpson, who's been mentioned earlier here tonight—

Mr. M. N. Davison: Don't blame him.

Hon. Mr. Grossman: —executive director of our business practices branch and Irv

Kumer, senior counsel in that division. Together they worked hard and long to get a bill in shape early enough to have it presented here at the end of May. It was indeed a monumental task, and it was made more so by the fact that rather than proceed in a vacuum, we mailed out copies of the report of the Ontario Residential Condominium Study Group to each and every condominium corporation in this province. We sent a copy to all the municipalities in this province.

We used all the input we got through that extraordinary communications process to move towards the legislation we have before us today. I might say that in furtherance of that process of dialogue in co-operation, we did as promised: make all the responses we got available to both opposition parties so they might be in a position to deal with this legislation both now and in October.

We have dealt with 80 of the 126 recommendations of the Kealey report. All but seven have been dealt with and adopted in this legislation, either directly or co-laterally. All but seven of them are dealt with here. Some of the seven others, we have made clear, we might be dealing with at a later time, whether it's an amendment to the Building Code Act or others. I made clear right from the start that, of course, this ministry could only deal with those things which came under our jurisdiction. We cannot, of course, deal with problems concerning alleged double taxation on condominium owners—

Ms. Gigantes: Alleged?

Hon. Mr. Grossman: —with some of the other problems that have been pointed out with the planning process. But we have as we've moved towards this legislation, had Messrs. Kumer and Simpson working with representatives of the other ministries involved, TEIGA and Housing to name two, in order that they may be well under way along the road to bringing in their legislation as early a time as possible.

Mr. M. N. Davison: What does that mean? Does that mean before October?

Hon. Mr. Grossman: I have heard the reservations expressed by the member for Carleton East and the member for Etobicoke, with regard to our concept of Condominium Ontario. I might say that I'm very proud of that recommendation. We think that any board, or organization that operates at the grass roots level of the problems, with 50 per cent participation by the people who are directly affected, is a heck of a better mechanism, than one attempted to be run by a single person or organization based at Queen's Park in Toronto.

Mr. Philip: Why not 90 per cent then? That makes it 30 per cent better.

Hon. Mr. Grossman: We just don't think that sort of structure can do it as effectively as the structure close to the people, by the people, and right out there—

Mr. McClellan: Like HUDAC. HUDAC for the people. HUDAC by the people.

Hon. Mr. Grossman: —in fact, with a direct contribution made by the persons involved.

Mr. Philip: What have you got against people running their own organization if they're paying for it?

Ms. Gigantes: Are the developers paying for the cost?

Hon. Mr. Grossman: It has been suggested by, I think, the member for Etobicoke, that we are asking condominium unit owners to pay for training the managers. Of course, that is just not so. We are not asking them to pay for the training. There is not a word in anything we've said—

Mr. M. N. Davison: Oh, come on. Read your own legislation.

Hon. Mr. Grossman: —that calls for the training of property managers.

Mr. Philip: Point of order, Mr. Speaker.

Mr. M. N. Davison: You haven't even read the bill.

Mr. Ruston: There is nothing out of order.

Mr. Speaker: What's your point of privilege?

Mr. Philip: Mr. Speaker, if the minister will read section 57, subsection 3(d), he'll find it says "assisting in the formulation and the conduct of educational courses for property management." I don't know how you assist without assistance in the form of money.

Mr. Speaker: Order. What privilege contained in standing orders is the honourable member hanging his hat on?

Mr. Breithaupt: He doesn't want the minister to mislead the House.

Mr. Philip: The minister alleged earlier, when you were not in the chair, that I could not point out the section in which condominium owners are paying for the professional development and upgrading of management corporations. He referred to that same item just now. I'm just pointing out to the minister that perhaps he should read his own bill and try to understand it.

Mr. Swart: Good point.

Ms. Gigantes: Read your bill.

Mr. Speaker: Order. The minister may be inaccurate in the eyes of the member for Etobicoke—

Mr. Martel: Deliberately.

Mr. Speaker: —but I see no privilege of any member that has been abrogated. The honourable minister may continue.

Mr. Philip: I made my point.

Hon. Mr. Grossman: Mr. Speaker, I don't want to debate this clause by clause, although I do want to clear it up so that condominium unit owners throughout the province will not think they are being asked, or required, to pay for something that they are not being asked to pay for.

Ms. Gigantes: That's right there in your bill.

Mr. Warner: They know who their defenders are.

Mr. McClellan: Dispense.

Mr. Martel: I thought you weren't going to clause by clause. Speak to the principle.

Hon. Mr. Grossman: It says specifically that the objectives of the corporation are extended to include, "(d) assisting in the formulation and conduct of educational courses for property management." Of course, we have to arrange, we think, to permit those people who own units to be able to provide assistance, resources, explain some of the problems they are having to the people who are participating in those property management courses. There is not a word in here that says those courses shall be run by, paid for or funded by Condominium Ontario or anyone else.

[9:30]

Mr. M. N. Davison: Will you cover the cost?

Hon. Mr. Grossman: We want to make it clear that the objects of that corporation must be such as to permit the members of Condominium Ontario to participate in any programs in which they wish to participate in order that they may properly lend their expertise and experience to property managers.

Mr. Philip: And staff time costs nothing.

Hon. Mr. Grossman: I listened to the member for Etobicoke also trying to suggest that a minimal fee of \$5 or so was ridiculous and unfair to unit owners. He then went on, two moments later, to suggest that a much larger payment, the five per cent payment to the reserve fund paid by those same condominium unit owners, was far too small. He wanted that reserve fund to have a much higher minimum than five per cent. He wanted 15 per cent.

Mr. Philip: For their own property.

Hon. Mr. Grossman: We are talking about much larger dollars there. In one fell swoop, he moves from five per cent to 15 per cent and yet two minutes earlier he was complaining about a concept which calls for condominium unit owners to pay not five or 15 per cent of the common elements expenses but \$5.

Mr. Philip: One is a tax while the other is paying into your own pocket. Why don't you understand your own bill?

Hon. Mr. Grossman: It's not \$5 per month or per day that we're talking about, we are talking about, would you believe, \$5 per unit per year.

Mr. Philip: We're talking about more than that. You said so in this House.

Hon. Mr. Grossman: He complains about that figure but he has no problem moving our five per cent payment into the reserve fund to 15 per cent.

Mr. Ashe: We know that they're big spenders over there.

Ms. Gigantes: The sands are shifting under your feet. You had better be careful.

Hon. Mr. Grossman: I also want to make it clear that in that section at all times whatever fee is levied will require the approval of the ministry, so that there will be some direct control over the amount of money that the condominium unit owners themselves choose to charge themselves and others.

I do feel obliged to deal with one sensitive point at this particular time. The member for Etobicoke has purported to speak for all condominium unit owners when he read a letter by Monica Rouleau, purporting that that was very representative of a lot of people. I don't want to suggest that it is or isn't. I just want to make the record clear that the member for Etobicoke was not able to rise in his place and read a letter written by or signed by those other people as individuals or as a group with whom Monica Rouleau sits on the Federation of Ontario Condominium Association.

Specifically, the single letter written by a single member of the condominium federation is in simple terms representative of her own view on that board. She is quite entitled to that point of view. To get the record clear, I invite the member to speak to the condominium federation and to rise in his place at a later time and report as to whether the condominium federation supports the concept of Condominium Ontario.

Ms. Gigantes: You better be careful.

Hon. Mr. Grossman: In reporting to this House my latest dialogue with them, as faithfully as the member has reported my latest dialogue with those same people through Monica, I can tell members that as of last Monday they remained as supportive of the concept of Condominium Ontario as they were when we began the process of dialogue with them last January.

Mr. Martel: You will never get the bill through.

Hon. Mr. Grossman: To get the record clear, he has correctly reported the reaction of one member of that group, Monica Rouleau.

Mr. Philip: A point of order, Mr. Speaker.

Mr. Speaker: There is nothing out of order, and the honourable member knows that.

Mr. Philip: On a point of privilege: I didn't report one member. I reported two. There were only five who met with you. How many more do you want me to report?

Hon. Mr. Grossman: Excuse me, I want to correct the record. The member for Etobicoke claims to be representing two members of that board, and that's quite all right.

Mr. Warner: Is this a filibuster?

Mr. Philip: How many met with you?

Hon. Mr. Grossman: The member asks how many met with us, I think it was 10 or 11.

Mr. Martel: Why don't you stick to the bill?

Hon. Mr. Grossman: More important than the 10 or 11, as opposed to your two, is that I don't want to engage in a dialogue which undermines the unanimity and the single point of view presented by that very effective, responsible and well run condominium federation.

Mr. Philip: I have a good report of what was said.

Hon. Mr. Grossman: It is a decently run, effective organization and we have had nothing but co-operation from them.

Mr. Warner: You sound jealous.

Hon. Mr. Grossman: The member for Etobicoke has come here this evening and reported parts of our dialogue last week. He reports, for example, no change in my attitude regarding the quorum as a result of a meeting we had last Monday.

Mr. McClellan: We are very sensitive tonight, aren't we?

Ms. Gigantes: He is like a prickly bear.

Mr. Warner: Did you eat in the members' dining room tonight?

Hon. Mr. Grossman: I am not going to undermine the work of the condominium federation by telling the House what some of the other members of that group might have said, except to say quite honestly, yes, that group has some problems with the quorum. I think it is also fair to say that they came and listened quite reasonably, as they always have, to the point of view that we had. They will tell honourable members that I agreed to listen further to the presentations they had made and to consider what they said last Monday. Indeed, they well understood the point I was making.

The point I was making, I might say, reflects very much the remarks of the member for Lakeshore, because the point I made was that while our quorum requirement requires 50 per cent in person or by proxy—and I wanted to keep it relatively high—the reason for my wanting to keep it relatively high at 50 per cent was to encourage as many people as possible, with the instigation of their individual condominium corporations and Condo Ontario, to take an interest and get involved so they would have that understanding and knowledge which the member for Lakeshore quite properly pointed out is so fundamental to living in and running and being a part of a condominium project.

I would like to let Condo Ontario and the condominium corporations work with the new legislation, and I would encourage them to do what a lot of them have been doing very effectively; that is to knock on the doors and say, "Come out to the meeting; and if you won't come out to the meeting, will you sign a proxy? At least understand that there is something important happening at this meeting next Tuesday night here in our condominium project."

If we reduce it below 50 per cent, then obviously it becomes easier to get a quorum and less pressure is needed to get at those doors and force people to get involved who, quite frankly, are lazy and reluctant in many instances to get involved.

Mr. M. N. Davison: What a patronizing attitude!

Mr. Warner: Name names.

Mr. Speaker: Order. If the honourable minister will address his remarks to the chair, he may find himself in less difficulty.

Mr. McClellan: He's in a lot of difficulty.

Ms. Gigantes: He should also address the bill.

Hon. Mr. Grossman: With respect, I suspect you are mistaken, Mr. Speaker, but I will give it a try anyway.

Mr. Hall: You are not in Stratford.

Mr. Nixon: You really are arrogant.

Hon. Mr. Grossman: In any case, I think it is fundamental that everything we do should not simply be an attempt to pull everything in and say we can solve it all by legislation, but to draw legislation which encourages participation out in the condominium corporations.

Mr. Warner: You can't solve anything.

Hon. Mr. Grossman: To draw the bottom line on that dialogue I had with the federation, I want to say that I have some reservations about it—of course I do—and I do want to think some more about it, as I hope the condominium federation is thinking more about its point of view, and see if we can't resolve this in the most satisfactory fashion.

Mr. Warner: You know they want beer in the ballpark.

Hon. Mr. Grossman: In any case, quite honestly, I do not want to get in a game of bidding off who said what at our meetings with the condo federation. They have been most constructive, most helpful and most supportive. We look forward to receiving any reservations they have now, or will have over the months between now and October, and exchanging our points of view.

I want to confirm that while I obviously disagree with the remarks made by the one or two members quoted by the member for Etobicoke, fundamentally I agree with a lot they are saying; and a lot of what they are saying is reflected in this legislation, which in turn reflects 73 of the 126 recommendations made by the Darwin Kealey condominium study group.

Mr. McClellan: Is that all?

Motion agreed to.

Ordered for standing administration of justice committee.

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Consideration of Bill 83, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 1:

Mr. Chairman: Mr. Warner moves that section 5(5) of the Municipality of Metropolitan Toronto Act, as set out in section 1(1) of the bill, be amended by striking out the words "or any other person" in line five and inserting after the word "council" in line six the words "provided he continues

to be a member of the council," so that the subsection shall read: "At the first meeting of the metropolitan council and each year after a regular election at which a quorum is present, the metropolitan council shall organize as a council and elect as chairman one of the members of the metropolitan council to hold office for the term of the council provided he continues to be a member of the council and until his successor is appointed or elected in accordance with this act."

Mr. Warner: I spoke earlier during the second reading of Bill 83 and made my remarks, I thought, quite clear as to my concerns about the democratic principle of having each politician elected by the people. Obviously, there is disagreement on that principle from the other two parties.

Mr. Hall: Call a press conference.

Mr. Warner: They're not in favour of that, so—

Interjections.

Mrs. Campbell: That's not true and you know it.

Mr. Hall: You know all about it.

Mr. Warner: —my motion this evening will fail.

Mr. Martel: I know how you like to have it both ways.

Mr. Hall: You know better than that, Elie.

Mr. Chairman: Order.

Mr. Martel: I know how you like to have it both ways.

Mr. Chairman: Order.

Mr. Martel: All things to everybody.

Mr. Chairman: Order.

Mr. Warner: What makes it particularly sad in this case, of course—

Mr. Epp: It's a misrepresentation of the situation.

Mr. Warner: —is that the Treasurer (Mr. McKeough) stood here in the House just a few days ago and told us that we will not have—

Mr. Hall: You don't know what went on.

Mr. McClellan: We all know what went on.

Mr. Warner: —the legislation in relation to the Robarts report until after this fall's election. That means that the election of 1978—I can address my remarks to the chair and ignore the remarks of those other members, Mr. Chairman. I'm quite prepared to do that.

Mr. Hall: Terrific.

Mrs. Campbell: Good.

Mr. Warner: So the election of 1978 will be fought on precisely the same basis as the preceding elections and we will not get an opportunity to make whatever amendments to the electoral process are deemed to be necessary or proper until following the 1978 municipal election.

Therefore, I think it's particularly important that when we do have one opportunity here, a golden opportunity in front of us, to bring a measure of democratic principle to the forefront we should take advantage of that opportunity, because we don't know when we're going to get the next opportunity at it.

Therefore, I would urge the members of the assembly to think carefully about supporting my amendment so that in the 1978 election we will ensure that the chairman of Metro Toronto, the second most powerful position in the province of Ontario, is someone who will be elected by the voters and not appointed.

Mr. Chairman, I ask for the support of all members of the House on this motion.

Mr. Epp: Mr. Chairman, it's obvious from the comments I and my colleagues made in response to Bill 81 that we will not be voting with the party to my left on this amendment. As you will recall, it was this party that suggested the change should be made and the New Democratic Party at that time thought it was a good idea.

Mr. Warner: But you changed your mind.

Mr. Epp: But we clearly indicated that we should not be making it at this time because this was essentially a housekeeping bill, because what was being recommended was a major amendment, and that we would be bringing in an amendment to have the chairman elected—

Mr. Warner: When?

Mr. Epp: —a principle we highly endorse, at the time that we deal with the government's response to the Robarts report.

Mr. Warner: When's that going to be?

Mr. Epp: The member for Scarborough—Ellesmere is asking me to be a soothsayer or some kind of accurate prophet and—

Mr. Warner: You've got a lot of faith in Darcy.

Mr. Epp: —I don't intend to play that game, Mr. Chairman. Although we agree with the principle we feel that this is not the time to do it.

You will recall, as I pointed out only a few days ago, how the critic for intergovernmental affairs for the New Democratic Party also

clearly indicated that this was not the time to do it and that there is no appropriate way to do it here in the bill. So they have a spokesman who thoroughly agrees with us.

[9:45]

I just want to point out two things: I wonder who is speaking for Metro Toronto, because I have two amendments before me which are the same with respect to part 1 of Bill 83. One comes from the intergovernmental affairs critic, Mr. Swart, and the other comes from Mr. Warner. I'm just wondering if the real metropolitan critic would stand up and let himself be heard. Maybe he has, I'm not sure.

Mr. Ashe: Play musical chairs.

Mr. Epp: It's a little confusing when you get the same amendment from two people within the same party with different names.

Mr. Nixon: That's a very good point.

Mr. Epp: We will vote against this bill, Mr. Chairman.

Mr. McClellan: Yes, we know that.

Mr. Nixon: Yes, let's do it now.

Mr. Epp: We do, however, agree with the principle that it should be changed and at the appropriate time we will produce our own amendment.

Mr. Martel: We'll support it.

Mr. Kerrio: That's enough reason, Elie. That's plenty of reason.

Mr. Swart: Mr. Chairman, I would just inform the member for Waterloo North that we have more than one person from Metro Toronto so, therefore, we'll have more than one speaker on this bill.

Mr. Epp: Have you got some more amendments? What is your justification?

Mr. Nixon: Since you know you have only two colleagues left to listen to you.

Mr. Swart: We have one person who may be speaking on the principle but another from Toronto who may have real concern about this.

I'm not going to put forth the argument again in support of the principle of this amendment. They've been put forward clearly and persuasively and indisputably by my colleagues in this party. The reasons why regional chairmen should be elected, whether they're in Metro or whether they're in any of the other regions, all comes down to the whole question of democracy and accountability.

We won't go into that in detail. We'll just say that after having gone over that issue at least 10 times on the 10 bills that we've had

before us, if the members opposite and the members to the right haven't changed their minds, they're not going to do it if we go over this once again. I know the Tories are not going to change their minds because they don't believe in the basic principle of electing a regional chairman.

I quote from the whip, the member for Mississauga (Mr. Gregory), when he was speaking on Tuesday night relative to this issue of election of the regional chairmen. He made these comments: "I would support pre-election for most elected offices. I do find, though, when you're talking about chairmen of regions, I think it more important that the proper man for the proper job be elected." To paraphrase that, I guess, you could correctly state that regional chairmen are just too important to leave to the electorate to decide who those chairmen shall be. I don't think that's an unfair paraphrasing of that.

In fact, I would think the party across doesn't even trust the councils as well. The member for Durham West (Mr. Ashe), made the comment in this House when he was speaking to the election of the regional chairmen that the amendment which we had before us would make it possible for the mayor of a major municipality to be the chairman. He said this: "Yet if you look again at this particular amendment, what it says in theory—and I appreciate it may not happen in practice—but it can happen that the mayor of Oshawa, for example, could end up being the regional chairman of Durham, or the mayor of Pickering or the mayor of whatever."

Once again, he doesn't feel that the regional councillors should have the right to determine who might be their chairman. He doesn't feel they have good enough judgement to decide who should be picked as the chairman of the region. So there's not a great deal of point, I think, in arguing again with the members across the House on this issue.

The members to my right, if we can believe what they have said, don't need to be persuaded. They say they are ready for it. We know that back in 1973, I think it was, when Hamilton-Wentworth was formed, they moved a motion then that the regional chairman be selected from among the elected people in the region. In the program that they have just recently put out for the restructuring of Toronto, a main clause is that the Metro chairman shall be selected from among the elected people in Metro.

Mr. Epp: And that's where you got the idea.

Mr. Swart: If my friend thinks we got the idea from that, it just doesn't bother me a bit. All I say to the Liberals this evening is, support your own idea. If it was the Liberal Party's idea a month ago or two months ago that the chairman of Metro should be elected—

Mr. Martel: Try voting for it.

Mr. Swart: —then, when they have the opportunity, I suggest that perhaps they should vote for it.

Mr. Kerrio: When you support us, Mel, we begin to wonder.

Mr. Swart: Mr. Chairman, I could quote at great length from Hansard in which the member for Ottawa East (Mr. Roy) has stated that they support the election of regional chairmen; that's a very strong principle with his party.

Mr. Nixon: When he was speaking, you said he was out of order.

Mrs. Campbell: Exactly.

Mr. Swart: The member for Brant-Oxford-Norfolk also said it is a very strong principle.

Mr. Epp: I notice you're not quoting yourself in that speech.

Mr. Swart: But they are not going to vote for it, even though they have moved amendments for it in the past and even though they have consistently stated that as a principle. When they get the opportunity to vote for the election of the chairman, they are not going to vote for it.

There are just two points I want to make about the election of the Metro chairman which should be made in addition to the points which were made about the others.

First of all, of course, it is the largest of all the regional governments. Metro Toronto spent something like \$361 million in 1974 and the expenditures of Metro are now up to close to \$500 million. They spent far more than all of the boroughs within Metro and yet the regional chairman is not a person who is elected by the public.

The second point I want to make, and I want to make this point very strongly, I say to the member for Waterloo North, is that there is no assurance whatsoever that we are going to have any bill before us with regard to Metro Toronto or any other regional government. It is nonsense to say that we are going to move an amendment or support an amendment when the bill comes before us for the changes in Metro Toronto, because the bill may never come.

The Liberals have the opportunity right at this point, if they mean it, to vote for the election and, because we have more members

on this side, to bring about the election of the chairman in Metro Toronto.

We know the Tories, those people across from us, are not going to come with us on this issue.

An hon. member: They don't believe in democracy.

Mr. Swart: They think the position of Metro chairman is too important to leave to the people to decide who shall be the chairman of Metro. But to those on my right I say, if they believe in it—they don't have any Liberal colleague now as chairman of Metro Toronto that they have to protect, as they do across the way—

Mr. Rotenberg: What would you do if he were an NDP chairman.

Mrs. Campbell: You wouldn't appoint one.

Mr. Swart: My friends over there don't have any say on whether there is ever going to be a bill before them again to give the opportunity; they know they can't do it. Finally, I say to them that they have only one seat in Toronto at the present time—

Mr. Nixon: I am glad you said "at the present time."

Mr. Swart: It might not be a bad idea for their own purposes, even if they are not interested in the principle, to let the people of Metro believe that they support democracy so much that they would like to see the regional chairman in Metro Toronto elected rather than be accountable in no way to the electorate.

This is the final bill, the 11th amendment we are going to have before us. It means that they would have to vote only on about nine per cent of all the bills. Perhaps they can summon up the courage or whatever it takes on this bill to support it and show the people of this province that the most important municipal person in the whole province should be accountable back to the electorate.

Mrs. Campbell: I sit in this House and I listen to what people say but I have never heard so much self-righteousness and so much sheer guff in my life than I have in this speaker.

Mr. Rotenberg: Go get him, Margaret.

Mr. T. P. Reid: He makes Billy Graham look like an amateur.

Mr. McClellan: You are making Rotenberg very happy.

Mrs. Campbell: There is no question and there has never been any question that this party does support, has supported and will support the election of the chairman of Metro as of other regional chairmen.

Ms. Gigantes: But—

Mr. Swart: But not when it is before you.

Mrs. Campbell: Come on! The member really is tiresome because so often he sits there in his magnificent self-righteousness and doesn't pay any attention to what the people in this city believe.

Mr. Ashe: They are good spenders though.

Mrs. Campbell: The people, including the local municipalities, have asked that the matter of the major Metro bill be postponed because they can't be ready for it in this election. It seems to me that if the member was a responsible person and not just using these chambers for politicking—

Mr. Swart: Vote for what you believe.

Mrs. Campbell: —then he would certainly wait to permit the local municipalities to complete their submissions and their deliberations as a result of the very horrifying paper presented by the Treasurer of this province in his reference to the reform of the area of the municipality of Metropolitan Toronto and its component municipalities.

I wonder if we could possibly just take a look at the situation where municipalities I am certain will be making their submissions and will be proceeding to adjust in one form or another to the election process at Metro, whether we have direct election or whatever we end up with. It seems to me that while the principle is paramount in the minds of the Liberals and always has been, one should not make this change until such time as we are dealing with a substantive piece of legislation. Things have to fit together. I believe that local municipalities are very much a part of the democratic process, I really do. If they want time to complete their submissions, really it's not a denial of democracy if we say, "Fine, but get your submissions in soon." [10:00]

As far as I am concerned, I could very easily vote with the NDP tonight, but I would feel that I was posturing at this point. Surely we should get on with a housekeeping bill, clean up the odds and sods in this bill and then deal in a comprehensive manner with the Metropolitan Toronto Act which will be before us sometime in the fall or subsequently at least—yes, to the next election. It seems to me that's the time to make all of your changes and to ensure that you really know a member when you see one, as to who is going to be the new chairman of the municipality of Metropolitan Toronto.

All I want to do is to try to bring some kind of reason into this debate as it pertains to our position. It may be that we have some

other matters to contend with in reference to the election of the council itself before we come to the deliberation as to how the chairman will be elected.

Mr. McClellan: I'm sorry to see the member for St. George is leaving.

Mr. Ruston: That's understandable.

Mr. Nixon: There's nothing more to be said.

Mr. T. P. Reid: Lucky any of us are staying.

Mr. McClellan: The Liberal Party flips, the Liberal Party flops, the Liberal Party crawls on its belly like a reptile. One of these days the Liberal Party will summon up—

Mr. G. Taylor: What a mean comment. Unbecoming.

Mr. Rotenberg: That's unparliamentary.

Mr. McClellan: What would you know about being unparliamentary, Mr. Deputy Chairman?

Mr. Rotenberg: You dish it out but you can't take it.

Mr. Chairman: Order. Order. Would the honourable member make his remarks to the chair and in reference to the amendment before us?

Mr. Lane: Go out behind the barn and settle your differences.

Mr. Ruston: He wouldn't know how to behave.

Mr. McClellan: Absolutely, Mr. Chairman. I have in front of me a document entitled, Local Government in Metro Toronto—the Liberal Proposal, dated May 1978. On page six of the document it says, under V, "The Metro chairman would be elected by and from the members of Metro council." That is under the general rubric "under our system," and this is part of the Liberal Party's program for Metropolitan Toronto.

Mr. Epp: In response to the Robarts report.

Mr. Ruston: That's right, take it out of context.

Mr. McClellan: If the Liberal Party wishes to disclaim its policy it will be—

Mr. Ruston: Just be honest, that's all. You're misleading the House, you're reading it out of context.

Mr. Chairman: Order.

Ms. Gigantes: Did you hear that?

Mr. McClellan: Mr. Chairman, would you ask that gentleman to withdraw that remark, please?

Mr. Chairman: I say to the member for Essex South that it's not within the orders of

the House and I would ask the member to withdraw it.

Mr. Ruston: I'd like to correct one thing, Mr. Chairman. I'm the member for Essex North, if you don't mind.

Mr. Chairman: I'm sorry.

Mr. Ruston: I think it's misleading within the context. What I said was he is misleading the House by reading it out of context. I think that would not be misleading the House in that way, Mr. Chairman.

Mr. Chairman: I ask the honourable member to withdraw the term "misleading."

Mr. Ruston: Very good, Mr. Chairman. I will withdraw the word "misleading"; but I am sure he is trying in some way to dislocate members by reading the thing out of context.

Mr. McClellan: I wouldn't want to dislocate the members to the right of me any more than they already are. They seem to suffer from terminal schizophrenia. They talk in terms of principles and policies, but most consistently they refuse—

Mr. Kerrio: Is this a bill we're debating? Is there a bill on the floor?

Mr. Rotenberg: You suffer from terminal verbosity.

Mr. M. N. Davison: The truth hurts.

Interjections.

Mr. McClellan: How sensitive they are, Mr. Chairman.

Again to quote from the Liberal Party proposal, I gather that the issue of whether or not the Metro chairman should be elected by and from the members of Metro council is the central component—

Mr. Kerrio: Tell us what you think about it. Have you got a position? Are you going to share it with me?

Mr. McClellan: —of the Liberal Party's new strategy for making grand inroads into the Metropolitan electorate. My advice, Mr. Chairman, respectfully, is that—

Mr. Kerrio: God, we've really got you frightened, haven't we? We have really got you boys on the run. You're not even talking about the government anymore.

Mr. Epp: Tell us what you are going to do when you are in fourth position?

Mr. Kerrio: When are you going to get around to that? Having problems?

Mr. McClellan: I can wait all night.

Mr. Kerrio: So can I.

Mr. Rotenberg: You can't take it, can you?

Mr. McClellan: I can take it fine.

Mr. MacBeth: You can dish it out but you can't take it.

Interjections.

Mr. Kerrio: You haven't said anything yet.

Mr. Chairman: I'd remind the committee that we are debating the amendment before the House. If the honourable members don't wish to debate it we will take a recess.

The honourable member may continue on the amendment.

Mr. McClellan: Thank you, Mr. Chairman. I am debating the amendment, which is in line with what I understand to be Liberal Party policy. I am trying to encourage my colleagues in the Liberal Party to support our amendment which would—as I say—cause the Metro chairman to be elected by and from the members of the Metro council.

I have a great deal of respect for my colleague from St. George, quite sincerely, and I say to her—I suspect she may be listening outside—

Mr. MacBeth: Don't count on it.

Mr. McClellan: —the issue of the election of the Metro chairman is independent of the package of reforms that are required with respect to Metropolitan government in the Toronto region. The issue of the election of the Metro chairman is an issue in itself and has validity as an issue in itself, apart from the broader issue of additional legislation which may be forthcoming at some time in the future.

There is a clear consensus within the Metropolitan community that the regional chairman in Metropolitan Toronto ought to be elected, ought to be accountable to the electorate, ought to face the electorate at regular intervals, the same as every other political leader in this province and in this country.

It is not simply a question of the principle of democracy although the principle of democracy is again sufficiently compelling to persuade any sensible person to vote for our amendment. The issue is also the quality of government in the Metropolitan area. Anyone who is representative from the Metropolitan Toronto area will know, without any equivocation or uncertainty, that there is a qualitative difference between the administration of the governments of the area municipalities and the administration of the government of the corporation of Metropolitan Toronto. The bureaucracies of the area municipalities are infinitely more sensitive both to the needs and to the demands of the citizenry for service, for courteous and prompt and efficient service, than is the government and

administration of the corporation of Metropolitan Toronto.

I won't repeat the example I used in the second reading debate of the planning process involving all levels of government with respect to the Frankel-Lambert housing development, but I note again that the corporation of Metropolitan Toronto seemed incapable of adjusting itself, of accommodating itself, of making the kinds of give and take arrangements that every other level of government was able to do from the federal level right down to the area municipalities and the school boards. It was only the corporation of Metropolitan Toronto that seemed incapable of engaging in that kind of co-operative planning process.

Those of us who represent ridings in Toronto city will know that some of our roads are unfortunately under the jurisdiction of the corporation of Metropolitan Toronto. Dundas Street, for example, in my riding, one of the four major commercial streets in the riding of Bellwoods—

Mr. Epp: What's that got to do with the amendment?

Mr. Ashe: That has nothing to do with the amendment at all.

Mr. McClellan: If you would listen, I'll explain to you.

Mr. Nixon: We're going to vote in four minutes.

Mr. McClellan: I'll be finished in four minutes.

Dundas Street, in my riding, is a Metro road, and it is the only Metro road in my riding. I say to you it is virtually impossible to get service on the road. Unlike the other commercial streets in the riding, which are under the jurisdiction of the city—

Mr. Epp: Point of order: Could we have the member please speak to the amendment as it is before us rather than about roads in Metropolitan Toronto?

Mr. McClellan: The argument I'm making is that there is a qualitative difference between the administration of Metropolitan government, on the one hand, and the area government on the other.

The qualitative difference is directly related to the fact that the head of government of the Metropolitan corporation is not accountable. He's not accountable to anybody. He never has to face the electorate, unlike the House leader who faces the electorate at regular intervals—

Hon. Mr. Welch: Every year.

Mr. McClellan: —every year—the Metropolitan chairman does not, and it's reflected

in the administration. It's reflected in the attitude of commissioners within the Metropolitan corporation; they are as different as night and day. I say to you that the Metro roads commissioner is as different in his attitudes towards even—

Mr. Ruston: The elected chairmen?

Mr. McClellan: Even aldermen — alderpeople—

Mr. Ruston: You should be talking about elected chairmen.

Mr. McClellan: —than are the commissioners for the area municipalities. That is simply a reflection of the fact that we don't have a democratic system of government. That flaw, that disease, infects the spirit of the administration. That is a palpable sense that one can get if one is trying to deal with governments within the Toronto region.

The issue is very clear and the remedy is very clear. The remedy is before us in the form of an amendment. The amendment is supposed to be consistent and identical with Liberal Party policy. The issue is an issue which is not integrally related to the overall package of municipal forms for the Metropolitan area. It is an issue that is compelling on its own merit. I ask, once again, for the Liberal Party to screw up its courage and vote for the amendment.

Mr. Chairman: Are members ready for the question?

All those in favour of Mr. Warner's amendment to section 1(1) of the bill will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

Amendment stacked.

Sections 2 to 7, inclusive, agreed to.

On section 8:

Mr. Chairman: Mr. Swart moves that section 149(4) of the Municipality of Metropolitan Toronto Act, as set out in section 8 of the bill, be amended by striking out the word "the 10th day" in the third line and substituting therefor the words "30 days," so that the subsection shall read:

"A bylaw under this section, and a bylaw amending or repealing any such bylaw, shall be passed no later than 30 days prior to the last day for posting notice of the offices for which persons may be nominated in accordance with the Municipal Elections Act, 1977 and shall not be passed unless it has received the approval of the Ontario Municipal Board."

[10:15]

Mr. Swart: I would expect that perhaps this would be acceptable to all sides of the

House. It does exactly what was done in the other bills. At the present time, the proposals in Bill 83—

Mr. Nixon: Let's buy this one. Next.

Mr. Ashe: We agree.

Motion agreed to.

Section 8, as amended, agreed to.

Mr. Roy: If you put something reasonable, we'll agree.

Mr. Nixon: Convince us of something else.

Section 9 agreed to.

On section 10:

Mr. Epp: The party to my left has put an amendment to section 10. However, we do not believe that we should concur with the amendment.

Ms. Gigantes: Let us put it first.

Mr. Chairman: Order. The chair has not received an amendment.

Mr. Epp: Let me then speak to section 10 of the bill which suggests that the members who sit on the Metropolitan police board and are representatives from the municipality of Metropolitan Toronto should be paid. We do not concur with the principle that they should be paid, but rather that they should be treated the same as they are in other regional municipalities. Similarly, they should be treated the same as other members of Metropolitan Toronto who serve on other committee and are not paid. Therefore, we would suggest that section 10 remain as it originally is in section 178 of the Municipality of Metropolitan Toronto Act.

Mr. Swart: I'll move my motion which covers the issue that the member spoke to.

Mr. Chairman: Mr. Swart moves that section 178 of the Municipality of Metropolitan Toronto Act, as set out in section 10 of the bill, be deleted and the following substituted therefor:

"The Metropolitan Toronto corporation shall provide for the payment of a reasonable remuneration, not being less than the minimum prescribed by the regulations under the Police Act, to the members of the Metropolitan board appointed or designated by the Lieutenant Governor in Council, except the member designated by the Lieutenant Governor in Council under section 177(1)(c)."

Mr. Swart: I want to make it clear that my amendment does exactly what the member for Waterloo North stated he wanted to be done but I don't see any other way of doing it except by moving the amendment. As it presently stands, the act provides that those members from Metro council cannot be paid. Perhaps I should read the amendment

which you have before you in Bill 83. It states:

"The Metropolitan corporation shall provide for the payment of a reasonable remuneration, not being less than the minimum prescribed by the regulations under the Police Act to the members of the Metropolitan board, except the member designated by the Lieutenant Governor in Council under clause (c) of subsection 1 of section 177(1)(c)."

Under this act it makes it mandatory that the members appointed from regional council must be paid. The intent of my amendment, and what it actually does, is to provide that the regional council may pay them if they so wish, but they're not compelled to pay them. They don't have to be paid. If those members who sit on the board—

Mr. Chairman: Order. There seems to be a number of private conversations.

Mr. Swart: You're so right, Mr. Chairman.

Mr. MacBeth: We want to hear something intelligent.

Mr. Swart: It should be left to the Metropolitan Toronto council to decide whether they wish those persons who are serving on the police commission to get any extra remuneration. That's exactly what I thought the member for Waterloo North said. But that is not provided either in the present act or in the amending bill that is before us. My amendment does that, therefore, I think it is a reasonable amendment. I suspect perhaps the parliamentary assistant to the Treasurer might be willing to accept it.

Mr. Ashe: Mr. Chairman, we support the amendment. As the member for Welland Thorold indicates, it does give the flexibility to the Metropolitan council to decide whether they wish to provide further remuneration or no further remuneration to their representatives on the police commission. So we have no problem with the amendment as proposed.

Hon. Mr. McKeough: Hear, hear.

Mr. Warner: Even the Treasurer agrees.

Motion agreed to.

Section 10, as amended, agreed to.

Sections 11 to 15, inclusive, agreed to.

Hon. Mr. McKeough: That puts the Grits on the spot. They haven't figured out which way they are going yet.

Mr. Haggerty: You should know, Darcy.

Mr. Chairman: Order.

Hon. Mr. McKeough: You have to be protected. You better have a caucus in a hurry and figure it out.

Mr. Roy: We know which way you are going, and that's backwards.

Hon. Mr. McKeough: The greatest lack of principle of any party—

Mr. Makarchuk: Right on, Darcy.

Hon. Mr. McKeough: Flip-flop, that whole party.

Mr. Swart: They're going to do it again in five minutes.

Hon. Mr. McKeough: You'd better get Smith in here and whip you in line.

Mr. Haggerty: He'll whip you in line.

Mr. Chairman: Order. Are there any other comments on any further section?

Mr. Haggerty: You know what OHIP means, Darcy?

Mr. Roy: Never mind OHIP; he's been going backwards ever since—

Mr. Chairman: I would like to remind the members that this will be a 10-minute bell with one stacked amendment.

[10:30]

The committee divided on Mr. Warner's amendment to section 1(1), which was negatived on the following vote:

Ayes 19; nays 48.

Section 1 agreed to.

Bill 83, as amended, reported.

On motion by Hon. Mr. Welch, the committee of the whole House reported one bill with amendment.

THIRD READING

The following bill was given third reading on motion:

Bill 83, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Roy: Darcy, that's the only bill you've passed all week.

Mr. Makarchuk: The Minister of Industry and Tourism (Mr. Rhodes) looks great in the Premier's chair.

Mr. Martel: Is that the real Bill Davis?

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House I will say we will be back tomorrow, sharp at 10, and we will do Bills 121, 110, 111, 85, 91 and 96.

On motion by Hon. Mr. Welch, the House adjourned at 10:35 p.m.

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SPEAKERS IN THIS ISSUE

Ashe, G. (Durham West PC)
 Breithaupt, J. R. (Kitchener L)
 Campbell, M. (St. George L)
 Davison, M. N. (Hamilton Centre NDP)
 Edighoffer, H.; Deputy Speaker and Chairman (Perth L)
 Epp, H. (Waterloo North L)
 Gigantes, E. (Carleton East NDP)
 Grossman, Hon. L.; Minister of Consumer and Commercial Relations
 (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Hall, R. (Lincoln L)
 Kerrio, V. (Niagara Falls L)
 Lane, J. (Algoma-Manitoulin PC)
 Lawlor, P. D. (Lakeshore NDP)
 MacBeth, J. P. (Humber PC)
 Makarchuk, M. (Brantford NDP)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. (Bellwoods NDP)
 McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs
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 Philip, E. (Etobicoke NDP)
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 Warner, D. (Scarborough-Ellesmere NDP)
 Welch, Hon. R.; Minister of Culture and Recreation, Deputy Premier (Brock PC)
 Wildman, B. (Algoma NDP)



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Friday, June 16, 1978

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

FRIDAY, JUNE 16, 1978

The House met at 10 a.m.

Prayers.

VISITOR

Mr. Speaker: I am sure that all honourable members will wish to join me in welcoming to our gallery the secretary general of the Commonwealth Parliamentary Association, Sir Robin Vanderfelt. Sir Robin is in Canada for consultations with officials of various parliaments and to attend the first conference of Atlantic parliamentarians being held in St. John's, Newfoundland, next week.

STATEMENT BY THE MINISTRY

RENT REVIEW

Hon. Mr. Grossman: Today I wish to indicate the government's general intentions with regard to providing an acceptable form of protection to the tenants of Ontario. This is to ensure that there may be some predictability for landlords and tenants and to erase any fears that tenants may have as the expiry of the rent review program approaches.

We promised continued tenant protection in the throne speech in March last year. We then laid out the fundamentals of continuing tenant protection in the February green paper. We distributed that green paper free of charge to the public, and widely; and provided a forum to allow full participation and discussion for both tenants and landlords by establishing an all-party committee of this House.

I wish to announce today that the government will introduce legislation in the fall to incorporate the following fundamental principles: continuation of an improved rent review program until December 31, 1980; the guideline for rent increases to remain at six per cent until December 31, 1979; a tribunal to be established with jurisdiction to handle all residential landlord and tenant matters; the new scheme to permit calculations other than simple cost passthrough when computing rent, including reference to comparative rents and the special conditions of landlords who are suffering real losses.

Members will remember our commitment to continue tenant protection. It was this gov-

ernment which last fall lowered the rent increase guideline to six per cent.

Mr. S. Smith: I remember what the Premier (Mr. Davis) said to me.

Hon. Mr. Grossman: I also singled out the tribunal concept as being a basic factor of the entire program. Therefore, the government is pleased to see the committee's support of these fundamentals.

The government wants to substantially improve landlord and tenant relations in this province. The tribunal, we feel will accomplish this by providing quick and easy mediation, arbitration and adjudication of all landlord and tenant matters.

Mr. Makarchuk: Larry, the Speaker is at the other side of the room.

Mr. Nixon: Raise your chin a bit; the cameras aren't getting it at a good angle.

Hon. Mr. Grossman: One act, one tribunal, one ministry.

Mr. Nixon: That's better.

Hon. Mr. Grossman: The keystone of our new tenant protection legislation will be simplicity, speed and equity for landlords and tenants. Landlords should not have to wait three months to evict a tenant who is not paying rent—

Mr. S. Smith: The Premier should read his own interjections on Monday.

Hon. Mr. Davis: Your caucus is embarrassed. The member for Lincoln (Mr. Hall) is embarrassed. I have no problems.

Mr. Speaker: Order, please. There will be ample time for an exchange during question period.

Hon. Mr. Grossman:—nor should a tenant have to wait three months to have the heat restored in an apartment. Also, there should be only one rent review hearing per building per year, instead of a series of hearings every few months.

These are some of our starting points, and we will move immediately to legislate these principles. The legislation will be ready in September for introduction in October.

On May 25 I addressed the problem of the 90-day notice landlords are required to give tenants for any proposed rent increase. I indicated at that time that we would await the

committee's report. Therefore, today I am also announcing that I will be introducing an amendment to extend the current legislation to February 28, 1979.

Mr. Speaker: I would like to compliment the members of the all-party committee, all of whom signed the report, I am happy to note, difficult as it was for some of them.

Mr. Kerrio: It makes you responsible whether you want to be or not.

Mr. Nixon: A very hard-working, conscientious group.

Mr. MacDonald: There was certainly difficulty for your side of the House.

Hon. Mr. Grossman: The report is a good one, the product of several weeks of intense work and pressure. They have played, individually and collectively, an important part in this process. I regret, as I know they do, that they have not yet been able to develop a gradual, long-term decontrol program. I urge them and other members of the assembly to continue to address this problem over the next few months, as an adequate supply of housing in an open-market system is the best tenant protection.

I hope this statement will assure tenants that they will be protected, and assure landlords that the continuing program will be an improved one.

VISITORS

Mr. Speaker: Before we proceed with oral questions, I want to remind honourable members that we have two other very distinguished guests in our gallery in the person of His Excellency General Edmundo Ibanez, the Ambassador of Bolivia to Canada, accompanied by Mr. Roland Arellano, Consul General of Bolivia in Toronto. Would you welcome them to our assembly.

ORAL QUESTIONS

CHAIN STORE DISCOUNTS

Mr. S. Smith: I would like to address a question to the Minister of Agriculture and Food. Has the minister given to the Milk Commission of Ontario the obligation and the authority to monitor on a continuing basis the types and amounts of discounts given by fluid milk processors and distributors to their various customers in order to assess the effect of that practice on the structure and competitiveness of the industry; and if he has, in fact, given that authority to the milk commission, why has he not tabled with our committee the results of their ongoing monitoring?

Mr. Turner: Have a select committee.

Hon. W. Newman: Mr. Speaker, the milk commission does not, on an ongoing basis, monitor the price of milk.

Mr. S. Smith: By way of supplementary: Given that the minister himself has read or should have read the report of the Inquiry on Wholesale and Retail Pricing Practices for Fluid Milk in Ontario 1971-75, from the Milk Commission of Ontario inquiry, addressed to the Honourable William G. Newman, February 8, 1977, and given that their recommendation 2(b) was as follows; "The Milk Commission of Ontario should monitor on a continuing basis the types and amounts of discounts given by fluid milk processors and distributors to their various customers and assess the effect of this practice on the structure and competitiveness of the industry," which was a recommendation which followed a report indicating some very questionable practices indeed at the processor-to-retail level, why has the minister ignored the report of the milk commission? Why is there not this ongoing monitoring that would have clarified the situation?

Hon. W. Newman: With reference to the report that was done by the Ontario Milk Commission following the inquiry that was held, I think if the Leader of the Opposition will read all that report, which I don't have in front of me—and it's quite a lengthy report—he will find that in effect they have said that the markups in the price of milk are not undue or unfair as far as the consumer in this province is concerned.

Mr. MacDonald: Supplementary: Since the milk commission does not normally monitor prices beyond the milk board, because that is free and open in the market the minister espouses, but since the food council does monitor prices or has a statutory obligation to do so, would the minister please explain to this House how the chairman of the food council could tell the committee the other night that he didn't even know about the discount processes, when it is contained in a report of that nature and is his responsibility to monitor food prices to some degree?

Hon. W. Newman: I think that is a little bit inaccurate. If I recall the comments of the chairman of the Ontario Food Council the other night, he said that on anything that was brought to his attention, and in some cases on matters that were not brought to his attention specifically, he took the appropriate action. He documented that back to 1972, if I remember correctly, and again in 1974 and in 1977.

He may have documented some other cases where they did see an undesirable practice, where they did move in and where they were able to resolve that particular situation.

Mr. MacDonald: Is the minister talking about milk discounts?

Hon. W. Newman: I'm talking about the situation that was brought to his attention.

Mr. MacDonald: The milk discounts?

Hon. W. Newman: Not milk discounts, no.

Mr. MacDonald: On a point of order: My question was dealing specifically with milk discounts. The minister has gone off and talked about a lot of other irrelevant things.

Hon. W. Newman: As far as milk discounts are concerned, no, but the member asked about the Ontario Food Council monitoring food prices. Hansard will show that.

Mr. Warner: The minister is irrelevant.

Mr. Makarchuk: We are talking about milk.

Mr. MacDonald: The question was about milk discounts.

Mr. Makarchuk: The stuff you get out of a cow.

Hon. W. Newman: Any individual or any group that doesn't like the things that are done by the Ontario Milk Marketing Board which has control over milk supplies from the producer—

Mr. MacDonald: Answer the question.

Hon. W. Newman: Will you just be quiet for once in your life? Just try it. You've never stopped since joining the committee.

Mr. MacDonald: Answer the question.

Mr. Speaker: Just ignore the interjections.

Hon. B. Stephenson: Don't be disturbed by that asphalt farmer.

Mr. McClellan: You are confused.

Mr. Martel: What asphalt?

Hon. B. Stephenson: That asphalt farmer.

Hon. W. Newman: There is an appeal process that people can take to the Ontario Milk Commission if they are not satisfied with what happens. There is an appeal process available and open to them.

Mr. MacDonald: The minister hasn't answered the question.

Hon. W. Newman: And, by the way, those appeal processes are open to the public as well.

Mr. MacDonald: The minister hasn't answered the question. He has deliberately evaded the question.

Mr. S. Smith: By way of supplementary, is the minister saying to this House that the

reason he has ignored the recommendations of the inquiry which were addressed to him—

An hon. member: He never even read them.

Mr. Pope: You are a grandstander.

Mr. S. Smith: —in 1977 and the reason he has ignored their requests for ongoing monitoring facilities is that in his view the report disclosed nothing unusual? If that is what he is saying, how does he account for the fact that in this report they report on 18 per cent discounts in the dairy industry, situations where processors whose chain discounts are almost three times the discounts given to independents, certain situations where favoured customers were offered discounts where others were not and a number of other practices so questionable that the milk commission asked the minister for power to monitor all the pricing arrangements? Why did he refuse them that power and why has he neglected to comply with what this inquiry asked of him?

Hon. W. Newman: I think there were 14 recommendations in that report. The member has it in front of him, I have forgotten the exact number of recommendations.

I think we acted on most of the recommendations in that report. I think, to summarize the total report, the inquiry indicated at that time that things were not excessive and were not out of line.

[10:15]

Mr. MacDonald: Since milk is normally deemed to be a food, and the food council has responsibility for monitoring prices throughout the whole chain of the food industry will the minister indicate to me specifically how the chairman of the food council could indicate the other night that he wasn't even aware of the discount in milk after that report?

Mr. S. Smith: That's exactly what he said.

Hon. W. Newman: As far as discounts are concerned, I think he went on at some length the other night to explain, under questioning by the member and by the Leader of the Opposition, about the discounts that had been dealt with—milk or otherwise. Whenever he thought there was a problem or an undesirable fact he moved in on the situation.

He basically acts on complaints. That is exactly what life is all about. We are not on a witch-hunt for anyone—no. If there is certain information that is coming forward on a confidential basis, and there is a problem, we will look at it.

Mr. MacDonald: There are none so blind as those who will not see.

Mr. Eaton: You should know.

Mr. S. Smith: On a point of order: To set the record straight, the minister mentioned 14 recommendations. There are precisely four recommendations. The one I read to the minister starts: "We believe it is imperative that there be a continuing assessment of recommendation number two." Why did the minister ignore that recommendation? He obviously has no answer. I doubt if he has even read the report.

Mr. MacDonald: It's a copout.

Hon. W. Newman: Mr. Speaker, he is talking on a point of order. I would point out to this House that there are other recommendations in there too. The member should read the rest of the darn report—"darn" I said, sir.

We have been on an inquiry for some time now, where all these questions were able to be asked; we have dealt with them. We will be continuing next Tuesday night. I am just a little bit appalled that the Leader of the Opposition is taking the time of the House when the committee will have had a total of about 35 to 40 hours to deal with this matter. Yet some members are coming here and pulling out the milk commission report—

Mr. MacDonald: It is time to appoint a minister of food. We will continue forever.

Hon. W. Newman: Sure I know about the report, but read the summary and the finalization of the report. Does the member want us to go out and hold everybody's hand in this province in the private-sector free-enterprise system? If these members believe in controlled retail prices, they should get up and say so.

Mr. S. Smith: I did.

RENTAL HOUSING

Mr. S. Smith: I will direct this question to the Premier, Mr. Speaker. Since we all know how unhappily he finds himself now, having to espouse continuing rent review, and since we know too that he wishes to have—

Mr. Yakabuski: Flip, flop.

Mr. S. Smith: Was the member not in the House the other day when he made his comments about that? He should have listened to him. He is the Premier.

Mr. Speaker: I must remind all honourable members that this is a question period.

Mr. S. Smith: Little as the member may think of him, he is his leader. The member should listen to him sometime.

Since we realize that rental housing will have to be built if we are to get out of rent control at any point, is it the government's

intention to announce target levels of new rental starts for major metropolitan centres? Is the government prepared to make a specific commitment to increase the supply of portable rental housing?

Hon. Mr. Davis: I listened very carefully to what I said the other day and I have paid great attention to the rather contradictory and strange emanations from the official opposition on this very difficult subject.

Mr. Nixon: I see you have adopted our plan *holus bolus*.

Hon. Mr. Davis: The member for Brant-Oxford-Norfolk—

Mr. Speaker: He didn't ask the question. Just ignore the interjections.

Hon. Mr. Davis: I have difficulty ignoring him.

To say that the government, as everybody's big brother, is going to establish goals which the private sector must, I assume under his plan, by legislation, meet—I don't think that's the proper route or procedure for the government of this province to go. To suggest that we can say X thousand units will be the objective, say, in Metropolitan Toronto, and that in some way we are going to legislate the private sector into building that number of units, I would have to say to the Leader of the Opposition that I think that really is beyond the capacity of even this government; and our capacities are not limited—but I don't think I can give him that kind of undertaking.

Mr. S. Smith: By way of supplementary, pointing out what the Premier said on June 12: "... even the program being advocated by that great free-enterprise Liberal Party of Ontario which is advocating"—

Interjections.

Mr. S. Smith: I'm quoting the Premier.

Mr. Nixon: These are the Premier's words. You were applauding them last week.

Mr. S. Smith: I admit the Premier's words are laughable, but they are his words, nonetheless—"which is advocating its continuation for another two years, even knowing it will prejudice the tenants and the development of new accommodation in the province of Ontario, I think."

Mr. Nixon: Now precisely your program.

Mr. S. Smith: So on June 12, such a two-year extension would prejudice the tenants in the development of new accommodation. Today, the government is proud to make it its program. I'm delighted to hear that.

But what I do want to know, since we all want to have some more rental housing built,

is basically whether the Premier is aware of proposed changes in the ARP program, changes which have disturbed the city of Toronto because it would make mortgage money a little more expensive than it is at the moment. Has the government, through the Minister of Housing (Mr. Bennett), opposed these suggested changes in ARP and will it set targets? Will it also demand that ARP remain unchanged, if not improved?

Hon. Mr. Davis: Of course, governments can always set targets. As I understood the Leader of the Opposition's question, I assumed he meant—and I think he did—that we would set certain targets which we would then commit ourselves as a government to meet. What the Leader of the Opposition does not understand on this issue is that we are totally committed to the reasonable protection of tenants.

We also know that if the development industry, and while the Liberal Party, like the NDP, would probably take over the development industry—

Interjections.

Hon. Mr. Davis: Sure they would, sure they would. It's the only way they can meet some of the things they've said.

—the development industry has to have some understanding that at some point in time we will be out of a total control mechanism. The members opposite know it. The member for Kitchener (Mr. Breithaupt) knows it because he's said as much to some of the people in the development industry.

Mr. Breithaupt: Don't adopt our policy if you don't like it.

Mrs. Campbell: It is not a controlled mechanism and the Premier knows it.

Hon. Mr. Davis: You people have tried to have it both ways for the last four months. And you've got caught. You've been caught. The people in the industry know you've been caught.

This government is committed to doing everything it can to encourage the development of rental accommodation.

Mr. S. Smith: "Prejudice the tenants and the development"—I quote.

Hon. Mr. Davis: I can only suggest to the members opposite that some of their activities have not made that task any easier.

Mr. S. Smith: The Premier's words are in Hansard. Read Hansard, June 12.

Mr. Nixon: Four days ago.

Mr. Speaker: Only one person has the floor and that's the member for Scarborough-Ellesmere.

Mr. Warner: In an attempt to clarify the difference in the answer which we had the first time from the Premier and the second time, perhaps he could explain whether or not he is rejecting two of the most important recommendations from the committee report—namely, that a committee of this Legislature, either a standing committee or any other committee, be formed to look as quickly as possible at the need for adequate quality and quantity of rental housing and to include looking at the financing and mortgage aspect of the housing market, land banking and corporate land holdings, housing and maintenance standards, the capacity of—

Mr. Havrot: Did you ever own one? Did you ever own an apartment building?

Mr. Warner:—the private and non-profit and public sectors to provide affordable housing and so on and other details that are included? Is the Premier rejecting that as a reasonable approach to try to solve the problem of housing in this province?

Hon. Mr. Davis: I'm not rejecting anything. I can make one or two observations. I don't in any way minimize the capacity of a standing committee or a select committee to deal with some issues. However, I would suggest that this particular issue has been discussed at some length. There are certain aspects in the report that have been debated in this House. The New Democrats can talk about land banking and all of these things, and it's intriguing.

I would only say to the member that there is sufficient land and there are sufficient registered lots in terms of rental accommodation. What is necessary is to see that there is some expectation of a reasonable rate of return.

Mr. Martel: That is what happened in 1971.

Hon. Mr. Davis: That was the philosophy that gave us until recently one of the highest qualities of residential accommodation in any jurisdiction on this continent. The people across the House, if they're not careful, are only going to make the situation more difficult. That's the problem we face in attempting to come to solutions.

Mr. Makarchuk: That is a lot of baloney.

Mr. Martel: That is why you introduced rent control.

Mr. S. Smith: Supplementary: Since the question of return on investment is really what is behind the assisted rental program, I'm asking the Premier again, is he familiar with the changes suggested by the federal government in the assisted rental program? That is a very important program. Compared

to the previous ARP, the new program would build in increases about one per cent higher, or seven per cent higher in additional operating cost increases. Toronto is very worried about that. What I am asking the Premier is, has the Minister of Housing discussed this at the recent conference and has Ontario taken a stand on the proposed change in the assisted rental program, which I think would be very harmful?

Hon. Mr. Davis: This was discussed by the ministers. The Minister of Housing of this province will be making a statement, probably on Monday, dealing with a number of issues that emerged from the conference. I could only say to the Leader of the Opposition, with some slight knowledge of what went on, and some slight knowledge of the federal programs, that the people of this province can be very grateful that we have a Minister of Housing who knows something about housing.

Mr. Warner: The minister without housing.

Mr. Breithaupt: He lives in one.

Hon. Mr. Davis: The federal programs, I would hope, will be adjusted to reflect the realities that do exist in this province.

Mr. Makarchuk: Supplementary: Is the Premier aware of the fact that the tenants' presentations dwelt, on many occasions, on the availability of affordable housing and not the availability of housing? Is the Premier aware, taking into account current land costs, financing costs, et cetera, that it is impossible for the private developer or any developer to build rental accommodation today at prices people can afford?

In view of that fact, what initiatives is the government prepared to undertake in order to ensure that there is affordable housing available and not just housing available?

Mr. Havrot: Make them out of cardboard.

Hon. Mr. Davis: If the honourable member is referring specifically, as the committee was in dealing with it, to the question of rental accommodation, I think the answer to that is partially within the assisted rental program and partially within one's definition of what one means by affordable, location, et cetera. All I'm saying to the members opposite is that the present situation does not really give the expectation of resolving this problem the way people opposite are approaching it.

Mr. Makarchuk: They can't build affordable housing.

Hon. Mr. Davis: I'm not going to argue for a moment the degree of affordability. We all know, whether it's rental accommodation or

single-family units or even townhouses, that the question of affordability is difficult. I would only say to the honourable member that there are some basic reasons for this and some for which people of his philosophy have to take some responsibility.

Mr. Martel: We didn't create the problem.

Hon. Mr. Davis: Part of the reason for the housing costs in this province today—

Mr. Makarchuk: You are the government.

Hon. Mr. Davis: Sure, we'll take some of our responsibility.

Mr. Nixon: It is your legislation.

Hon. Mr. Davis: I happen to know that part of the reason is the question of delay. The questions that people in the member's party raise are those of their philosophical instincts that lead to delays in the registration of plans—and subdivisions.

Mr. Makarchuk: The Premier just said there was availability and that all sorts of lots were available. He is not even consistent.

Hon. Mr. Davis: They would have environmental hearings and delays for every project in this province if they had their way. They certainly would.

Mr. Warner: That's your fault.

[10:30]

Hon. Mr. Davis: People of their philosophy are partially the authors of our present difficulties; that's the simple point I am trying to make.

Mr. Makarchuk: You just said there are lots available.

Mr. Nixon: Slippery Bill.

Mr. S. Smith: You've been the government for 35 years.

Mr. Martel: When the Premier is throwing around responsibility for the housing crisis—

Some hon. members: Question.

Mr. Martel: —he should remember that the Tories have been in power for some 30 years and they are the people responsible for that.

Hon. Mr. Davis: In answer to that question—

Some hon. members: Down, down.

Mr. Breithaupt: One at a time, please.

Hon. Mr. Davis: I thought it was a question to me.

Mr. Martel: No, it was just an aside, a reminder. The Tories were the ones in power; not us. They shouldn't try to put the blame here.

Mr. Turner: Do you want to make a speech, Elie?

OCCUPATIONAL HEALTH CENTRES

Mr. Martel: Mr. Speaker, a question to the Minister of Labour: In a release from her ministry dated June 12, the following was stated:

"Four occupational health and safety resource centres have been established throughout the province to assist in the identification, monitoring and control of work-related hazards. The centres are established at the University of Waterloo, serving Waterloo-Kitchener-Cambridge . . . ; Queen's University, serving eastern Ontario and the Sudbury basin (with emphasis on mining); the University of Western Ontario . . . ; and Lakehead . . ."

Was the Ministry of Labour or other ministries responsible or involved in the initiatives that led to the establishment of the four occupational health centres in Waterloo, Kingston, Western and Lakehead?

Hon. B. Stephenson: Mr. Speaker, may I ask whether that's an aside or a question?

Mr. Martel: It's anything you want. I am not at liberty to answer.

Hon. B. Stephenson: Thank you. Obviously it's a question.

Mr. Speaker, the honourable members must understand that the funding for this program comes through the Provincial lottery—

Mr. Wildman: So you decide on the universities by lottery too. Is that it?

Hon. B. Stephenson: —the grant that is allotted to the Ministry of Labour for the purposes of research and education or projects in occupational health and safety.

I think the honourable members should understand as well that the recommendations for the allotment of these funds is established by a totally independent, non-governmental committee which gives the granting committee advice about this. The recommendations are based upon the presentations and applications of the various universities involved and the degree of commitment to the principles of teaching occupational health and safety at the paraprofessional level in order to help us to improve our capability in this area.

The decisions were made by the granting committee, the awards committee, of the Ministry of Labour portion of the lottery fund. They were certainly made with a great deal of thought and a great deal of consideration.

I could tell the honourable member that we looked at a number of applications. Some universities did not submit applications in this area, and some community colleges did not

apply as well, but we have looked at various places. If the honourable member is disturbed about having the Queen's program tied to Sudbury, I would remind him that there has been a traditional relationship between the faculty of medicine and the faculty of engineering at Queen's and the Sudbury area in terms of teaching and educational programs.

I would also remind him that there is a centre at Thunder Bay, which is most certainly in northern Ontario. We might consider some other area such as Timmins or North Bay or some others, in the future, but the amount of money that we had allotted to us provided us with four centres and these appeared to be the most appropriate for the purposes.

Mr. Martel: Supplementary, Mr. Speaker: With laryngeal cancer now established as coming out of Inco; with cancer of the lungs a problem from the sintering plant at Sudbury; with bronchial problems three times higher in the smelter in Sudbury than anywhere else in the province; with more than 800 cases of industrial deafness in north-eastern Ontario; with numerous cases of cancer of the lung coming out of Elliot Lake; with silicosis rampant in Elliot Lake and other mining areas—and the minister is going to jump on the word "rampant," but it's much more rampant than anywhere else—can she tell me why she would not locate this type of facility in the area predominant in mining rather than go to Queen's University, which doesn't have a mine within 100 miles of it, to check out, as the ministry's release says, "identification, monitoring and control of work-related hazards"? Why wouldn't the ministry go to Sudbury and establish there, where the real source of the problem is, and not at Queen's?

Mr. Hodgson: Quit showing off, Elie.

Hon. B. Stephenson: Mr. Speaker, the honourable member is obviously labouring under a misapprehension.

Mr. Martel: I am not labouring under any misapprehension.

Hon. B. Stephenson: These centres are centres for the education of individuals who will be involved in monitoring, who will be involved in training, who will be involved in investigating the problems.

I would remind the honourable member that, indeed, there has been very close co-operation between the medical school at Queen's University—which is a very good medical school and which is, indeed, concerned about these problems—and Laurentian University, and that co-operation is part of

the reason for the award of that amount of funding to Queen's University, because of their close relationship.

It seemed to me that the kind of programs which they had established in the past, which have served that area very well, will be an excellent basis for training—

Mr. Martel: In whose opinion?

Hon. B. Stephenson:—and for education of those people who need to be trained for the Sudbury region to do the monitoring. That is the reason for it.

Hon. Mr. Norton: I am always supportive of Sudbury and there you go attacking Kingston.

Mr. Lewis: Supplementary: Could I ask if the minister might go back and review this particular decision a little more carefully? Might it perhaps not be the peculiar insensitivity which some of the major southern university communities can have occasionally about the desperate need to locate in and serve at source in the north, rather than forever training at Queen's people who then have to come back to Sudbury but who are indigenous to Sudbury at the outset? Does she not understand and do they not understand that Sudbury has been the focus for the entire occupational health controversy in this province, so why can she not set a resource centre in Sudbury? Doesn't that make sense?

Hon. B. Stephenson: Mr. Speaker, in the first place, the decision was made, recommended strongly, by a group of knowledgeable people who are not just from southern Ontario. They are from all over the province but they are extremely knowledgeable people.

Mr. Lewis: Yes, they served at southern universities.

Hon. B. Stephenson: Secondly, it may be the view that all of the occupational health and safety problems are lodged in Sudbury or that it has provided a major need for impetus in this area—and that is probably so traditionally—but I would remind the member that this is a program for education and the education is going to take place in Sudbury. It is not going to take place in Kingston.

Mr. Lewis: Where is it going to take place?

Hon. B. Stephenson: It is going to take place in the related division, the co-operative division in Sudbury, in Laurentian University, because of this co-operative program. It is not a treatment facility, it is not an investigation facility, it is a training facility, and most

of the people who will be taking that training will, indeed, probably come from the Sudbury basin.

Mr. Lewis: And they will take it at Queen's.

Hon. B. Stephenson: They won't take it at Queen's, Mr. Speaker.

Mr. Lewis: Of course they will. That is where the resource centre is.

Mr. Rotenberg: Why don't you listen? Why don't you listen once in a while? You know it all.

Hon. B. Stephenson: The resource centre is the co-ordinator of the program, providing the staff for the program and the expertise for the program. Except for certain areas of that program, most of the training will take place in the Sudbury area.

Mr. Martel: In view of the fact that, having spoken to the president of the university, Dr. Henry Best, yesterday afternoon, and he feels that Laurentian is merely a periphery to the whole program—

Mr. Lewis: Of course. How can they do otherwise?

Mr. Martel:—and in view of the fact that the minister does not allow for any area of northeastern Ontario to be covered off, as she has outlined in her statement, that the other localities will serve northwestern Ontario, southwestern Ontario, eastern Ontario, and the Metro Toronto area, who is going to be responsible for the rest of northeastern Ontario, in view of the fact that there is no one there?

Ms. Gigantes: Sudbury always is.

Mr. Wildman: Timmins, Sault Ste. Marie.

Mr. Martel: Would the minister, therefore, alter her decision and put in the Sudbury area the type of facility that is necessary?

Mr. Havrot: That's a good way to make good headlines—

Hon. B. Stephenson: Mr. Speaker, this is a training resource centre, it is not a treatment resource centre.

Mr. Lewis: That's where the problem is.

Mr. Turner: Don't you understand?

Hon. B. Stephenson: If there is more money forthcoming from the Provincial funds we may, indeed, have applications from other community colleges or universities, and we would be most encouraged if that were to happen.

Mr. Lewis: You are going to do all your training in Sudbury; why don't you put your resource centre there?

Hon. B. Stephenson: We would also look very favourably upon those applications. At the moment, with the allotment which is available to us, it has been distributed to the greatest advantage of those areas where, indeed, major problems exist and where the facilities—

Mr. Lewis: Yes, where the clout is. Queen's has the clout versus Laurentian.

Hon. B. Stephenson: No, indeed, where the expertise and the commitment of individuals to helping to training people to solve occupational health and safety problems rather than simply blow them up, is situated.

Ms. Gigantes: Why don't you find some professionals to go to Sudbury and set up a program?

Hon. B. Stephenson: I think the program which is being established at Queen's is an excellent program which will incorporate, in an integral fashion, Laurentian University. I do not in any way denigrate the programs which have been funded by the awards committee of the Provincial lottery. If there is more money available, then certainly we'll look favourably on others.

ELLIOT LAKE HOUSING

Mr. Martel: A question of the Minister of Housing: In view of the extremely rapid growth in Elliot Lake, which has created many serious problems in housing and in the variety of services which are available, can the minister indicate what planning took place by the municipal government, the provincial government and the industry before that boom which has exacerbated the problems started recently?

Hon. Mr. Bennett: Mr. Speaker, my understanding is that there had been some discussions with the municipal council and with the provincial member and, indeed, with the industry. The industry, as the honourable member knows, is in the process of developing a number of housing units to satisfy, I trust, to the greatest extent possible the needs for housing of its own employees.

Mr. Wildman: Build the Granary Lake road.

Hon. Mr. Bennett: At the same time, as the member will recall, the government entered into a contract to establish a senior citizens' residence in that particular community. As a result of some findings more than a year ago, the project was brought to a standstill until it had been reviewed and investigated. I can report to the House that just about a week ago, as a result of some

redrafting of the design characteristics of the building, we have entered into a construction contract to commence the senior citizens' development.

Mr. Martel: Supplementary: In view of the fact that the shortage is so critical that workers cannot find places to stay, even to rent—

Mr. Wildman: They are living in basements.

Mr. Martel: —can the minister indicate if there are any plans in order to speed up the construction so that workers can bring their wives to Elliot Lake and stay there? The case is that the changeover is so rapid now that there is no steady work force.

Hon. Mr. Bennett: There are several people proposing development and subdivision work, not only in Elliot Lake but also in communities adjacent to Elliot Lake. My understanding is that those proposals are being advanced as quickly as possible. I am also of the understanding that the councils of the communities in which they are located have been co-operating with the developers and the province of Ontario in trying to finalize the subdivision plans as far as servicing is required. I cannot give a specific date for commencement of construction.

Mr. Wildman: Supplementary: Since the minister is interested in the subdivision developments being proposed for adjoining communities, would he urge upon the Minister of Northern Affairs (Mr. Bernier) and the Minister of Transportation and Communications (Mr. Snow) the necessity of completing the Granary Lake road in order to enable workers to commute easily from the North Shore to Elliot Lake?

LOCAL GOVERNMENT REVIEWS

Mr. Sterling: I have a question of the Premier.

Mr. Martel: Oh, you are in trouble, Bill.

Mr. Sterling: In view of the statement made yesterday, relating to the Mayo report, wherein the Treasurer stated that many issues in the white paper issued by the Treasurer in May remained contentious, and in view of the fact that the townships of Goulbourn, March and Nepean have agreed to the creation of a new western city, would the Premier and his cabinet consider bringing forth a bill dealing only with that particular matter, as it is a cloud in the air at this time for the residents of those municipalities?

Hon. Mr. Davis: Mr. Speaker, I understand the member's very real interest in this. I will discuss with the Treasurer (Mr. McKeough)

the possibility of dealing with only a portion of the report. I would say to the honourable member that the difficulty the government has is to take a particular recommendation out of one of these reviews and implement it, at the same time leaving other matters for further study and discussion. However, I understand there is some real support for this in the area affected.

Mr. Cunningham: That's never stopped you before.

Hon. Mr. Davis: While it does create problems, and while I certainly can't give the honourable member any commitment or any decision today, I will explore this with the Treasurer during the early part of the week.

[10:45]

Mr. Bradley: A supplementary: When the Premier is taking that course of action into consideration, would he be prepared to do the same in the regional municipality of Niagara? Perhaps he would consider bringing in a bill which would include those non-controversial items which have been generally agreed upon in the region? Then St. Catharines, for instance, could move towards a more just number of seats in the regional council—namely seven. There are a couple of other housekeeping items on the bill as well.

Hon. Mr. Davis: The very able House leader—

Mr. Conway: And Deputy Premier—the Premier forgot that.

Hon. Mr. Davis:—and one who is still very interested in the great city of St. Catharines, has already been discussing this with his colleagues in cabinet.

Mr. Conway: The last Tory in the peninsula.

Hon. Mr. Davis: So the point the honourable member has raised, with respect, has been very reasonably and adequately dealt with by the House leader—

Mr. di Santo: Dispense, dispense.

Hon. Mr. Davis:—and the member's next-door neighbour and one still genuinely interested in the welfare of the citizens of St. Catharines.

An hon. member: And the Premier has agreed with him, has he?

Hon. Mr. Davis: When is the honourable member going to ask about Hamilton?

Mr. S. Smith: I am going to ask those questions publicly from now on.

Ms. Gigantes: A supplementary, Mr. Speaker: I'd like to ask the Premier, while he is requesting of the Treasurer that consideration be given to moving ahead with those

agreed-upon items in March and Goulbourn townships, whether he would also take a look at the request that was made by Gloucester township in January for an addition of two members to the five-person council? The Treasurer had asked the OMB to delay proceeding with the consideration of that request pending the bringing in of a package of legislation under the Ottawa-Carleton Regional Act. Would the Premier ask the Treasurer to take a look at that motion and see if he could unblock it and get it moving before the time for setting up of municipal elections in Gloucester?

Mr. Conway: The Premier knew Evelyn lived in Rockcliffe Park.

Hon. Mr. Davis: I think we're always prepared to look at anything. It's just a question of what real expectation of some of these changes being made one should generate. However, I will bring that to the Treasurer's attention. I think it's always helpful if we can deal with these in a total sense but—

Mr. di Santo: How would you handle this in the cabinet now?

Hon. Mr. Davis:—on two or three of them, consensus has not been achieved. I think the honourable member understands this, particularly as it relates to one or two issues that she doesn't ask us to move upon, as I understand it. I understand that she canvassed pretty well the whole community of Rockcliffe, committing herself to seeing that they are preserved. I understand that.

Hon. Mr. Baetz: We know.

Hon. Mr. Davis: She doesn't say as much here in the House but we do get this sort of information.

Hon. Mr. Baetz: We're sneaky.

Mr. Martel: She did better than the government's candidate did there.

Hon. Mr. Baetz: We knew what the honourable member was doing.

Mr. Conway: Is the Treasurer still going to cabinet?

Hon. Mr. Norton: Such crass support of a class-structure community. I'm surprised at the honourable member. She has been fooling around with the rich people of Rockcliffe.

Ms. Gigantes: There are fine people in that community. Don't you—

GARDEN CITY SKYWAY

Mr. Bradley: I have a question of the Minister of Transportation and Communications. Taking into consideration the tragic fatal accident that occurred on the Garden City Skyway on June 7, and several accidents

that have taken place—the most recent accident being where a truck broke through the guard rail and fell several feet below, where the driver was killed—is the minister prepared to adopt some or all of the recommendations of St. Catharines coroner, Dr. David Lorenzen? Those recommendations included lowering the speed limit on the skyway, posting new signs saying: "Pavement slippery when wet," investigating the flow of water on the bridge during rainstorms and possibly altering it, and installing horizontal steel rails along the fence-like guardrail on the edge of this bridge?

Hon. Mr. Snow: Mr. Speaker, I have not received those recommendations yet from the coroner. They may be in the ministry, but they certainly have not come to my attention. I'll be pleased to look at them when I do get them.

Mr. Bradley: A supplementary: Does the minister have within his ministry any other studies that have taken place previous to this most recent accident which would indicate that the Garden City Skyway has some special circumstances on it which make it particularly dangerous when weather conditions are bad?

Hon. Mr. Snow: Not to my knowledge. I have not had anything in the past three years brought to my attention that would indicate any specific problem on the Garden City Skyway. I know we do have a problem on the Burlington Skyway during conditions of high wind when the bridge has to be closed. Other than that, I haven't had any specific concerns brought to my attention regarding the Garden City Skyway, but I'll be very pleased to look at the recommendations of the coroner.

SALE OF BUTYL NITRATE

Mr. Swart: My question is to the Minister of Consumer and Commercial Relations.

Mr. Warner: Who's now hiding under his desk.

Mr. Swart: Is the minister aware that the Journal, which of course is the publication of the Addiction Research Foundation, carried an article as long ago as last February of this year in which its researchers reported a craze in the use by inhalation of the drug butyl nitrate, about which little is known in terms of long-term effects, although the immediate effects are dizziness, headache and a general high?

Does the minister know that this drug is freely sold under the names of Rush and Locker Room at "head" shops and psyc-

delic shops, and even in book stores, in Toronto and certain other places, to people of any age, including children? May I send a bottle to the minister and will he note that it says on it, "Not to be sold to minors"?

May I ask the minister why his ministry has not listed it as a harmful product, when amyl nitrate, a less used and less serious drug, is controlled under the Health Disciplines Act?

Hon. B. Stephenson: How much experience have you had with it, Mel?

Hon. Mr. Grossman: I have no power, authority or jurisdiction to do so.

Mr. Wildman: Will you recommend it to the federal people then?

Hon. Mr. Grossman: That wasn't the question.

Hon. Mr. Rhodes: Write to Rodriguez.

Mr. Swart: Perhaps I will phrase it as a question. Is it not true that some of the minister's officials have had contact from the Addiction Research Foundation and have been doing some studying on this but nothing has been done as yet and no report has been made to the federal food and drugs people? Does the minister not think that his government should take some initiative in investigating these matters when it's so publicized by an agency of this government?

Hon. Mr. Grossman: I presume that the agency is perhaps more aware of the limits of our jurisdiction than is the member for Welland-Thorold. I am sure the organization has forwarded the information to Ottawa. In any event, I will be happy to check back and see if in fact they have in the ordinary course forwarded it to those who do have some authority to act, because I think the authorities who do have power to look after this ought to be active.

Mr. Swart: Can I have a further supplementary about a 13-year-old child?

Mr. Speaker: A new question; the member for Brant-Oxford-Norfolk.

LOTTERIES

Mr. Nixon: Mr. Speaker, I would like to put a question to the Minister of Culture and Recreation when he has a moment.

Hon. W. Newman: He doesn't have a moment.

Mr. Nixon: Elie, go and lie down somewhere for a moment.

This has to do with the minister's responsibility as the minister in charge of the lotteries. Would he care to explain to the House the situation which has led him as one of the

participants in the Provincial lottery to decide that we too are going to have one of those instant-win machines in the Provincial lottery outlets in the province? How is this going to affect the situation vis-à-vis Loto Canada, and does he not think that maybe the aggressive competition between those two revenue sources is becoming a bit ridiculous?

Mr. Conway: If not obscene.

Hon. Mr. Welch: Mr. Speaker, the answer to the very last question is yes. Indeed, my colleagues, other provincial ministers with responsibility in the lottery field, joined together with the federal minister in Regina about a week ago and said just that and suggested a solution for the problem, in that we understood that it was the intention of the government of Canada, following the expiration of the Olympic lottery, to move into a lottery with specific purposes, known as Loto Canada, to expire at the end of December 1979, to assist in the reduction of the debt incurred in the province of Quebec as a result of the Olympics. There was a sharing formula developed there; I think 87.5 per cent of the proceeds of Loto Canada go for that purpose, while the provinces share 12.5 per cent on the basis of their ticket sales and five per cent is for national sport governing bodies, and included in that is some contribution from Loto Canada for the Commonwealth Games.

If one reads Hansard and the reports of the committee hearings at the time of the establishment of Loto Canada, it seems quite clear that, once that was over, the federal government left open the fact that they would remove themselves from the lottery field and leave that revenue source to the provinces, since the provinces had already developed lotteries. All the provinces are now involved in that field, either through lottery corporations or combinations, and for years had been meeting to discuss what would happen once the Olympic lottery was over.

It should come as no surprise that there is a difference of opinion between the federal minister and the provincial ministers on that particular subject. We felt that perhaps that matter could now be referred to the first ministers. We announced some time ago we were inviting proposals for the hardware that would be necessary for a more active gain. That is being done by the Ontario Lottery Corporation. It is not an instant gain; it is a gain where people choose their numbers themselves rather than buying a ticket with a number already on it.

An hon. member: It's called the numbers racket.

Mr. Kerrio: A la Dutch Schultz.

Hon. Mr. Welch: The federal government has done the same thing. I would think there is every reason to support what has been said editorially in a number of journals of finding some way to rationalize this. It seems to me absolutely ridiculous to have two state-run lotteries competing against each other in the same jurisdictions. We are urging the government of Canada to honour its commitment. It seemed to be quite clear at the time of the introduction of Loto Canada that at the end of 1979 they would not carry on with Loto Canada but would leave the field for the provinces as in fact had been developed prior to the introduction of Loto Canada.

Mr. Nixon: By way of supplementary, there was an indication following the minister's trip to Regina, where these matters were discussed and some of them were settled, that we were going to have a type of instant lottery—not Wintario but the Provincial—where in a number was selected, fed into some kind of a computer and there would be an instant win or instant loss.

The minister has been talking about hardware. Has he heard about a somewhat similar machine which I think has already been developed where you put your money in and pull a handle and there is an instant win or loss? The money comes out at the bottom. Is there anything different between what is now going to be done in the province and putting a slot machine in all the grocery stores?

Hon. Mr. Welch: Knowing my honourable friend's strict Calvinistic background, I share his concern.

Mr. Nixon: I never said it was sinful; you did though.

Hon. Mr. Welch: The announcement to which he makes reference following the Regina meeting was the announcement by Loto Canada that it was the intention of the federal government to introduce such a game across this country. I find that scandalous. I find that completely unacceptable.

Mr. Nixon: What kind of hardware is the minister searching for?

Hon. Mr. Welch: The difference is the instant feature where one would immediately know the result.

Mr. Nixon: That's where the good Lord enters into it.

Hon. Mr. Welch: No, I'm sure that any synod would draw the distinction.

Mr. Nixon: You're wrong, there is no difference.

Hon. Mr. Welch: In the game we are talking about, the only difference between that and the actual lottery is that one chooses the number rather than the number already being printed on the ticket. It's simply a lottery, a more active one than the present.

Mr. Nixon: It's a matter of free will then.

Hon. Mr. Welch: It's the federal government that has introduced the instant features. If you go into a bank now and buy a Loto Canada ticket, you can open up an envelope and find out whether you got an immediate win there. I wrote to Iona Campagnola almost a year ago expressing some concern about that type of gambling in this country. I am still opposed to it and this government would be opposed to it.

Mr. Nixon: You know precisely what you are doing.

Mr. S. Smith: Blessed are those who wait to find out what they have won.

HANDICAPPED CHILDREN'S ALLOWANCE

Mr. di Santo: I have a question of the Minister of Community and Social Services. Is the minister aware that now it takes six months to determine the eligibility to receive the handicapped allowance for parents with retarded children? If he is aware of this, can he explain to us why it is that it takes such a long time? Can the minister also tell the House why it is that the delay in processing family benefit applications is increasing month after month?

[11:00]

Hon. Mr. Norton: I think the time frame that the member suggests may have occurred in a few very exceptional cases. I can assure him that is not the average length of time. It is very rarely that it would take six months to process. I agree, however, it should not ever under any circumstances take that length of time. But there are regulations which I hope will shortly be approved—and by shortly I mean within a matter of a few weeks—which will streamline the process and simplify the application procedure based on the experience that we have had over the last year, since the introduction of that program. It will result, for example, in a delegation of decision making which will also eliminate the necessity for an order in council and will, in fact, make it an approval which can be granted under the authority of regulations under the family benefits legislation.

I hope that the regulations will be approved within a matter of a couple of weeks or so and that ultimately before the end of the

summer, the process will, I hope, be much more streamlined and efficient and effective in the delivery of that service to the handicapped children of this province by the fall.

Mr. di Santo: Supplementary: In view of the fact that most of the cases that I have are processed in six months, perhaps it would help if I submitted them to the minister.

But I would like to ask him about the delay in processing the normal family benefits application, especially Metropolitan Toronto, and if it has to do with the guidelines or with the shortage of field officers in his ministry?

Hon. Mr. Norton: My impression is that it is probably neither of the two reasons.

Mr. Wildman: It's the second one.

Hon. Mr. Norton: Personally, I think the structures that have existed and the method of procedure, in the sense that all applications are processed for family benefits in Toronto—

If my parliamentary assistant would move a bit one way or the other; there, he has gone—I have lost him, obviously. And they say I am a pinko.

Mr. Martel: Your parliamentary assistant is a Red Tory.

Hon. Mr. Norton: He's a Red Tory, that's it.

Mr. Wildman: Are you not replacing people who are on leave in your ministry?

Hon. Mr. Norton: I don't believe it is a shortage of field workers. I don't believe it is specifically the regulations; I think it is the procedure that has required the processing of applications in the head office in Toronto.

As I indicated earlier, in the reorganization of the ministry—the proposals that I announced a short time ago—one of the objectives of that, in my mind one of the important objectives, is a decentralization of the decision-making process. I would like to see, and I hope we will see—and I am not suggesting it can happen overnight because it requires further training of staff; it requires the establishment of the authority at the local level—the decision making with respect to family benefits made as closely as possible to the field-worker level in this province, so that the process of making out applications, forwarding them to Toronto, waiting sometimes if the information is incomplete until they are sent back to the field and further information developed and forwarded back; those are the kinds of things I think have in some instances, not in all cases, caused delays. I think through decentralization and more

decision-making authority that should be eliminated.

PEACH TREE DAMAGE

Mr. McGuigan: Thank you, Mr. Speaker. I have a question of the Minister of Agriculture and Food. In view of the fact that the severity of the past two winters has all but wiped out the peach orchards in the county of Kent and has severely damaged peach orchards in the county of Essex, would the minister have the Crop Insurance Commission of Ontario review their decision back in 1974 when they were requested by the Ontario Fruit and Vegetable Growers' Association to develop a plan that would insure the trees themselves rather than the crop as at present? Would the minister have the commission review those plans with a view to developing a system of insuring the trees themselves?

Hon. W. Newman: Mr. Speaker, as you know we have developed many new plans over the last three years. I am not exactly sure how a plan to insure the trees themselves would work out as far as the crop insurance is concerned. We would certainly be glad to look at it, but we would first like a formal request from the appropriate body.

Mr. Swart: In view of the fact this demonstrates further it is only really in the Niagara Peninsula we have the frost-free conditions to produce peaches year-by-year, will the minister give further consideration to preventing the paving over of that fruit land, as is presently provided in the Regional Municipality of Niagara Act?

Hon. W. Newman: That matter has been dealt with in this House at some length. Months and months ago a decision was made and was handed down at that time.

Hon. Mr. Welch: Very sensible.

SAULT STE. MARIE CORRECTIONAL FACILITIES

Mr. Wildman: I have a question for the Minister of Correctional Services. In view of the minister's reply to the public building inspection panel's comments on the Sault Ste. Marie jail that the money just wasn't available to deal with the production of a new building for Sault Ste. Marie and district; and the statement by his assistant director, Mr. Ben Hoffman, that the program for inmates working in the Ministry of Natural Resources forestry program had been temporarily dropped because of spending restraints; can he indicate what, if anything, the ministry is doing to try and alleviate

crowding in the Sault Ste. Marie and district jail through one or other of these programs?

What are his plans with regard to a new building; or getting the inmates out into the field and working with MNR?

Hon. Mr. Drea: To put it in perspective, one of the difficulties in the Sault Ste. Marie jail, which is overcrowded, is the fact that as of a week ago, the last time I was up there, there were only four sentenced inmates in the whole place. They were all on remand.

Mr. Wildman: Right, there aren't very many.

Mr. Worton: Well-behaved people.

Hon. Mr. Drea: Yes, but as I pointed out at the time, I am not in control of the destiny of remand inmates. I told the court to get off their tail up there and start processing cases.

Mr. S. Smith: How about the Attorney General (Mr. McMurtry)?

Hon. Mr. Drea: Yes; I have talked to the Attorney General and I have talked to the crown, and I have talked to everybody else.

Mr. Nixon: Does the minister want to take over as Treasurer? Now that Darcy is moving out, they are looking for a Treasurer. How about that?

Hon. Mr. Drea: In regard to the question of the expansion of the Sault Ste. Marie facility, there is no question that with the population increase and other social factors in the entire Algoma area, the catchment area for that institution is the entire district of Algoma. There is going to have to be either an expansion to the existing facility, which is rather difficult because of its location and the lack of land, or the building of a new institution.

As I said the last time I was in Sault Ste. Marie, there is no question that both in Sudbury and the Sault—because the population changes and the fact that remands are getting longer in both centres—we are going to have to provide within the next few years the necessary funds for expansion. When that will be, I know not, but I have said that it has to be done within the next three or four years.

In terms of alternatives for sentenced inmates, it is quite true that at McCreight's Camp north of Thessalon we did work for the Ministry of Natural Resources. The difficulty is that McCreight's Camp is completely dilapidated. We have been entering into negotiations with the Ministry of Natural Resources to acquire other property where we could

take sentenced inmates and continue to do that work.

It may be of interest to you, Mr. Speaker—I was going to discuss this matter with you after the House—that in a similar situation in the district of Thunder Bay jail, we are making plans to locate a major work centre in Nipigon. That will relieve the overcrowding there. We will be doing Hydro slashing, we will be doing farming, we will be doing community work, we will be doing a number of road activities. In that circumstance, the difference between the difficulty in the Thessalon or the Algoma area and the opportunities in the Nipigon area is that the Nipigon Chamber of Commerce approached us and will help us to provide facilities. I have demonstrated there is an abundance of community work that can be done by inmates out of the Thunder Bay institution.

INTRODUCTION OF BILLS

BEEZEE FOODS LIMITED ACT

Mr. Edighoffer, on behalf of Mr. J. Reed, moved first reading of Bill Pr28, An Act to revive Beezee Foods Limited.

Motion agreed to.

RESIDENTIAL PREMISES RENT REVIEW AMENDMENT ACT

Hon. Mr. Grossman moved first reading of Bill 24, An Act to amend the Residential Premises Rent Review Act, 1975, second session.

Motion agreed to.

LOCAL ROADS BOARDS AMENDMENT ACT

Mr. Wildman moved first reading of Bill 125, An Act to amend the Local Roads Boards Act.

Motion agreed to.

REGISTRY OFFICE CLOSURES

Mr. McKessock moved, pursuant to standing order 30, that the business of the House be set aside so that the House may debate a matter of urgent public importance, that being the announcement by the Ministry of Consumer and Commercial Relations of the proposed closing of 28 registry offices in Ontario.

Mr. Speaker: Pursuant to standing order 30, the honourable member has up to five minutes to state his case.

Mr. McKessock: I have been told by the provincial registrar that 28 of the province's

65 registry offices could be closed; the first being the registry office of South Grey in the town of Durham, which is scheduled to close September 30.

Due to the fact that this session is fast drawing to adjournment and the September 30 date will come before we return for the next session, I request that we set aside the business of the day to have an emergency debate to discuss this very important issue, which will cut service to 28 municipalities in Ontario and will be a special hardship to the rural municipalities of Ontario where distance is an important factor.

Our winters in the Durham area not only make another 60 miles to register a document hazardous, but sometimes impossible. The extra cost in time and travelling is going to be borne by the public. In Durham, the proposed saving is wages to this government is \$25,000 compared to increased costs to the public of \$209,461.65 in extra time and travelling. These figures have been worked out by the Grey law association. The government's duty is surely to serve.

Hon. Mr. Grossman: Are you sure of that? [11:15]

Mr. McKessock: Cutting the ministry's budget by \$25,000 to cost the public about 10 times more for that service is surely not feasible. I certainly agree with saving money if there were a true saving, but no studies have been done to find if there really is a saving or not. It is just being assumed by the ministry that if you put two offices together it is going to work and be a saving.

In the case of the Grey county law—again, the one I'm familiar with—Durham is going to be moved to the Owen Sound registry office, which is in the county building. The county does not want any more. They are already busting at the seams and there is no room there. There would not be enough parking space for the extra work load. The building would have to be expanded and then where would the savings be?

Maybe Brampton offices would be large enough to hold Orangeville, or maybe Kitchener large enough to hold Guelph and Cambridge—or would they?

Mr. Worton: Never!

Mr. McKessock: Bigness is not always better. The minister tells me some of these offices have been 53 days behind in their registrations, and they have to bus in help from other registry offices to catch up. In Durham you get same-day service. Do we want to spoil that service?

We must remember that these registry offices are one thing that pays for the gov-

ernment. The Durham office took in \$222-557.49 last year, but I realize it is hard to talk business with a minister whose ministry does not receive this money. It goes directly into general revenue; also, the rent of the registry office is paid by the Ministry of Government Services. The only thing the minister has in his control is salaries, so he cuts here, with no business approach or realistic outlook in the matter. If salaries are the only thing that he has to look at, then let's look at who's not doing a job and cut there.

When you divide the number of full-time employees into the number of registrations—and I want to especially bring this to your attention, Mr. Speaker—you find that Durham last year registered 1,866 registrations per full-time employee per year. The provincial average was only 1,326. This is 500 more registrations per employee in the Durham office than the provincial average. This is taken from the figures the minister has provided me. Surely with efficiency like that this is one office that should be left open.

If the minister has to find \$750,000 to \$1 million, there is another way to do it. It would be to add another 75 cents to the present cost of the registrations, and he would have it. This would not be a hardship to anybody and would leave our present service to the people of this province in place.

Mr. Speaker, I urge you to rule in favour of setting aside the business of the House today so that a number of the members whose ridings will be involved will get a chance to present their views to the minister and uphold the service to our small communities, which continue to get pushed aside.

Mr. Martel: Mr. Speaker, while I sympathize with the problem that's presented by the member—

Mr. Nixon: Don't tell me you're not supporting it?

Mr. Martel:—I can't find where this creates an emergency.

Mr. McKessock: Only if it were in Sudbury.

Mr. Nixon: Only if they were closing it in Sudbury.

Mr. Martel: I want to tell you they closed down an office with 45 jobs and sent it to Sault Ste. Marie, and in my riding they also closed down an institution which cost 200 jobs. So don't give me that crap. Don't give me your nonsense this morning.

Mr. Nixon: You should have done something about it instead of sitting idly by.

Mr. Martel: Everything's an emergency. A party that constantly talks about cutting

bureaucracy is here this morning advocating not only that you maintain but at the same time increase the cost in services to people.

Mr. Nixon: Oh, you want them closed; I see.

Mr. Breithaupt: You want them closed.

Mr. Martel: You can't have it both ways. I simply want to make the point that I sympathize with the problem that has to be discussed between the ministry and the people affected, but surely if this House is going to start to meet on an emergency basis every time the government decides to relocate, then we could spend the next three years doing nothing but having emergency debates. We simply don't believe that is in any way, shape or form an emergency.

Hon. Mr. Grossman: This debate began last April, of course. A very fundamental part of this debate—beginning some eight or ten weeks ago—was, of course, the thrust which the Liberal Party of this province likes to take so much credit for, and that is the thrust to cut government spending. Of course, that debate has to unfold as the consequences start to unfold.

Mr. Nixon: They should start by reducing the size of the cabinet.

Hon. Mr. Grossman: Needless to say, governments have a responsibility to respond to that obligation which we imposed on ourselves. But now, with the position of the Liberal Party—

Mr. Nixon: We are thinking of a few ministers who are not carrying their weight.

Hon. Mr. Grossman:—in that OHIP debate, to in fact cut back where we think it's reasonable and sensible, one of the places we have to look at, it seems to me, is the place where the service being provided is to a minimal number of people actually using that service. That is the lawyers; there are two law firms in Durham.

Mr. Nixon: Defending the indefensible actions of the government.

Hon. Mr. Grossman: To address the urgency of this, I have to point out that this began eight weeks ago. It began with the requirement that this government continue its program of cutting back.

Mr. Mancini: Larry Grossman for Treasurer.

Hon. Mr. Grossman: And that party over there, the Liberal Party will call us to an emergency debate every time we actually take a step to cut red tape, to cut the number of civil servants—

Mr. Nixon: Just when your decisions are wrong.

Hon. Mr. Grossman:—and to in fact move to rationalize our services. Since the announcement was made that we intended to close the Durham office, there have been something like 32 question periods during which this matter could have been raised.

Mr. Breithaupt: It's been raised.

Hon. Mr. Grossman: It was raised twice in 32 days. There have been at least 10 or 12 days of budget debate and no one said a word about it in the budget debate. There have been all sorts of opportunities, and the people of Durham have availed themselves of those opportunities, to deal with this through the media.

Mr. Breithaupt: And here's another one.

Hon. Mr. Grossman: They have been into my office. Everyone in Durham well knows that I have agreed to meet each and every person from Durham, let alone delegations or groups, among those who have asked to meet with me.

Mr. Nixon: They feel you are not receptive.

Hon. Mr. Grossman: I have now met with three or four groups. I believe one of the groups that came in to see me has also had the opportunity to meet with the caucus of all three parties, including my own.

Mr. Nixon: They are very concerned about your policy.

Hon. Mr. Grossman: So all this process of consultation has continued. To address the urgency again, I must point out that—

Mr. Breithaupt: You are going to close it anyway.

Hon. Mr. Grossman:—this consultation process and exchange of information has been going on with the ministry providing all sorts of detail and information to the people requesting it. We proposed as the first step in this to close the Colborne and Port Hope registry offices as well.

Those people came in and they were successful in making some early points to me and I agreed to defer a final decision on those offices until the end of this year. Now that had nothing to do with any emergency debate in this House. It resulted from the dialogue that—

Mr. Worton: There was a Conservative in that area, that makes a difference.

Hon. Mr. Grossman:—we encouraged between the people in Northumberland and myself. My friend, the member for Northumberland (Mr. Rowe)—

Mr. Nixon: Northumberland?—that's not in Durham; you've got those places mixed up; this is in Grey county, you are mixed up.

Hon. Mr. Grossman:—and the member for Quinte (Mr. O'Neill)—you weren't listening—agreed to continue to process and to defer these two other offices. If there are any points to be made which we feel are good enough to warrant—

Mr. Nixon: Then you will make them.

Hon. Mr. Grossman:—a slowdown in our program to save money and to cut bureaucracy, then of course the decision will be changed. I do want to take this opportunity to say at the present time I have seen absolutely nothing which indicates that there is any sense or justification in deferring the Durham closing as we have decided to do in the case of Port Hope and Colborne. We will continue to meet with any group from Durham that wishes to meet with us. Finally, I would point out that the member has some wrong information. He indicated that the Durham office will close before we get back here. We have indicated to the people, and always have in Durham, that we intend to close that office as of October 31.

Mr. Nixon: Shame.

Hon. Mr. Grossman: So the process will continue. We will continue to meet with people; and I am sure the people from Durham will continue to operate as effectively as they have through the media, which is right and proper.

Mr. Lewis: You certainly do single out Durham for special punishment, though.

Hon. Mr. Grossman: In conclusion, the member for Scarborough West reminds me of my concluding remarks—

Mr. Nixon: That's where they tried to close the hospital.

Hon. Mr. Grossman:—I would like to say in the last minute of my response—

Mr. Lewis: The hospital, the Hydro corridor, the registry office.

Mr. Worton: It's the ghost of Eric Winkler.

Mr. Lewis: What is the vendetta against Durham?

Hon. Mr. Grossman:—I should like to say that we do in fact not have the slightest bit of a vendetta going on against Durham.

Mr. Nixon: It looks that way.

Hon. Mr. Grossman: Well, it may appear that way to you but I want to assure everyone that I know some of the lawyers who are practising in that area. They are all very fine, fair, decent, honest, reputable lawyers who have served their clients very well.

Mr. Worton: Conservatives.

Mr. Breithaupt: The clients are going to have to pay for the loss.

Hon. Mr. Grossman: The people who work in the registry office have done a fine job and the town—

Mr. Lewis: All lawyers are decent.

Hon. Mr. Grossman:—of course, has a long and excellent history. We think their people will continue to be well served by the change we are proposing.

Mr. Speaker: The honourable minister's time has expired. This matter has been the subject of questions in the question period, and there is ample time to raise it by way of questioning the minister in the House and the budget debate. In my view, the subject matter of this motion does not have the degree of urgency that is required under standing order 30, and I would have to rule that the motion is not in order.

Mr. Worton: Kind of like Loto Canada, isn't it?

ORDERS OF THE DAY

TOWNSHIP OF PELEE ACT

Hon. Mr. Snow moved second reading of Bill 121, An Act respecting the Township of Pelee.

Mr. Speaker: Does the honourable minister have an opening statement?

Hon. Mr. Snow: No, Mr. Speaker, I don't think I have any more to say than what was said on the introduction of the bill. It is a very brief bill that provides authority for the township of Pelee Island to run a ferry service from Sandusky, Ohio, to Pelee Island and to points in Ontario.

Mr. Speaker: The member for Essex South.

Mr. Mancini: I think this is as tall as I can get, Mr. Speaker.

An hon. member: Stand on your seat.

Mr. Mancini: Mr. Speaker, I rise to speak on Bill 121, An Act respecting the Township of Pelee. Mr. Speaker, may I draw to the attention of the House that the township of Pelee is the most southern part of the whole country of Canada, and is situated in my riding, and I have had the honour of representing the township of Pelee for nearly three years.

Over the past three years, brought to my attention on very numerous occasions has been the lack of good and fair transportation for the people on the island and for the tourists who would like to get to the island, and from the island to the Ontario mainland, mainly the ports of Kingsville and Leamington.

Through the initiative of the Pelee Island council, and with very successful meetings

with the Deputy Minister of Transportation and Communications we have been able to put in service a second ferry which operates between Pelee Island and the mainland, and this ferry has subsidized the service of the federal ferry.

The people of the township of Pelee wish to extend their sincere thanks to the Ministry of Transportation and Communications for the vessel which is under provincial jurisdiction. However, that one single vessel was not large enough and was not capable to serve all of the needs of Pelee Island, and that is why it is necessary to maintain the second ferry which comes under federal jurisdiction.

It is a well known fact that the federal authorities do not wish any longer to be part of the transportation system between Pelee Island and Sandusky, Ohio, and the Ontario mainland. So I would like to congratulate the Minister of Transportation and Communications. I would like to extend my sincere thanks to two of his very fine civil servants—Mr. Frank Norman and Mr. Charles Meyers—who have worked very diligently on behalf of the people of Pelee Island so that we could secure this legislation so that the township council of Pelee Island could operate the federal ferry.

Although in the past three years we have made some gain as far as equitable transportation for Pelee Island, I would be remiss in my responsibility of representing the people of Pelee Island if I said that the transportation that we will now have, after Bill 121 receives third reading, would be wholly satisfactory.

[11:30]

I think the minister and the ministry staff know full well that Pelee Island requires a large single ferry with high-speed capability to serve its needs in the tourist area and in the agricultural area.

Hopefully, in the two or three years to come, we will be able to continue our consultation with the minister and we will be able to secure an even better ferry service for the township of Pelee.

Mr. Swart: Mr. Speaker, of course I and my party support this bill which will give some improvement in the service to the township of Pelee. I would like to ask the minister whether, when he winds up the debate, he could indicate whether there is going to be any provincial assistance in the way of a subsidy such as road subsidies or this sort of thing, to the use of this ferry. Obviously this takes the place of what could be a bridge. I know it's too far but—

Hon. Mr. Snow: Do you know where Pelee Island is?

Mr. Swart: Of course. I've been to Pelee Island. I know where it is.

Mr. Mancini: Mel, slow the bill down.

Mr. Swart: But it takes the place, nevertheless, of a road system.

Mr. Mancini: Let the record show that he's slowing the bill down.

Mr. Nixon: Does he want a bridge?

Hon. Mr. Snow: A bridge to Pelee Island!

Mr. Swart: It's the only contact that these people who live on the island of Pelee have. It seems to me that it's not unreasonable that there should be some form of road subsidy to the municipality of Pelee in the operation of this ferry. I'm not sure whether there is or not, but I hope the minister will comment on that. In other words, it's really costly, of course, for people now to get in and out of Pelee Island.

Mr. Ruston: Mr. Speaker, I just want to say briefly that I support this bill. It's been a problem for some time. Having sat on county council, I can recall visiting Pelee Island a number of years ago with the county council. At that time they were looking for some assistance in getting an airport for one of their transportation needs in one part of the county. It's been a problem. Now that the federal government has more or less removed itself from the situation, it's certainly going to take some co-operation.

I think it's the responsibility of the federal government as well to see that adequate transportation facilities are available to this township 15 miles from the mainland. With this authority for the municipality to operate it, perhaps some agreements can be made with both levels of government. I don't think the federal government should in any way relieve themselves of any responsibility. I believe that is something that certainly has to be considered. For 71 years, I think, they have in some way subsidized and assisted in seeing that transportation was made available.

I think the member for Essex South was quite correct in saying that one good-sized ship that had the speed and so forth is necessary. It made me think of the improvement made in the area of Manitoulin Island in the last two years with the new ship they have there for transportation. It was indeed an improvement. We should maybe be looking at something similar in the Pelee area. Hopefully, this could be arranged with the co-operation of the two levels of government, federal and provincial, and in some way operated by the township.

I certainly hope we keep this in mind because there is certainly the potential for tourists, and we also don't want to forget the agricultural resources that are available through the good land in that area—soya beans and seed corn plants located on the island.

Mr. Mancini: Pheasant farms.

Mr. Ruston: Of course, the pheasant farms, as we all know, are their main attraction each fall.

Mr. Mancini: World renowned.

Mr. Ruston: This is something we should all keep in mind. The facilities should be available to maintain this township. It is, after all, a part of Ontario and a part of Canada, and I think it's everyone's responsibility to see that adequate transportation is available to it.

Mr. B. Newman: Mr. Speaker, I wanted to stress the point that Pelee Island is the most southern point in Canada. I think it's a point that our Ministry of Industry and Tourism should come along and sell so that we could attract that many more tourists who would come from Sandusky, just across the lake, and be able to come into the province of Ontario.

Mr. Mancini: The minister should listen to this.

Mr. B. Newman: After all, Mr. Minister, the slogan this year is, "We Treat you Royally." We certainly would like to see our Yankee friends come across into Pelee Island to help the economy of that island and, for this, we commend you for introducing this bill. We hope that it resolves many of the problems that they have had there with transportation in the past.

Hon. Mr. Snow: I thank the honourable members for the support of this bill. I'm sure they are very familiar with the reason for this legislation—the fact that the federal government who have operated a ferry serving Pelee Island for such a great number of years, last year notified the island and the province that they no longer intended to do so. Even though many meetings were held and many points were made that the service was still required, the federal minister has decided to discontinue their participation. But after several presentations and representations by myself and fellow members and on our recommendation, the boat owned by the federal government was put up for tender for someone in the private sector to operate this ferry service.

The township of Pelee Island saw fit to submit their proposal to the federal govern-

ment, which has been accepted, to lease this federal ferry and to operate it, hopefully, on a private sector type of basis because they feel that the operation of this particular ferry will not require subsidy. Of course, the Upper Canada—the other ferry which is owned by the province and which we supplied to the island last year when the private operator give up the service—is also run by the township in agreement with the ministry and we do subsidize the operation of the ferry service from the island to the Ontario mainland.

Unfortunately, the Upper Canada, although it gave good service, as I understand it, and the islanders were quite happy with it, is not large enough to carry some of the agricultural equipment and the large loads of fertilizer, seed corn and so on that are required on the island, especially the large combines and tractors. So it is very necessary to the economy of the township of Pelee Island to have additional service.

I'd like to compliment the township on their own initiative to step forward when the federal government offered the ship for tender and to put forward their proposal. They're not asking for a subsidy and they want to continue to operate this service from Sandusky because of the importance of the tourist industry to the island. Most of their tourists, I'm told, come from Sandusky Port. So I was happy to bring forward this minor piece of legislation which we found was necessary to allow them to proceed and operate this service in international waters.

Motion agreed to.

Third reading also agreed to on motion.

EDUCATION AMENDMENT ACT

Mr. Kennedy, on behalf of Hon. Mr. Wells, moved second reading of Bill 110, An Act to amend the Education Act, 1974.

Mr. Deputy Speaker: Does the parliamentary assistant have an opening statement?

Mr. Kennedy: No, Mr. Speaker, the changes are just to update the Education Act, 1974, in relation to the dates contained in the recent changes to the Municipal Elections Act and that's the substance of it, and a few changes in clerks' responsibilities.

Mr. Nixon: Mr. Speaker, my colleague, the member for London North (Mr. Van Horne), who is our education critic, had to be in London today and he asked me to make a comment or two on second reading of the bill. Certainly we have no objections to this at all. It simply lines up the time for the election and the first meeting of the school board with the changes brought about by the

Municipal Elections Act in four municipal councils. We think that this is of course a necessary change to keep school board work in step with the municipal councils.

Rather than send this to committee, I was interested in the first section of Bill 110. There is a definition of county municipality and I, for the life of me, can't decide why that sort of a definition is required unless it may be is to preclude some sort of duplication in representation. Otherwise, the bill seems to be very straightforward. It is an example, however, of how complex a relatively simple change seems to be when it comes to making the changes in statutes which accomplish it.

After all, we changed the election date and it gives rise to Bill 110 and Bill 111 with all of the complexities and ramifications and references to other pieces of legislation involved. It is a great credit to the draftsmen and of course to the parliamentary assistant that this matter is done in such a careful and expeditious way.

Mr. Swart: As the member for Brant-Oxford-Norfolk has said, this bill, as stated in the explanatory notes as well, provides necessary changes due to the change in the Municipal Elections Act and certain other necessary housekeeping changes, and I support it. However, I have one concern—and perhaps the parliamentary assistant would comment on this—and that is with regard to section 2, subsection 9, which sets the time when a council may pass a bylaw to change the methods of electing the school board and although this may only be a minor thing, it is different to the Municipality of Metropolitan Toronto Act amendments which we made in this House last night—

Mr. Nixon: I remember.

Mr. Swart: —which has nothing to do with the election of the chairman.

Mr. Nixon: I thought you wanted to run that through again.

Mr. Swart: We should, just for your sake.

Mr. Warner: Why not?

Mr. Swart: I proposed an amendment which was accepted by the government and, quite frankly, I wasn't aware that this bill set a different time so that a municipal council, if they want to change the composition of a council or a county council, will now have to pass the bylaw at least 30 days prior to the last posting of the offices for which elections are going to be held. This provides that the date is September 1. It moved from October 1 to September 1. If I had known that, I probably would have moved that amendment

to the act so they would have been in conformity and it seems to me there is value in having conformity so that municipal councils don't get confused on this. If a change is going to be made, I think change should be made in the Municipality of Metropolitan Toronto Act rather than in this act. I like this one better. It's clearcut by the first of September. But apart from that minor comment, we fully support the bill.

[11:45]

Mr. Warner: The bill in section 2 sets out the boundaries and how they can be changed. One of the concerns that was brought forward during all of the hearings on the Robarts report was the different kind of approach towards boundaries for school trustees as opposed to those that might be required for aldermen. In other words, the suggestion that seemed to make a great deal of sense to a lot of people was that the boundaries for trustees should follow the school pattern in Toronto. I am not sure about communities outside of Metro. Within Metro, it is mostly now a situation of a family of schools where there is a junior school, a senior school and a high school occupying a certain neighbourhood. It is perhaps a very large neighbourhood but, nonetheless, it is a neighbourhood.

The boundaries of that school population would not necessarily follow straight lines, nor would they necessarily be in conjunction with the boundaries as set out for the ward system. Obviously, there is some concern that the ward system should fall in line for the trustees as well as for the aldermen.

I am wondering if the Minister of Education (Mr. Wells) has a concern that it would make more sense to urge the municipalities, when they go about trying to set new boundaries, to set out their ward boundaries in conjunction with their school system and then have the election for both aldermen and trustees on the basis of new boundaries that would be coterminous but would also reflect the school system as opposed to the arbitrary way and the neat geographic way of simply setting out straight lines, particularly in urban areas. I am wondering if the minister has given that matter any thought and if he has any comments on it.

Mr. Kennedy: Responding to the member for Brant-Oxford-Norfolk, that definition change was made to accommodate situations, specifically in Oxford, where the representation of the city of Woodstock would have resulted in an imbalance of trustees in their view. That covers that situation.

In reply to the member for Welland-Thorold, the date of September 1 is to have this in place at that time.

Mr. Swart: I recognize that. It's just that it is not the same as in the Municipal Act for reorganizing municipalities. It seems to me that they should conform.

Mr. Kennedy: That is true enough. In response to the member for Scarborough-Ellesmere, outside Metro, this provides, as is the case, for representation based on the equalized residential and farm assessment. Within the city of Metropolitan Toronto, the representation is established and this piece of legislation wouldn't change that. I recognize the honourable member's comments and we will take them under consideration, if the observations are as I understand them.

I trust that answers the queries raised. I thank the members for bringing them forward.

Motion agreed to.

Third reading also agreed to on motion.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Mr. Kennedy, on behalf of Hon. Mr. Wells, moved second reading of Bill 111, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Kennedy: Here again it is self-explanatory. It tidies up the Metropolitan Toronto Act in relation to the Education Act, 1974.

Mr. Nixon: We support it.

Mr. Warner: This is quite good. We are really expediting things. We support the bill, but the comment must be made that it is regrettable we are not going to get any changes with respect to the structure of education in Metro Toronto prior to the 1978 municipal election.

We had all anticipated getting some response from the Minister of Education in relation to the Robarts report and the subsequent white paper which was released, because there are some considerable problems with respect to the operation of the educational system in Metro Toronto. There is a very serious problem as to how the Metro board functions and whether or not it does function adequately. There are some concerns about the way in which the Metro board is able to handle its broader responsibilities, in the way in which it disperses funds.

We had a question in the House just the other day. The government House leader will certainly recall, as he recalls everything that is raised here, that there was a question about the additional money being given from the ministry to Metro for special ed, and yet

there was a decline in the number of teachers. How does that happen? What is wrong with the mechanism of Metro Toronto that the money doesn't end up being spent where it is supposed to be spent?

There are considerable problems and questions. We thought on this side that the legislation from the government regarding the white paper and the Robarts report would help to solve some of the problems. It is with regret that all we have at this point is a housekeeping bill and not the kind of substantive material which we really require, if we are to get the education system in Metro Toronto back on the track and functioning better than it is now.

Having said all of that, however, we certainly give our support to the bill and wish it speedy passage.

Mr. Kennedy: I note the comments of the member for Scarborough-Ellesmere. As he says, it is quite true the issues he has raised have been discussed at some length. The housekeeping nature of the bill is to make these changes in order to have the machinery in place for elections this fall. The other broader issues he has brought forward are of a concern and ongoing.

Motion agreed to.

Third reading also agreed to on motion.

House in committee of the whole.

BUILDING CODE AMENDMENT ACT

Consideration of Bill 91, An Act to amend the Building Code Act, 1974.

Sections 1 and 2 agreed to.

On section 3:

Mr. M. N. Davison: During second reading, the parliamentary assistant and I and a number of other members engaged in a discussion that couldn't properly take place because there was no room on second reading for questions and answers, so to speak. There was one matter I wanted to clear up with the parliamentary assistant before we passed by this section.

The concern I originally raised with the parliamentary assistant was to whether or not there would be a necessity for a person wanting to build his own home to become a member of HUDAC because of these changes to the building code. I was quite able to accept the minister's assurance that no, that was not necessary because of the definitions of that other piece of legislation. Individuals can build their own homes without having to belong to HUDAC. I think that's a very useful way to proceed.

What I'm still unclear about is what happens if, after having built his own home, an individual chooses to sell it. Will people be denied a right to sell it until they become members of HUDAC and have another inspection of the home, or will the ministry impose, or is there in regulations or legislation an imposition of a residency requirement in the home? Perhaps the minister could respond to that issue and then we can pass by this section.

Mr. Pope: I thank the honourable member for raising that question. After second reading we did have discussions on this matter. I'm advised that the test is that if the person constructing the home occupies it he is entitled to sell it without being registered.

There hasn't been a test case, to the best of my knowledge. I may be corrected if I'm wrong, but there hasn't been a test case as to what period of time of occupancy constitutes occupancy in the way you might have with some federal or other provincial statutes. Basically, the test is if the owner occupies the home he is not required to register under the HUDAC program.

Mr. M. N. Davison: I think we have arrived at an understanding. What you are saying, as I understand it, is that there's no legislation or regulations on the books that would specifically explain what the occupancy or residency requirement would be in terms of time, and if there should be any dispute that would probably be something that would end up in the courts and the courts would then have to interpret the legislation.

Mr. Pope: I think if we arrived at some kind of a problem in that respect we would probably either have to move through the courts or through regulation. I think the honourable member has suggested that in his initial comments and that's probably correct.

Section 3 agreed to.

Sections 4 to 8, inclusive, agreed to.

On section 9:

Mr. Chairman: Mr. Davison moves that in section 9(2)(4) the words "one year" be struck out and the words "two years" be substituted therefor.

Mr. M. N. Davison: The amendment is obviously self-explanatory. As I understand it, there was at some point in recent history a one-year time on this question as to when proceedings can be commenced. The legislation or the regulation was changed at some point to six months, and during the consultative process with municipalities and others in regard to the building code it was suggested to the ministry that six months was

not adequate and, therefore, they should go back to the old requirement of one year.

[12:00]

When we're talking about building, we're not dealing with something relatively simple like a transistor radio; we're dealing with a very huge investment on the part of the buyer and with a situation where quite serious problems may not show up in the first year.

While I think someone could quite properly stand up and argue that the period in which an action or a proceeding could be commenced should be five years or 10 years or 20 years, I simply put forward the amendment in the spirit of reasonable compromise and suggest that what we do is accept the amendment, raise it to two years instead of one year, and try that out for a few years and see what happens.

If it's absolutely not necessary and obviously not necessary to have a two-year period, then we can go back to one year. On the other hand, as I suspect, if it may seem that two years is not long enough, perhaps we can extend it to three or four or beyond. I move the amendment in that spirit of reasonableness. I hope that it would be acceptable to the ministry and to the other opposition party.

Mr. Nixon: Before the parliamentary assistant comments on the amendment, we're quite interested in its provisions. I have just been discussing it with some of my colleagues, and our experience is that we have not had complaints indicating that time beyond one year would be required. It might be. If there's some record of a problem in this connection that would be alleviated by changing the limit, I would like to hear about it. Otherwise, our tendency is not to support the amendment. I would like to hear from the parliamentary assistant as to what he has to say on it.

Mr. Pope: I believe that there may be a bit of a misunderstanding. We're not discussing protection under the HUDAC home warranty plan provided to individual home owners which will enable individual home owners to seek redress in obtaining fundamental repairs to their premises. What we are talking about is section 23 of the Building Code Act which provides for prosecution for the furnishing of false information on any statement or failure to comply with any order, direction or other requirement made under the act.

The honourable member from the New Democratic Party is quite right that this change has been made to the legislation in response specifically to a resolution from the city of Owen Sound which was adopted at a

regular meeting of city council held on May 30, 1977. There are a lot of "whereas" clauses, but I think I would just say that it says: "Now therefore be it resolved that the province of Ontario be requested to amend the Building Code Act, 1974, to provide that proceedings to enforce a contravention of the code be initiated within one year after the time of the contravention and that imprisonment may be for a term of not more than six months."

I might say this resolution was supported, by the city of Thunder Bay in a communication to the ministry dated June 14, 1977; by the city of Waterloo, the borough of Etobicoke and the borough of East York in a communication of June 20, 1977; by the city of Windsor in a communication dated June 27, 1977; by the city of St. Thomas in a letter dated June 29, 1977; by the city of Kitchener in a communication dated June 27, 1977; and by the cities of Brampton, Port Colborne, Niagara Falls, St. Catharines, Stratford, the borough of Scarborough, the cities of Toronto, Hamilton, Cornwall, Woodstock, Guelph, Oshawa, London, Mississauga, the borough of North York and the city of Barrie, as well as by the Ontario Building Officials Association.

Mr. Nixon: They favour one year rather than six months?

Mr. Pope: They favour one year; that's correct. To give a little more background, the Municipal Act provided under section 466(2) that every such finance is recoverable under the Summary Convictions Act, all of the provisions of which apply, "except that proceedings to enforce bylaws passed under section 38 of the Planning Act or any predecessor of such section may be instituted within one year after the time when the subject matter of the proceedings arose."

Basically, prior to the proclamation of the Building Code Act of 1974, building bylaws were made by municipalities under the authority of sections found in the Municipal Act, and under the authority found in the Planning Act. Proceedings to enforce bylaws made under section 38 of the Planning Act could be instituted within one year after the time when the subject matter of the proceedings arose.

The Building Code Act in 1974, by incorporating the summary conviction procedures, provided for a six-month period. As I previously mentioned, it was at the request of numerous municipalities throughout Ontario, whose representations were received in the year 1977, and after consultation with the construction industry and with the appropriate building official association that it was

decided the one-year period would be appropriate.

The basic problem that we have with any extension beyond the one year period, is what could develop to be an evidentiary problem, and also the fact that justice delayed is justice denied. These are some of the situations that we are rather worried about. We would prefer to remain with the one-year period. If that is inappropriate for any reason, particularly with respect to larger buildings—I think this is what my friend may be worrying about—then we will have another look at it. I think with the provision in the amendments to the Building Code Act requiring the filing of plans and specifications with the ministry, we shouldn't have that kind of problem in obtaining adequate information to prosecute.

I appreciate the concern. It was a concern that the ministry considered in making the recommendations but they decided to stick with the recommendations of the city and building officials.

Mr. M. N. Davison: Mr. Parliamentary Assistant, would I be correct then in understanding you to say that if over the next few years it becomes evident that there are some problems with a one-year limit, the ministry will then very seriously consider raising it to two?

Mr. Pope: I would just like to clarify that. If there are situations brought to our attention which demonstrate on a general basis the inadequacy of that time period—and I think the honourable member will be bringing some of these to our attention if they occur—I think then the ministry would have to have a look at it and would be quite willing to do so.

Mr. Chairman: All those in favour of Mr. Davison's amendment please say "aye."

Those opposed please say "nay."

In my opinion, the nays have it.

I declare the motion defeated.

Section 9 agreed to.

Sections 10 and 11 agreed to.

Bill 91 reported.

MINISTRY OF CORRECTIONAL SERVICES ACT

(continued)

Resumption of the adjourned consideration of Bill 85, An Act to revise the Ministry of Correctional Services Act.

On section 9:

Hon. Mr. Drea: There were two statements made in connection with section 9. They were

made on the question of letters and so forth. I don't know whether they are on 9 or 10. It seems to me that we didn't conclude 9. There was an amendment on 9 involving something else but at the time when the business of inmate mail to MPs and MPPs was discussed, I would like to point out that remarks were made that the federal system does not censor or read or open letters to and from MPs. That is not correct; they do.

Mr. M. N. Davison: So does the RCMP.

Mr. Deputy Chairman: The member for High Park-Swansea. I was not in the chair before, has your motion been put?

Mr. Ziembra: Yes, it has, but what I would like to do is withdraw the motion because I lumped in the MPPs' visiting rights, and mail with another amendment dealing with nongovernmental agencies. On the advice of legislative counsel, it has been suggested that I place the nongovernmental agencies amendment first. When that carries, I could place the MPPs' rights amendment as section 9(a). When the bill is printed again it could perhaps be number 10 and all the succeeding sections could be renumbered.

Mr. Deputy Chairman: What you are saying is that the motion you have already put you want split into two separate motions?

Mr. Ziembra: Yes, exactly, Mr. Chairman.

Mr. Deputy Chairman: Mr. Ziembra moves to add to section 9 of the bill the words: "Nongovernmental agencies shall direct and be accountable for persons serving as volunteers with them in programs in partnership with the ministry."

Mr. Ziembra: Volunteers who work in the prison system, I feel, should be free to criticize the officials as private citizens. They are not employees of the minister. They are not answerable in the same way that civil servants are answerable to the minister. I think these volunteers would lose whatever originality or autonomy they have when they go into our prison system and work in the interests of inmates.

If the minister insists that volunteers' services should be under the direction of one of his employees, then as far as I am concerned he shouldn't be allowing these visitors to come to jail, if that is going to be his approach. That isn't the case now. I know that the John Howard Society has programs of its own in co-operation with the ministry. They are not answerable to or under the direct control of the deputy minister or any of the other correctional experts.

Hon. Mr. Drea: That's not true.

Mr. Ziemba: If there is a problem with probationaries or parolees, the government should reassess its whole approach to using these private agencies and insisting on having direct control over them. Speaking from the point of view of the volunteer agencies, if they wanted to be under the direction of a civil servant they would become civil servants. They wouldn't be operating as they do in a dedicated and compassionate way as private citizens.

For that reason, I am moving this amendment. I think it is in order. I am willing to be reasonable about it, if the minister thinks that it is too loose. I don't buy his argument that three or four people could go out and form an agency and organize a breakout. If he thinks these volunteer agencies should be identified, then perhaps he could identify them in regulation at the end of the bill. If he wants to tighten it up or bring in an amendment that could speak to the principle of autonomy for volunteer agencies, I would be very pleased to withdraw this one and accept his.

Mr. Bradley: Speaking to the amendment, when we discussed this in the earlier sessions, both the critic for the New Democratic Party and I indicated that we had had contact most particularly with the John Howard Society and Elizabeth Fry Society and that they had expressed concern. The minister gave rather a lengthy answer the last time this issue was discussed in the House, indicating that he did not feel that it would jeopardize the position of anyone from the John Howard Society or the Elizabeth Fry Society or any other recognized group that was doing volunteer work within the correctional services system.

[12:15]

However, I did indicate at that time that if his ministry had an amendment which could accommodate their wishes, I would be interested, along with the member for High Park-Swansea, in at least having the ministry explore that, if it is at all possible and if the minister and his officials feel it is a real problem. Apparently the people from these groups do feel rather strongly that their programs will be interfered with by being under the direction of an employee of the Ministry of Correctional Services.

I think we recognize that the responsibility for what is going on within the correctional services system in Ontario rests with the ministry employees and, ultimately, with the Minister of Correctional Services. I think this is probably the argument that the minister most hung his hat on, the idea that ultimately

these people have to be responsible to someone within the system, because he has to accept the responsibility for what happens within the Ministry of Correctional Services. The head of the John Howard Society or of the Elizabeth Fry Society, for instance, may not want to be completely responsible for certain actions that might take place within the correctional services system over which they had no direct control and supervision.

I would be interested in hearing any further comments the minister might have to justify the position he's adopted.

Hon. Mr. Drea: First of all, Mr. Chairman, I have met with two branches of the Elizabeth Fry Society since last Thursday and they were monumentally unconcerned; they didn't even know anything about this, and couldn't care less, even as late as last night. I just want to point that out.

This question isn't something that is restricted to the John Howard Society. The John Howard Society, eminent though its position may be, does not provide us with the bulk of our volunteer services. Across the province, the Salvation Army provides us with the bulk of those services. They think section 9 as it stands now is perfectly adequate.

As a matter of fact, people from the volunteer organizations—and many of them are not, as I keep emphasizing, umbrella social agencies; they are ad hoc groups, quite often from a particular parish or a particular church, not the entire church. Quite often they are from a convent or a theological school. Quite often they are just a group of people in a neighbourhood. They come in totally unstructured. These people point out that this section is entirely new. We have never mentioned the word "volunteer" in a ministry act before or an act under the former Department of Reform Institutions. What we are doing in this is recognizing that there are volunteer services provided.

In all fairness, what the member for High Park-Swansea mentioned aren't volunteer services; they are professional services. The difficulty with his amendment and the alternatives put forward in one proposal by the John Howard Society is that nobody from either group—nobody—has either written to me or communicated to me. There was one communication from the John Howard Society to the deputy minister. But notwithstanding the fact that we debated this once, and my comments are on record, there has not even been a phone call.

When a volunteer comes into an institution, there is the question of security. One of the basic difficulties that many volunteers have

in becoming acclimatized to institutions is the question of security. In a great many cases they do not understand why they cannot do this at this time. We've gone to great lengths in the past six months to orient every volunteer who comes in, to tell him exactly why we have these regulations, which to lay people like myself, and I'm sure to honourable members, quite often seems to be very picky little things. When they are explained by the institution, they are rather substantial matters involving security.

As a matter of fact, last night I was in Ottawa, where there is the largest volunteer group in the province in one place, in the detention centre. Through the co-operation of Algonquin College and our own staff, we have produced a rather extensive film, for the magnificent cost of \$50, which provides a complete orientation, not only for new inmates coming into that detention centre but also for volunteers.

The volunteers there, and in other places where I have been, are quite satisfied with the ministry program; and I've been to virtually every volunteer recognition night in the past six months across this province in various communities. What they want, and what we are providing, is a volunteer coordinator from the inside of the institution so that there is a specialist in putting them into time slots or into programs and allocating those resources.

Were I to accept this amendment, that means we would have absolutely no control over the people who came into our institutions. The full responsibility would go to their agency. That is a rather awesome responsibility, and I simply don't think that social agencies, or groups of people, or people banded together because of the fact that they have a common religious persuasion, or community outlook or what have you, want to be placed in this position.

The other suggestion is, why don't you list the agencies by regulation? There are groups of volunteers who form up very rapidly across this province. Sometimes it's only one or two people who come in and say: "Look, I would like to get involved in one of your programs, I think I can help." How in the world do we list that person's name in there to recognize to whom he is accountable? So what you're doing, in effect, is taking a rather simple section which recognizes that volunteers do operate under the direction of the ministry personnel so, therefore, the responsibility is ours, and you're turning it into an infinitely complicated system whereby people almost have to get certification and recognition.

I don't want to be placed in the position that where the Salvation Army in a community hasn't been providing services to the federal government or to mental health, all of a sudden I have to pass a regulation recognizing the Salvation Army for purposes of that particular institution. I find that totally degrading. They don't have to be recognized now. We have taken the precautions. We have given them a particular status in our ministry that does not exist in other ministries where there are volunteers. Since the overriding question in terms of institutions is security, I think that's very important.

Secondly, it's been brought to our attention that there are groups now that go in *holus bolus* and are not under our supervision. That is totally untrue. It may very well be that there are cases where we may take female inmates, because of the lack of numbers that would put them into a centre operated by us, and place them on a fee-for-service basis in a residence run by somebody else, but that person is under the direct supervision of the superintendent of the institution from whence they came until the sentence is completed.

If they are on parole, they are under the direct supervision of the probation officer, who is charged with the responsibility of ensuring that they conform to parole regulations. There has to be a consistency. This isn't the taking of ex-offenders, of people who have no responsibilities to the courts any more, nor the courts any control over them through us. You are dealing with people the courts have sentenced but who have not completed that sentence and are under our direct control.

In the field of outside probation, just straight probation, there is no problem. There is no problem at all, because for 98 or 99 per cent of their time these people are perfectly free in the community. They can do what they want within the terms of the probation order. They may attend upon a social agency, they may attend upon the ARF, they may attend upon AA, and so forth, so we don't have that control. What we're talking about is specific volunteer service where there are institutions.

On the very night that this was first raised just previously, the New Democratic Party, later joined by the official opposition, did produce an amendment upon the probation bill of the Ministry of Community and Social Services, and the thrust of that amendment was that if you were taking somebody and contracting out his probation from a public employee, which would be the ministry, then you had to ensure that there was a public employee in charge of that volunteer. That was

exactly what was produced on the floor after considerable argument. This is precisely the same thing. If there's going to be consistency in programs for the offender, then there must be consistency. To do otherwise in this would be to negate all of the debates on that past evening regarding the use of volunteers or non-ministry employees. Everyone was most emphatic that there had to be controls, otherwise there might be very great difficulties that could not be resolved.

Mr. Nixon: If I understand the amendment, which I don't believe was put at this session but which was put at a previous session—

Mr. Deputy Chairman: It has been put again at this session.

Mr. Nixon:—it has to do with access to these institutions by members of the Legislature.

Mr. Deputy Chairman: That is not before us. That is another amendment which will follow this one.

All those in favour of Mr. Ziemba's amendment will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

I declare the motion lost.

The member for High Park-Swansea has a second amendment which he would like to be section 9(a). Is that correct?

Mr. Ziemba: Yes, I would like this amendment to be named section 9(a).

Mr. Deputy Chairman: Mr. Ziemba moves that the bill be amended by adding thereto the following:

"9(a): (i) Every member of the Legislative Assembly of Ontario is entitled to enter and inspect any correctional institution, community resource centre or other facility established or designated under this act for any purpose related to the member's duties and responsibilities as a member of the Legislative Assembly.

"(ii) Any letter addressed to an inmate of an institution from a member of the Legislative Assembly, the Ombudsman of Ontario or the correctional investigator of Canada, shall be immediately forwarded unopened to the inmate by the director or the superintendent of the institution or a person designated by either of them in writing.

"(iii) Any letter written by an inmate of an institution that is addressed to a member of the Legislative Assembly, the Ombudsman or the correctional investigator of Canada shall be immediately forwarded unopened to the member, Ombudsman or correctional investi-

gator, as the case may be, by the director, superintendent or a person designated by them in writing."

Mr. Ziemba: The first part of the amendment is in regulation now and I don't think the minister has any quarrel with it. I take violent objection to this business about getting mail and sending mail and having it censored by the correctional staff. I was always under the impression that our letters were coming and going unopened. In fact the regulation suggests that in respect to section 28. It says: "An inmate shall be permitted at any time to send or receive letters from his solicitor, the minister, the deputy minister, members of the Ontario Legislative Assembly or members of the Parliament of Canada, and such letters shall be forwarded without delay and without the deletion of any part thereof." Doesn't that give the impression that you are passing on letters without opening them?

Hon. Mr. Drea: No.

Mr. Ziemba: Why would you put that in there if you are going to treat our letters the same as you treat any letters that come to these institutions? I think that whole regulation is really misleading.

Hon. Mr. Drea: Read the next section before you get so cocky.

[12:30]

Mr. Ziemba: I don't know why it wasn't spelled out for us, because I had a number of inmates write to me from institutions believing that their mail was confidential. Let me tell the minister that most of the letters weren't very controversial, they were just routine complaints. During the past six months when I was the NDP critic for this ministry, I haven't received one complaint about the ministry. What am I to believe? Is the ministry run so well that there isn't one prisoner complaining about the system? Or is someone intercepting those letters and not passing them on to me?

Mr. Nixon: They are fighting to get in.

Mr. Gregory: The third possibility is that you are the last one they would complain to.

Mr. Ruston: You've lost your credibility.

Mr. Ziemba: I don't know if I want to go along with the member for Mississauga East—that I would be the last one to complain to. It seems that the role of opposition members is to bring up problem areas. How are we going to know if there are any problems if people who are incarcerated haven't got open access to us? I think this is a fundamental right.

When the Mounties are criticized for starting an Operation Cathedral, I think this

ministry isn't too far behind with its approach to mail. I don't believe the minister could give us one case where an elected representative would send a letter that would be seen as a threat to security. Why would that letter be opened? There is no excuse that I can think of for opening mail other than simple curiosity—or perhaps an instinct for survival. Corrections staff is just making sure that people don't find out about what goes on in some of these institutions.

I would like to see all members support this amendment, because I think it is fundamental to individual rights.

Hon. Mr. Drea: First of all, Mr. Chairman, let me disabuse the honourable member of the idea that we are suggesting in any way, shape or form that a member of this assembly would do something contrary to the Criminal Code in the contents of a written communication to a sentenced inmate, or to somebody being held for remand. The question is one of security. What are we supposed to do with an envelope that comes with a letterhead on it? How do we know that it is really your letterhead? Do we have to come back and say to the member, "Did you write a letter to Mr. So-and-so today?"

I will tell you, the Ombudsman and the correctional investigator who have this privilege—and that's in other acts; it's also in this—very valid; shouldn't be touched, going to either one of them—are very concerned about the security of their envelopes. Both are trying to develop a type of envelope only they will have total control over, so their names cannot be forged.

If the member for High Park-Swansea is to tell me today—and I don't think he can—that every single letterhead in his riding office, in his legislative office, is totally under his control; that I couldn't go there today and say, "I would like to see Mr. Ziembra's letterhead, because"—for a number of reasons—"I would like to have Mr. Ziembra's letterhead from his riding office, because I keep forgetting his address." Your secretary would provide that envelope and she wouldn't think twice about it, nor should she.

You're shaking your head. If you are to tell me that you're that security conscious in your riding office—

Mr. Ziembra: I'm not security conscious.

Hon. Mr. Drea:—then I suggest to you that you are confirming some of the reasoning that I have behind the stance I am taking.

It is not a regulation. It is part of the manual, it is not in regulations. The procedure now is that on the outgoing mail we have the right to check it. But it must be forwarded

without deletion and without delay to the member—and the includes, by the way, the minister.

Sometimes they scan it, sometimes they just make sure there is no contraband. It is a spot check. I don't want to go into too many details because obviously we don't check every piece of mail going out and I don't want to tell people exactly what our procedures in general are.

On incoming mail, the letter is not read. When the member writes, and it is on his letterhead—this, of course, applies if the sender is thus identified. If a letter is sent in a plain white envelope, how are we to know the sender until we open it up? But in coming in, and I am drawing from our own regulations, all we do is slit the envelope to make sure there isn't contraband in it. We don't bother reading it. It is delivered to the inmate without delay.

What you are asking us to do is, by virtue of the letterhead or some type of identification that purports to be one of the 125 members here, to completely throw out security. I may say there is a legal case on this. There is a legal case where, in the trial division and at the federal Court of Appeal, they have upheld the right of the correctional system to open mail.

The particular case, for those who are interested, is Solosky versus the Queen. The argument was that correspondence to a solicitor should not be opened. At the Federal Court, trial division and at the Federal Court of Appeal that has been turned down. It is now a stated case before the Supreme Court of Canada.

So even if it was the will of the House today that they might want to disregard the admonitions I have made about security, here we would be trying to pass legislation which might be directly contrary to the view of the ruling of the Supreme Court of Canada when it came down. I don't question the right of this assembly to do so.

Mr. Nixon: I hope not.

Hon. Mr. Drea: I am not suggesting that at all. But neither have I ever known this assembly, when it did pass legislation prematurely, because the Supreme Court of Canada was ruling on a procedure, that it didn't have to amend itself or didn't choose to amend itself afterwards.

It is purely a matter of security. Obviously this matter was debated at some length previously, when the Ombudsman Act was being written. The section was put in the Ombudsman Act, put into our act, that his mail is to be left unopened, and rightly so.

With the correctional investigator, in the case of where we have a federal inmate being temporarily with us either on remand pending a trial for parole, it's the same thing.

Even there, I suggest to you, there is grave concern by the Ombudsman about security. I just don't think it is practical to throw it wide open and I don't think it would produce the effects.

Let me once again disabuse the member of this, we don't stop mail going. If you haven't received a communication it is because some people haven't chosen to write to you. I have had forwarded copies of communications from inmates to virtually every member of this House. They come over to my office for a reply or they have received this, it is addressed directly to them.

I can tell you, my mail is down. I think the reason that the mail may be down is the fact that they are going to the Ombudsman directly. That is why the Ombudsman is there. The other night it was mentioned that it was an affront for me to say that I thought the Ombudsman was the proper person to handle it.

Let's be very practical about it. Suppose we do get a letter. I am talking now as a member of the assembly, not the minister. Supposing I do get a letter from somebody in the Thunder Bay correctional institution who may have lived in my riding. As a back bencher or as a member of this assembly I am not going to be able to go up to Thunder Bay to investigate, or if I am, I may have some other duties here that will preclude me going for a week. The Ombudsman has his correctional investigation staff in place across the province. He can get there within the day. He can examine it impartially.

It is all very well for the suggestion to come out that the MPPs should investigate everything. As I look across, there are some members there with far more service than I. Prior to many of the situations being covered in the Ombudsman Act the MPPs in this House had a tremendous, almost Herculean task to even be able to scratch the surface on the number of complaints because they were here, not available outside.

The final thing I would like to say to the member for Brant-Oxford-Norfolk, the man who is very close to me in the gambling scene, is that the question was raised about members' visits. What I left the last time was this: we now have in our administrative rules that the MPP is to be admitted, period.

The question was raised: "Should we not have it enshrined in legislation?" My thought was that it is a tradition of the House. We

were prepared to file that for the convenience of the Clerk so he could tell new members in the future that this was a privilege extended automatically by virtue of membership in the House, rather than putting it into a ministry bill.

But I said at the time that if it was the collective will of the House that it preferred it to be in our act, we were perfectly willing to do so. On preference, I thought it much better to be a right of the assembly and to file it with the Clerk for his convenience. We don't have many rights in comparison with members of the House of Commons in Britain or of the House of Commons in Ottawa.

In view of the fact that this had been brought in as a right some years ago by a previous minister, the Honourable Allan Crossman, I thought it was preferable that it remains as a right of the entire House, rather than being put into specific legislative language in a specific act. But if it is the will of the House to have it in legislation, so be it.

Mr. Bradley: Speaking to the amendment, I would indicate support for clause (j) of the section 9(a) amendment. Notwithstanding what the minister has said, that this is a right and tradition of members of the assembly, I see no real problem with making it part of this legislation.

I think members would like to know that it is in the statutes of the province of Ontario and that this right does exist. I have not heard of too many complaints. The other night I did hear a couple of minor complaints about access to institutions, but I have not personally experienced that, nor have I heard of very many cases where there has been a problem in getting access to one of our Correctional Services institutions. However, I think it would be preferable to have it in this act as well. I see no problem with that. It is there for everyone to see at that time. I think members would like to know they have that right enshrined in legislation.

The second part is a very difficult one—clauses (ii) and (iii) of the amendment. I think all of us in this House jealously guard our right to confidentiality and we are concerned when there is a possibility that confidentiality will be violated or the opportunity will arise for that.

The minister has made some valid points in this regard. Certainly since the Ombudsman has come on the scene to deal with the problems experienced within our Correctional Services institutions there is no question that

the volume of mail to individual members of this Legislature has gone down considerably.

Obviously, the inmates themselves feel that problems brought to his attention can be handled by the Ombudsman in a very adequate manner, in that he has a staff to do so; he has people with direct expertise. There is confidence in the Ombudsman and his particular organization.

Knowing that the communications can be directed to the Ombudsman, untouched, that the lines of communication are open and confidential, it is reasonable to assume that the inmates within the institution do have reasonable access in terms of making a complaint.

I am concerned—I don't know how we're going to overcome this, and I share the concern of the member for High Park-Swansea—that the possibility exists, at least, that there is going to be more than a scanning of the mail.

The minister shakes his head. Certainly we would hope that this is the case. But I don't know how the minister can give us an ironclad guarantee that there isn't going to be a reading of the mail, either going out to the member or coming in. I don't think that guarantee can be made.

However, he makes a valid point in terms of someone being able to get access to the stationery of a member, particularly to envelopes of a member. It's difficult to do, but it's not outside the realm of possibility.

I think all members of the Legislature would share the concern that there may be certain materials which are directed to inmates within the institutions that might be used either for escape or for some other purposes which would not be desirable within the institution.

[12:45]

I suppose there is the possibility also that plans could be formulated for escape or some other activity undesirable to the smooth operation of a Correctional Services institute. It becomes a very difficult problem. In theory, I am sympathetic to what the member for High Park-Swansea is saying. If he feels it's necessary, and perhaps it will be, the minister could at least express the concern of members opposite that our communications not be read, but merely be scanned to see that our signature is on them and that there is not a careful scrutiny of these communications.

That's very difficult to do, but our options are very limited because of the questions the minister has raised about this and because of the points he has made. If the Ombudsman was not in existence, I would have to say that under those circumstances we would have to

take those chances. With the Ombudsman in existence and with the mail situation as it is in relation to the Ombudsman, that does at least guarantee those within Correctional Services institutions the access to someone who is impartial and may be able to rectify their particular problems.

Mr. M. N. Davison: As I understand it, we have no problem in any of the three parties with the first part of my colleague's amendment. I can agree with it. I have a question that the minister can answer for me when I'm finished or perhaps he can nod his head. When an MPP visits a specific prisoner in an institution, is that visit by the MPP counted or applied to total number of visits that prisoner can receive in any given time period?

Hon. Mr. Drea: No. The reason that a record is kept is that there are two docket books in any institution. One is general and the second is professional. The MPP signs as he's going in because we want him to come out. It's just the same way as for a solicitor or a doctor. There's a professional log book there as well. It doesn't count at all.

Mr. M. N. Davison: On the question of the mail, I think I have a solution which will be acceptable to the minister that will allow all three parties to accept the provisions or amendments made by my colleague. As I understand the minister's real objection, it's not so much to the letters going out from the institution to the MPP but to those coming in from the MPP's office to the institution.

Hon. Mr. Drea: Maybe I could say there's one problem about mail going out that I would hope you'd address yourself to.

Mr. M. N. Davison: What's the problem?

Hon. Mr. Drea: The problem there is if it's going to go out without being looked at, what address do you have? Is it your legislative office or your riding office? What happens if the person knows your address? Say he's from your riding and your riding is relatively small in dimensions and he knows where you live. These are very practical considerations. Suppose he writes to you at your address and doesn't put the magic initials after your name and then you get an intercepted letter? These are very practical considerations about mail going out as well as coming in.

Mr. M. N. Davison: I can understand that concern. That's rather easily solved, because most of us not being terribly wealthy people have three addresses, a Queen's Park office, a constituency office and our residency. All those addresses for all MPPs can be kept on file at each particular institution and the correct spelling, initials and so on can be pro-

vided to the inmate wishing to write. I just don't see any great security problem in terms of mail leaving the institution to an MPP. It's really the same sort of situation as the Ombudsman is in.

We might get into a discussion about the employees of the Ombudsman and the employees of the MPP. I'm sure that no one would like to cast doubts on the worth or honesty of any employee of any MPP, nor would the minister nor any other member of the House really want to cast doubt upon the trustworthiness of an MPP in that he might be involved in some way in breaking a law or breaching security. I understand the minister's position on that. I think we agree that that's not the real problem, so I think we can accept the second part of my colleague's amendment.

The real problem comes with the third one, and I understand very well the minister's concern on this. Just because a letter arrives addressed to an inmate at the institution in one of the white and blue envelopes that we members of the provincial Parliament have, how does he know where it came from? I suspect most members, like myself, don't have a special letterhead; we just use the standard government letterhead.

I think there are two ways, and rather simple, inexpensive ways, in which that problem can be solved. When the staff opens that letter the only way they can verify that it has come from the member of Parliament is if his signature is on that letter. It would be a simple matter for each institution to have on file a copy signature of each member of the Legislative Assembly and for the member of the Legislative Assembly sending the letter to have his signature on the back of the envelope.

Hon. Mr. Drea: Some of those guys in there can do your signature better than you.

Mr. M. N. Davison: If that is the only way in which the ministry now identifies whether or not a letter has come from a member of Parliament, and the minister didn't suggest that there was another way—as a matter of fact, he specifically said he didn't want to be involved in having to phone us up each day to see if we sent this letter; the way you are doing it now is by signature—so if it's good enough on the inside of the letter, it's good enough on the outside of the envelope.

However, if the minister wants to raise that as an additional point, that no, we can't just count on the signature of the MPP because there are in this province a few people who can sign forged signatures—

Hon. Mr. Drea: A few?

Mr. M. N. Davison:—fine, I think it shoots a hole in the balloon of the argument about opening them up to see if it's really from the MPP by looking at his signature.

If the minister wouldn't accept that, then I have an even better solution for him. That's this: As the Ombudsman and the correctional investigator of Canada, as the minister has told us today, worried about the problem of people getting access of their envelopes and sending in letters to incarcerated people, the ministry can also follow their procedure and develop a secure envelope which can be given, one at a time, upon request, to an MPP at Queen's Park, or one of his designates in writing. The communication to the individual in the institution can then be placed in that envelope; or if you don't trust the MPP or his designate to go away and do that, if you think that might lead to another possible security problem, then I think members of Parliament would be willing to consider placing our letter in the envelope in front of a designate from your ministry.

I think, Mr. Chairman, I have been able to offer methods that clarify any problems that are raised by the second two parts of my colleague's amendment. I think all of us in the House can agree with the first part, so I think that we can now, after some more reasonable debate, proceed to a vote on which all three parties can agree on these amendments so that MPPs and people in institutions can have confidential and secure communication with each other.

Mr. Nixon: I don't quite agree with the honourable member who has just spoken that we are ready to go forward with approval of the motion as he has suggested. I agree with the comments made by my colleague from St. Catharines, however, that I believe it would be appropriate if the act were amended so the members of the Legislature by right can enter a provincial institution.

The minister has indicated it is our right now by a statement from his predecessor and that he is prepared to make such information available to the clerk and so on, and would accept an amendment making it a legal matter. I think, frankly, we would ask him to accept that.

However, I am prepared to accept the comments made by the member for St. Catharines about the role of the Ombudsman in this matter and also the objections raised by the minister. I don't believe there is a substantial problem here, particularly since it has been raised in the House, and others in the ministry and the members themselves will be aware of any hitch in free communication between the people incarcerated and their

members for whatever proper purposes that they see fit.

We are not prepared to support sections 2 or 3 of the amendment, as my colleague from St. Catharines has indicated. We would either have an amendment moved delegating those two subsections, if you want to call them that, or we could not approve the amendment in total if the minister is prepared to move one, as he has said he is willing to do, and accept the visiting privileges of the members.

Hon. Mr. Drea: Mr. Chairman, I presume the House leader of the official opposition does have some input from the members of his party and the member for High Park-Swansea has indicated it is their will.

I would prefer to have the three sections struck and a new section covering the visitations put in because I would want to have one exception in that. The one exception on the visits, since we are putting it into specific legislation, is really only common sense. The only limitation would be: "except where the ministry determines that the institution has become insecure or other emergency conditions exist"—that would be in the case of a riot, a fire inside; as I say, common sense. No member probably would ever want to go in under that type of situation. But as section 9(a)(i) stands now there would be no authority to ban someone on the grounds that the place has become insecure.

You will notice elsewhere in this bill for the first time we are saying that we have the right to remove inmates and transfer them when the particular centre becomes insecure. That has to be our judgement. It might very well be not from fire, it might be from some type of contagion or a number of things. But with those limitations we would accept this.

So what I would propose is: "Every member of the Legislative Assembly of Ontario is entitled to enter and inspect any correctional institution, community resource centre"—remember we are going far beyond jails—"or other facility established or designated under this act for any purpose related to the member's duties and responsibilities as a member of the Legislative Assembly, except where the minister determines that the institution has become insecure or other emergency conditions exist."

Mr. Deputy Chairman: Is that an amendment? Do you have that in writing?

Hon. Mr. Drea: I will give you the last three parts. The rest of it is Mr. Ziemba's word-for-word—9(a)(i).

Mr. Deputy Chairman: In view of the time, might I suggest that be prepared in writing when we resume this debate at the next sitting?

Hon. Mr. Drea: Mr. Chairman, before we do, since we have some time, the proposition has been advanced by the House leader of the Liberal Party that if this amendment is going to come in the next time we would have time for a determination now on the entirety of the amendments to section 9.

Mr. Deputy Chairman: I understand you are bringing in amendments to section 9(a) to Mr. Ziemba's motion.

Hon. Mr. Drea: No, Mr. Chairman, the suggestion was made that the entire amendment before you now be deleted and that a separate amendment be brought in covering the visitation rights, to be debated separately.

Mr. Deputy Chairman: I would suggest to the minister that if we vote down the amendment of Mr. Ziemba before us then the question would have been decided and another motion may not be in order. I think the proper way would be to have an amendment to Mr. Ziemba's amendment.

Mr. Nixon: On a point of order—I can see with the points of order we are going to run out of time. But are you saying that if an amendment is lost the section carries?

Mr. Deputy Chairman: No, another amendment could be brought forward on another matter, but the matter of members' visitations would then have been lost and that matter would have been decided. We have a motion to rise and report. I would suggest that between now and when we resume, these matters can be resolved among the various members.

Mr. Nixon: Is the motion put?

Mr. Deputy Chairman: The motion will not be put. The motion is to rise and report.

On motion by Hon. Mr. Welch, the committee of the whole House reported one bill without amendment and progress on another.

THIRD READING

The following bill was given third reading on motion:

Bill 91, An Act to amend the Building Code Act, 1974.

On motion by Hon. Mr. Welch, the House adjourned at 1 p.m.

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Campbell, M. (St. George L)
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Davison, M. N. (Hamilton Centre NDP)
di Santo, O. (Downsview NDP)
Drea, Hon. F.; Minister of Correctional Services (Scarborough Centre PC)
Eaton, R. G. (Middlesex PC)
Edighoffer, H.; Chairman (Perth L)
Gigantes, E. (Carleton East NDP)
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Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)
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Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
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Second Session, 31st Parliament

Monday, June 19, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

MONDAY, JUNE 19, 1978

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

FEDERAL HOUSING PROPOSALS

Hon. Mr. Bennett: Mr. Speaker, I wish to report to the Legislature the results of last week's federal-provincial housing conference. I wish to emphasize that much work still remains to be done before any final decisions can be made on the implementation of the new federal housing proposals in the province of Ontario. For example, although we have reached general agreement on the terms of a global funding agreement, which envisages the federal government making a three-year financial commitment for housing programs, the final details of the document have not been negotiated, nor of course has it been executed.

Similarly, although many of the details of the low-income housing proposals contained in the new federal programs have been clarified, an operating agreement confirming the clarification of these details and determining the manner in which Ontario will co-operate with the federal government in the delivery of these programs has not yet been drafted or executed. Further, the operating agreement required for the new community services grants program introduced by the federal government needs further negotiation and drafting.

Many of the programs discussed at the conference are of a relatively complex and technical nature, and, as indicated, time is still required for careful study of the decisions reached and their effect upon current ministry programs. However, I think it might be useful to the members for me to provide some background on the purpose of the housing conference and to outline briefly the agreements in principle which were reached at the conference.

In early February of this year there was a federal-provincial conference in Edmonton. At that time it was the understanding of the provincial ministers of housing that a further meeting of ministers would take place in April. The April meeting was felt by the provinces to be of critical importance because

proposals for the new federal programs announced at the Edmonton meeting needed considerable clarification before the provinces could properly assess their impact on their own programs and on the municipalities and other groups such as non-profit organizations.

Unfortunately, the federal Minister of State for Urban Affairs, Mr. Andre Ouellet, cancelled the expected April conference and moved unilaterally to announce new federal programs. I must say that this action caused considerable confusion in the provincial ministries, particularly so since the new programs were announced piecemeal in a series of press releases without sufficient background material to permit a reasonable assessment of them.

Bearing in mind that housing programs have a tremendous social and economic impact on the province and its municipalities, and recognizing the huge sums of taxpayers' dollars involved in these programs, it was imperative that a meeting with the federal minister be held; and so I asked for a meeting of the provinces and the federal minister.

One of the major problems facing that meeting was that a number of the proposed federal programs had been announced with immediate or early implementation dates. As a result of the agreement reached at the meeting held last week, I am now in a position to report that the federal minister, in the main, has agreed to continue a number of the existing programs for a period of time that will allow for more careful and prudent planning, and continuing consultation with the provinces. This will also avoid upsetting in any serious way the current year's program.

To ensure that the process of federal-provincial consultation continues in what we hope will be a productive manner, we have done two things. First, it has been agreed that federal-provincial task forces will study a number of the federal proposals in an attempt to reach accord. Second, I insisted, and the other provincial ministers concurred, that the studies should be completed on a timetable that will allow another ministers' conference in November of this year.

This time discipline, I think, is important because, while we wish to assure ourselves that the interests of our municipalities and citizens are protected as a result of thorough analysis and study, the Ontario Ministry of Housing is anxious to reach a clear understanding of these program changes at an early date so that all concerned can get on with the job of providing housing.

Among the major items referred to the task forces is the question of federal subsidies to rent-geared-to-income housing. This is the question which has received most of the public attention in recent days. Perhaps it would be helpful and useful, Mr. Speaker, if I reviewed this subject.

Going back to the Edmonton conference in February, the federal government stated that it wished all provinces to move to a minimum rent scale that was 25 per cent of income. This policy was subsequently further enlarged to provide that the minimum rent scale would be 25 per cent of gross income and would be extended to cover both existing and new housing projects. To put teeth into the federal proposal it was stated in plain terms at last week's conference that the provinces not implementing the 25 per cent minimum rent scale would have to pay any difference from the provincial-municipal purses. In other words, full federal government assistance would not come into effect except at or above the 25 per cent of gross income level.

This federal proposal met with considerable provincial opposition and as a result it was agreed that a federal-provincial committee of officials be established to study rent scales and the definition of household income and to report back on their findings to the federal and provincial ministers this fall.

One further point of special interest: While some of the federal programs require further clarification and have been turned over for further study, it is certain that the federal government has opted out of providing direct assistance in at least two of its current major programs—AHOP and ARP. The direct subsidy housing incentives have been replaced with a plan of graduated-payment mortgages.

I must say that I am concerned; these new plans which allow for lower mortgage payment at the beginning of the payment period and higher payments later in the life of the mortgage cause me some worry. The worry is that home buyers' income will not rise fast enough to meet the higher payments required. The new federal AHOP program, unlike the old, does not contain a hardship clause. The young family in which the wife may leave the work force to have children

earlier than planned could find itself in financial trouble when the day of higher mortgage payments arrives.

Mr. Martel: Can they get any higher?

Hon. Mr. Bennett: That is but one example, Mr. Speaker. In any event, that kind of worry is not shared by the federal minister; this is one case in which I hope he is right and I am wrong.

Mr. Wildman: You are probably both wrong.

Hon. Mr. Bennett: However, at the meeting I asked the federal minister to continue the ARP and the AHOP programs, at least until we could sit down with the industry and lenders and work out modifications to ensure success of his new program. Mr. Ouellet took a very hard line and refused to negotiate, saying they were finished in their old form on May 1, 1978. I am particularly disappointed to see the successful ARP program changed. For that reason I will be writing to Mr. Ouellet and asking him to reconsider AHOP and ARP under the 1976 terms, on the grounds Ontario is willing to continue its rental construction and HOME grants so as to encourage production of such units.

Mr. S. Smith: I would hope so.

Hon. Mr. Bennett: I think it would be fair to summarize the results of the conference by saying that at the urging of the provincial ministers the federal minister has agreed that the majority of his new housing programs need revision and greater clarification.

It is unfortunate that the orderly process of federal-provincial consultation and study was interrupted by the unilateral cancellation of the April meeting. However, I feel we have been fortunate, on the other hand, in being able to convince the federal minister to make haste more slowly and to allow more time for existing programs to run in parallel with the new proposals. Hopefully, if he cannot establish that the new proposals are more effective than the existing programs, the federal minister will reconsider the wisdom of implementing them at all.

We intend to co-operate in every way in assisting with the further evaluation of the new programs and will make every effort to obtain the best possible combination of programs to meet Ontario's housing needs.

Mr. Speaker, the record of the conference and the official statement of the agreements reached is being prepared by the Canadian intergovernmental conference secretariat. When I have received the official report, I will be pleased to provide the members with additional information.

WORKMEN'S COMPENSATION

Hon. B. Stephenson: Mr. Speaker, over the last few months I have assured members that as soon as the very complex and thorough re-assessment of Workmen's Compensation Board financing and benefits was complete, I would move without delay to seek legislative amendments to the Workmen's Compensation Act. That review is now complete and while the very substantial report, which is also being tabled, contains massive amounts of information and raises a variety of very real concerns, I am honouring my commitment to introduce an amending act before the completion of this session.

In introducing the bill at the appropriate time today, it is recognized that there are benefit areas which require prompt adjustment. It is also recognized that the implications of the report will demand much additional evaluation. I wish to emphasize, therefore, that while the bill which I am introducing today focuses on the important area of immediate concern, further study and consideration of the Wyatt recommendations will be required for the many long-term issues identified in that report, as well as in submissions made to me by various organizations and groups.

I am pleased to announce that the amending act, which is intended to become law on July 1, 1978, will contain the following measures:

First, an increase in the ceiling on earnings from \$15,000 to \$16,200 effective July 1, 1978. While the Wyatt report urges no change in the earning ceiling pending consideration of changes in the relationship of compensation to earnings on a tax-free basis, it is considered that some interim change is justified at this time. This change will mean that the maximum rate of compensation payable will rise from \$216.35 per week to \$233.66 per week. The new ceiling will not only benefit workers injured on or after July 1, 1978, but will also apply to those workers receiving disability pensions as a result of accidents occurring prior to that date and will apply in those cases to benefits for periods after July 1, 1978.

The second change is in the present minimum compensation for temporary disability, which is at the present time \$90 per week or 100 per cent of earnings if they are less than \$90. The new minimum compensation for temporary disability will be \$115 per week or 100 per cent of earnings if less. This means that those workers earning more than \$153.33 per week will receive the usual tax-free 75 per cent as

compensation. Those earning between \$115 per week and \$153.33 will receive the minimum of \$115 per week, even though this will be more than 75 per cent of the earnings; and all workers who earn \$115 per week or less, including part-time workers, will receive tax-free compensation equal to their full earnings.

Disability pensions awarded for accidents in any year prior to 1976 will be increased by a factor of 11 per cent with respect to 1975, a further factor of eight per cent with respect to the year 1976 and an additional factor of six per cent with respect to the year 1977. Where the accident occurred in 1976, the eight per cent and six per cent factors will apply. Where the accident occurred in 1977 the six per cent factor will apply. These factors apply retroactively, are cumulative and subject to the maximums.

With respect to permanent total disability pensions, there will be three changes in the absolute minimum. Effective July 1, 1976, it will be increased from \$400 to \$444; effective July 1, 1977, from \$444 to \$480; and effective July 1, 1978, \$509 per month.

The current absolute minimum for permanent partial disability will also be raised proportionately on the same effective dates, so that effectively, July 1, 1978, the absolute minimum for a 50 per cent disability will rise from \$200 to \$254.50 per month, and the absolute minimum for a 25 per cent disability will be \$127.25 per month compared with the present \$100.

[2:15]

The Workmen's Compensation Board will be reviewing all pension records to determine what additional benefits are payable under the amendment in each case, and the increases will be paid as rapidly as possible. The pensions for dependent spouses will be increased from \$286 per month to \$318 per month effective July 1, 1976; to \$344 per month effective July 1, 1977; and to \$365 per month effective July 1, 1978.

Pensions for dependent children will also be increased from \$77 per month to \$86 per month effective July 1, 1976; to \$93 per month effective July 1, 1977; and to \$99 per month effective July 1, 1978.

Orphans' pensions will also be increased from \$88 per month to \$98 per month effective July 1, 1976; to \$106 per month effective July 1, 1977; and to \$113 per month effective July 1, 1978.

The pensions for dependants other than spouses and children will also be increased proportionate to those increases granted to dependent spouses. Retroactive adjustments

in dependency pensions will be made as rapidly as possible following identification of the claims affected.

The burial allowance will be increased from \$600 to \$800 for deaths occurring on or after July 1, 1978. The initial lump sum payment to a dependent spouse will also be increased from \$600 to \$800 on the same basis on the same date.

The allowance currently payable for damage to clothing by artificial appliances will be increased from \$168 per year to \$192 per year with respect to lower limb prostheses and back braces for a permanent back disability, and from \$84 to \$96 per year with respect to upper limb prostheses; both effective July 1, 1978.

The changes in benefits which I am recommending are substantial. They are intended to provide more equitable levels of compensation to those affected by industrial injury or disease, while recognizing that a great deal of further analysis of workmen's compensation still lies ahead.

The costs of such changes are also substantial, having a total capitalized value of \$262 million for existing cases, including retroactive payments for existing permanent disability and dependency pensions, plus \$6 million in respect of increased cost of new claims occurring during the last six months of 1978.

I would therefore state, Mr. Speaker, that I seek your support and the support of the members of this Legislature for the amending act so that the higher levels of benefits will be available to Ontario's workers effective July 1, 1978.

ORAL QUESTIONS

WORKMEN'S COMPENSATION

Mr. S. Smith: Mr. Speaker, a question of the Minister of Labour: Welcoming, as we do, this improvement in the benefits schedule of the Workmen's Compensation Board, can she inform the House as to the method of financing these improvements? Is that money available within the fund, will there have to be higher contributions or is this money coming in whole or in part from general revenue?

Hon. B. Stephenson: Mr. Speaker, all the funding for the improved benefits will come from the funding of the Workmen's Compensation Board. There will not be a requirement for any increase in the assessment levels.

Mr. S. Smith: By way of supplementary: May I ask how it is that these workers have been allowed to suffer through a very difficult winter and spring when the money was there

in the fund for the minister to come through with increases long before this so-called study was completed? Why did they have to wait this long if the money was right there in the fund?

Hon. B. Stephenson: It was as a result of some concern on my part, and some concern expressed very well during a meeting of the standing committee on resources development, that a member of the official opposition caucus recommended that such a study be carried out. With the assistance and support of the member for Erie (Mr. Haggerty), this study was carried out.

It was felt there could not be any rational basis for change until all the information requested by the honourable member—information which I felt was entirely essential to making responsible decisions—was available to us. As soon as that information was available, as soon as we had the information from the board and from the Wyatt study, the changes were recommended and are brought to the House today.

Mr. Cassidy: Now that the minister has had that report, is the government prepared to build automatic increases into the act so that the three-year delay that injured workmen have suffered waiting for any changes in the disability pensions will never again occur in the future?

Hon. B. Stephenson: I think it is incumbent upon us to examine very carefully all of the recommendations of the Wyatt report, which are far-reaching. There are some suggestions within that report for the kinds of changes which should be instituted, but I would have to tell the honourable members that when they receive their copies of the report, as they will this afternoon, they will note that Wyatt specifically recommends that there not be indexing, but indeed that this be done on an ad hoc basis annually. That kind of mechanism most certainly, I think, can be built into a rewritten act.

Mr. Warner: It's easy for an ad hoc government.

Mr. Cassidy: Supplementary: Can the minister also tell the House if it is the government's intention, because her statement was not clear, that these increased pensions will be paid retroactively so that the increases suggested for 1975, 1976 and 1977 will now be paid as a lump sum, or is it the government's intention that the increases will only begin to be paid on July 1 of this year?

Hon. B. Stephenson: I thought I made that very clear in my statement that any pension which had been granted before the date July

1, 1975, would be subject to all three stages of increase. Any that began on July 1, 1976, would be submitted to the two-stage increase; and on July 1, 1977, to the one-stage increase. The total increase, of course, will apply to those which occur after July 1, 1978.

Mr. MacDonald: Retroactively?

Hon. B. Stephenson: Yes.

Mr. Laughren: Supplementary, Mr. Speaker: Has the minister compared the increases in either the consumer price index or the industrial wage composite with the increases that she has announced today? Further, would she think seriously in the next day or so about increasing at least the widow's benefit, which is rising to \$365 and is clearly inadequate?

Hon. B. Stephenson: Those two indices have been very carefully considered in the recommendation which is made today. The percentage increases are across the board, as I'm sure the honourable member recognizes, and are either equal to or in excess of the levels which are available in any other jurisdiction in Canada.

Mrs. Campbell: Supplementary, Mr. Speaker: Could the minister advise us as to when she herself became aware of the funding available to make these increases possible for these injured workmen?

Hon. B. Stephenson: At the time of the submission of the Wyatt report.

Mrs. Campbell: Not before?

Hon. B. Stephenson: No.

Mr. Martel: Supplementary, Mr. Speaker: I want to go back to the question raised by the leader of the New Democratic Party, because I still don't quite understand the minister's answer. In fact, will the workers who started in 1975 and later get a cheque to cover the increase of 11 per cent for 1976, a cheque to cover 1977, one for 1978, and then, as of July 1, be established at a new level?

Hon. B. Stephenson: Yes. I would imagine, however, that there will not be three separate cheques for those individuals; there will be one lump sum.

MEAT PACKING DISPUTE

Mr. S. Smith: My second question, Mr. Speaker, is also for the Minister of Labour, and it has to do with the meat packing dispute which is occurring in Ontario.

In view of the fact there are reports a strike has started at Swift and that Canada Packers has announced that, despite the minister's letter to them pointing out what I

think she said in the House was an unusual stance—apparently that didn't frighten them much—they are planning to lock out their employees, is the minister aware that this will mean about 2,500 workers out of a job in Toronto and may well have very detrimental effects on consumers, given the shortage of beef that already exists and the pricing structure? Is the minister prepared just to allow Canada Packers to carry out its threat to lock out? Is she convinced that it's quite legal? Is she going to do anything about it?

Hon. B. Stephenson: Mr. Speaker, to answer the last question first, yes, their proposed action, I gather, is entirely legal. Secondly, I really wasn't intending to frighten anybody by that statement.

Mrs. Campbell: You scare us.

Hon. B. Stephenson: Thirdly, I am informed by the Consumers' Association of Canada that as far as they are concerned any such action will have no effect at all on the consumer price of beef. They feel it is not likely to have any very detrimental effect, even on the supply, for quite some time. So my concern right at the moment is to attempt to bring the parties back to the table to negotiate a settlement which will be satisfactory to both.

Mr. S. Smith: By way of supplementary: Given the estimates that it will be about a month or six weeks before the supply pinch definitely will occur, and given the fact that one of the ways the supply pinch will be avoided will be with imported beef, which is a real problem to our farmers, can the minister explain to us why she bothered to write Canada Packers at all? Does she feel Canada Packers needed to know from her that their action was unusual? Did she feel they were desperate to find out whether she thought it was unusual or not? Or had she hoped to back them away from that type of action? If the minister has failed, what action is she now going to take?

Hon. B. Stephenson: It is my understanding that it will not be necessary to import beef to ensure a reasonable supply for Canadian consumers. Indeed, Canadian beef will be available and the small packing houses in this province and in this country will be quite capable, and are certainly prepared to deal with the situation at the present time.

The question was asked of me whether I found this to be an unusual practice; I said, yes, it was an unusual practice, in my understanding.

Mr. S. Smith: Why did the minister write them?

Hon. B. Stephenson: I didn't write to them; this was communicated verbally, as a matter of fact. I think it's important that the House know that it wasn't put down on paper. It is, in my estimation, an unusual practice but one which I gather has been indulged in by other employers in the past. If this is the route which the packing houses see fit to follow, since this is not limited to the province of Ontario but indeed is a national situation and I gather involves at least two other packing houses as well as Canada Packers, it is not the role of the Minister of Labour of Ontario to say, "You must not do this"; indeed I gather it is being condoned, if not supported, by departments of labour in other provinces and federally.

FEDERAL HOUSING PROPOSALS

Mr. Cassidy: Mr. Speaker, I have a question for the Minister of Housing arising out of his statement on the federal-provincial meeting of last week.

In view of the very clear statement the minister gave two weeks ago that Ontario favoured the 25 per cent rent scale, and in view of the statements by the federal Minister of Housing that the provinces have the right to set whatever rent scale they see fit in public housing, can the minister indicate what Ontario's position will be leading up to the November meeting; and can the minister say whether Ontario was one of the provinces that opposed the federal proposals on the rent scales?

Hon. Mr. Bennett: Mr. Speaker, if the leader of the third party will read my statement, it clearly indicates that the majority of, if not the entire, 10 provinces, opposed the federally designed program of rent-geared-to-income.

When I reported to the Legislature about the meetings in Edmonton, held on February 1 of this year, there was general agreement that some logic should be used in moving towards a 25 per cent income factor relating to rent. It was to relate to the formula that exists at present in the various provinces to calculate income. It was understood that it was to relate specifically to the new units coming on stream.

At last week's conference, it was clearly outlined by the federal minister that he was no longer referring to the income formula we had worked with for some period but to a gross income formula, which would take into account all income; even if it happened to be a tax rebate situation it would be considered as income.

I would admit that in pressing the federal minister for some clarification as to the income factor, he admitted he did not have the entire formula spelled out completely. That's the reason the 10 provinces put the federal government in the position of taking it to a federal-provincial civil servants' meeting to determine what the word "household income" should mean and the 25 per cent factor, or a percentage factor, for rent-geared-to-income. [2:30]

It has been indicated clearly before, and again today, that if there happens to be an increase in rent—and there is none anticipated at this time, because there is no formula we can work to; but if one should be worked in, it would likely be over a lengthy period of time. To conclude my answer to the question, the federal minister said very clearly, as I said in my statement today, the provinces can establish any rent factor they want in their provinces. That is clearly understood.

Mrs. Campbell: You've never understood it before.

Hon. Mr. Bennett: You can establish the rents as you see fit as a province, but he is now saying clearly and distinctly to the provinces: "If you do not get 25 per cent of gross incomes as the rent factor, you and the municipalities will pick up that shortfall 100 per cent. The federal government will not participate in any subsidy until you succeed in coming to the 25 per cent of gross income as rent." That is very clearly spelled out. We admit, I think—all 10 provinces admit—that we can establish rent.

I think the leader of the third party will admit it is quite a change away from what was originally the type of agreements we had signed with the federal government whereby there was rent established as to income that could range anywhere from 16.7 per cent to 25 per cent—not as the leader of the third party tried to indicate some weeks ago, that we had rents down to 13, 14 or 15 per cent. We have never been in that factor before. Clearly we have held up the whole program of rent-geared-to-income until there is some clarification by the federal government of what they mean by household income.

Mr. Cassidy: Mr. Speaker, can the minister be specific as to what Ontario's own intentions are as far as the rent-geared-to-income scale is concerned? Does Ontario in its proposals wish to see an actual increase in the rent-to-income scale? If that is the case, since it is clear that Ontario will have the power to set its own rent scale, can the minister say to what point or by what percentage amount

does Ontario intend to increase the rent-geared-to-income scale in this province?

Hon. Mr. Bennett: Mr. Speaker, I have no announcement to make on that subject at this time until I see what the federal government wishes to offer to us in the terminology it will outline sometime between now and November.

Mr. S. Smith: Do I take it from the minister that the basic thrust of the federal position has been that they are going to get into the business of cheaper mortgage money, and basically that is it; that is basically what they see their position as being able to provide? If that is the case, doesn't the minister feel a lot of the strings they are attaching to this mortgage money represent a constitutional intrusion into a provincial area which should be resisted. Doesn't he feel they should in fact stick to providing the cheaper mortgage money and allow the provinces to work out exactly how they wish to use that money to benefit whatever people they have and whatever needs they have in their own provinces?

Hon. Mr. Bennett: Mr. Speaker, I am not sure it is supplementary, but I will attempt to answer it.

Mr. Bolan: Who are you to determine that?

Hon. Mr. Bennett: I take it the Liberal leader is referring to the graduated payment mortgage plan, which is a very broad plan into the field of rental accommodations and ownership.

What the federal government is intending to do very clearly and very distinctly is get out of the money business—period. It is not their intention to lend funds from CMHC except under very extenuating circumstances in various parts of Canada. In other words, they are trying to encourage provinces, municipalities, nonprofits and co-ops to go into the private lending sector and to secure funding, and if a certain percentage of the funding is put up—100 per cent, for example, by a co-op through the lending institution—the federal government will write down the interest rate on that funding to one per cent. If they borrow up to 90 per cent they will write the interest rate down to roughly two per cent. It really works out to about 1.9 per cent.

That is really what they are intending to do. They are not intruding into the field, as far as we understand, except to the point that they will no longer lend funds. They have the same desire as the Ontario Mortgage Corporation and that is to move out of the loaning field and let the private sector look

after it. To do that they are offering a graduated payment mortgage scheme. As I have said in my remarks, I have great difficulty in believing it will be profitable and beneficial to the overall rental market or to the housing market in this country. I make that statement not because Claude Bennett thinks that is the way it should be—

Mr. Peterson: Who is Claude Bennett?

Hon. Mr. Bennett: —but over the last number of weeks I have taken the opportunity to speak with those in the development business from across Canada—not just the province of Ontario, but across Canada. I have met with 16 of the largest principal mortgage lenders in this province and this country, and I have yet to have one positive response to the graduated payment mortgage plan that the federal government is proposing.

Mr. Makarchuk: In view of the fact that the financial institutions have indicated they are not prepared to go along with the graduated payment mortgage plan, and in view of the fact that the provincial and federal governments are getting out of the mortgage business, can the minister tell this House who is going to provide the mortgage funding for new construction then?

Hon. Mr. Bennett: I suppose the member should look again at my statement where I very clearly said today that I am urging Mr. Ouellet, by letter once again, to review his program and to retain the ARP and AHOP program that was introduced in 1976, to leave it in place at least for the current year, until we have some appreciation of what the other plans will mean.

Mr. Ouellet has never taken the opportunity to meet with the people in the private sector who do the development. He has never taken the opportunity to meet with the people in the private sector who lend funding.

Mr. Peterson: You represent the private sector.

Hon. Mr. Bennett: They've come to a graduated payment mortgage plan in Ottawa that is entirely their own brainwave. They have never really tried to consult anyone.

Mr. Kerrio: Now you know how frustrated we get dealing with you guys.

Mr. Nixon: He talks to the Matthews Group regularly or their representative.

Hon. Mr. Bennett: I would tell the members frankly that last week Mr. Ouellet got a clear message from 10 ministers of the provinces of Canada that the plan is not

likely to succeed. I'm not throwing cold water on it at this moment, but there appears to be very little support for it in the private sector. I have asked Mr. Ouellet to retain the present program until we can try to find some way out of the situation.

Mr. Nixon: Mr. Ouellet is not here to defend himself.

Hon. Mr. Grossman: His cousins are here.

Mr. Bradley: You love to pass the buck, don't you?

Mr. Peterson: You act for the private sector.

Hon. Mr. Bennett: I'll act for the people I think will provide housing for this province.

Mr. Cassidy: I have a final supplementary arising out of the meeting last week of federal and provincial housing ministers. In view of the absence of any reference to it in his statement, can the minister say whether Ontario pressed the federal government to abandon its plans to completely change the nature of co-operative and nonprofit housing in the country or in the province, and can he say whether Ontario was successful in ensuring that they are not turned into an adjunct of the rent-geared-to-income housing plan?

Hon. Mr. Bennett: May I report to the House, so that there will be no misunderstanding, what sections of the National Housing Act will remain in effect. Section 15(1) will likely continue until the end of 1978. I must admit even that is a change in position from last Tuesday afternoon when Mr. Ouellet left the city of Toronto. It was to be continued until the end of August. I understand that because of some other moves he will now extend it until the end of 1978, even though he has no provision for funding in his budget at this moment.

Section 27(1)—that's the NIP program—is terminated as of March 31, 1978, and will not likely be taken up in the community services program. Section 34(1), the residential rehabilitation assistance program, will be continued. That's one that up until last week was likely to fold. Section 34(1)(a), loans to co-operatives, will continue.

Section 40, federal-provincial-based public housing and land, which is the 75-25 program that Ontario has not used very extensively over the last number of years, will be retained and could very well become the vehicle that we'll use from now on in the development of public housing in the province of Ontario, at least in the smaller communities.

Section 42, loans for acquisition and servicing of land which go to municipalities, will be continued. Section 43, which is the capital lending program from the federal gov-

ernment to the housing corporations, will terminate as of the end of 1978.

Under section 44(1)(a), public housing subsidies of rent supplements in public projects, 50-50 subsidies will be continued for existing units and modified for new use. Section 44(1)(b) will be continued as well. Section 51, loans for sewage treatment, will be terminated at the end of 1978 and will likely be one of the programs that will be included in the community services grants program.

Section 56(1) is the section that related to AHOP and ARP which terminated on May 1, 1978. It is now being taken over by the graduated payment mortgage plan.

TORONTO CORE AREA PLAN

Mr. Cassidy: I have a question to the Treasurer arising from a speech the Treasurer gave to the Toronto area redevelopment council more than a month ago, but which I think is worth reviewing at this time. In that speech, the Treasurer discussed the legitimate provincial interest of the province in the city of Toronto's core area plan. He mentioned, among other things, the balance of development between the downtown and suburban commercial centres, housing provided in the plan and the use of railway lands.

In view of the fact that the province has stood back from the development of that core area plan for some time while it has been before the Ontario Municipal Board, can the Treasurer say what he means when he says the province has a legitimate interest, how that will affect any subsequent cabinet decision and whether that cabinet decision will in fact simply put years of work on the core area plan down the drain?

Hon. Mr. McKeough: No. I would like to review what I said well over a month ago before I comment extensively. Obviously, we have a legitimate interest. As I recall, we spelled out that interest three or four years ago. At any rate, we weren't interested in seeing all growth come to a standstill in downtown Toronto, in the core area, as some would have happen. What ultimately happened to the downtown plan was that it went to the Ontario Municipal Board, and there it is.

There will undoubtedly be decisions. In the meantime, I think my own casual reading of newspaper clippings and other areas would be that the city of Toronto, if I may say so has adopted a somewhat more realistic approach to the development of the core where Metropolitan Toronto, and indeed I suppose the federal government as well as the province, has invested a great deal in transportation systems, subways, all based on the premise that we had a growing, vibrant, alive,

awake core and not something which was going to come to a complete halt, as no doubt the leader of the third party devoutly wishes.

Mr. Lewis: Ah, don't be silly.

Mr. Cassidy: A supplementary: Can the minister say why these areas of legitimate provincial interest, as he calls it, were not raised at the OMB hearing where they could be discussed publicly, and whether it is the intention of the provincial government, if opportunity arises, to put its views in terms of the housing mix, the balance of downtown development and the use of railway lands into an adaptation of the plan if it comes to cabinet?

Hon. Mr. McKeough: Mr. Speaker, no, I don't think we propose to do that. I think the city of Toronto and the Ontario Municipal Board are well able to work those things out. I don't see any reason for us to get into the nitty-gritty of the city of Toronto planning or Metropolitan Toronto planning provided that it isn't trying to stop the world. As I say again, the member would undoubtedly like to see the world stop.

Mr. MacDonald: That's silly. It really is quite silly.

Mr. Martel: It is the government who has been stopping the world, with all the flip-flops this year.

Mr. Lewis: It sure has slowed it down.

Mr. Cassidy: A supplementary, Mr. Speaker: If the Treasurer has this confidence in the OMB and the city of Toronto, can he explain why he came galloping in at the last minute in order to express the legitimate provincial interest, in his terms, rather than allowing that provincial interest to be expressed through the proper channels and not making the OMB hearings into a charade?

Hon. Mr. McKeough: Mr. Speaker, I don't think they are a charade. I recognize that it really must gall the third party that the city of Toronto is allowing some development and some things are happening in this great city. It really must gall them.

Mr. Martel: Go back to the Wentworth bill.

Hon. Mr. McKeough: On the other hand, the NDP's friends in some of the construction unions are much happier today than they were a few years ago.

Mr. Martel: It is not tax reform.

Hon. Mr. McKeough: Certainly we have an interest. We have an interest in GO Transit, we have an interest in parkway belts, and we'll express that interest from time to time—

Mr. Martel: Your last hurrah.

Hon. Mr. McKeough:—but we're not going to get into the nitty-gritty, detailed planning which only happens in a socialist Valhalla and is not going to happen here in Metropolitan Toronto.

Mr. Lewis: You are just an old pachyderm.

Mr. Martel: The Treasurer has had to backtrack so many times this year that I can't understand why he is so uptight.

Mr. Lewis: He is just an old, decaying pachyderm.

Mr. Martel: They should call you Back-track Darcy.

Mr. MacDonald: He is in full speed retreat.

Mr. Lewis: He is the last bumble of the fossil.

Mr. Speaker: Order.

Mr. S. Smith: Supplementary: If the Treasurer is going to keep out of these planning issues can he explain what is left to the municipalities to be autonomous about, after he has written to the OMB telling it not merely to make decisions based on planning, not merely to make decisions based on official plans and not merely to make them based on solvency, but on a certain set of priorities that he thinks municipalities should have, which downplays, among other things, recreational and cultural projects? Why is the Treasurer taking this point of view with the OMB and not allowing municipalities to decide how to spend their taxpayers' money autonomously?

Hon. Mr. McKeough: Whether the Leader of the Opposition recognizes it or not, we do have some responsibility in this Legislature and on this side of the House.

Mr. Martel: The Treasurer had better look at his last answer.

Mr. Makarchuk: That is not what you said a little while ago.

Mr. Breaugh: The Treasurer is supposed to count to 10 before he answers.

Hon. Mr. McKeough: We have some responsibility for the financial viability of our municipalities. It's only a year ago that the Leader of the Opposition was going around this province with the simplistic notion that mill rates would be held to an eight per cent increase. How does he square that?

Mr. S. Smith: The Treasurer's own letter says they were held to 7.5 per cent yet he said it couldn't be done.

Hon. Mr. McKeough: The honourable member is talking out of both sides of his mouth and he knows it.

Mr. Makarchuk: Heave the Treasurer out.

Mr. Speaker: Order, order.

Hon. Mr. McKeough: Oh, what simplistic, simple-minded solutions he has.

Mr. Martel: The Treasurer is finished now.

Mr. Lewis: He had better watch that slingshot now.

Mr. Warner: Some of these members really are quite unruly, Mr. Speaker. I'd like to know why it is that the Treasurer has now decided the Ontario Municipal Board should no longer be at arm's length from the government and should be subject to his direction. Should he please explain why that is happening?

[2:45]

Hon. Mr. McKeough: I would be glad to debate that issue at some time during my estimates; I don't know whether the question period is the appropriate time to debate these issues. I think if you examine select committee reports, ones that even the New Democratic Party didn't dissent from as I recall, members will find in a number of places that there's a clear responsibility expected of a government to give direction in broad terms to the Ontario Municipal Board. Certain members obviously would like to have a municipal board hearing one month, a year later an assessment review hearing, then they would like a couple of appeals to the cabinet, then finally refer the whole thing to a standing committee of the Legislature—and nothing would be done.

Mr. Nixon: What is your excuse for doing nothing?

Mr. Martel: You know all about cabinet interference.

Mr. Makarchuk: You are a spent force.

Mr. Martel: Yell a little louder, Darcy. We didn't hear you.

Mr. Speaker: Order.

Mr. Martel: Mr. Speaker, would you ask that fellow to turn the mikes up?

Mr. Speaker: Order.

Mr. Lewis: It is compassion for an aging relic who mumbles from time to time.

ADOPTION RECORDS

Mr. Blundy: Mr. Speaker, I have a question for the Minister of Community and Social Services: Would the minister explain why he has done nothing about the recommendations of the committee on record disclosure to adoptees which was funded by

his ministry and which made its report fully two years ago this month—June 1976?

Hon. Mr. Norton: Mr. Speaker, the fact is that it's not that we have done nothing; we have done a great deal. It's a very complex issue as I am sure the honourable members opposite appreciate.

The number of very delicate interests that are involved in the resolution of that issue is at least three in every instance. Trying to find a mechanism that would protect those interests to the maximum possible and still recognize the concern of the adoptee who is seeking identifying information about his or her roots and origin is not an easy matter to resolve. In fact we are now working on what I hope will be a final proposal for policy consideration by the government in the very near future.

Mr. Blundy: Supplementary question: Does the minister see the need for some consistent policy on these records in Ontario? If so, why, after two years, has at least some direction not been given to conform somewhat with the report? It is a most conclusive report I would think.

Hon. Mr. Norton: Yes, I think it's imperative that there be a consistency in terms of the handling of such information. In fact the attempt has been to provide consistency up to this point. But because of the manner in which some of that information is available in various agencies across the province, it has been difficult to assure that. However I have met with a number of heads of agencies who have such information, who believe that the information has not—surely as a matter of policy—been released by their agencies in contravention of the existing policy, but rather that there have been other avenues by which it has been made available without any official recognition of that by the agency.

There is concern on their part and on mine and many others', I can assure the member, that until such time as we have a more comprehensive policy that kind of pirating, if you wish, of information might continue. I would like to see that resolved in the very near future.

Mr. McClellan: We will amend the act and that will solve it.

Hon. Mr. Norton: We have been examining practices in other jurisdictions as well as considering the recommendations of the committee cited and I believe it should be resolved before the fall. Otherwise, it will be just a totally incomprehensible policy.

Mr. McClellan: You can vote for our amendment and that will solve it.

AIRPORT HOUSING DEVELOPMENT

Mr. Philip: A question for the Provincial Secretary of Resources Development: Concerning the decision by the Ontario Municipal Board and the cabinet to approve a 450-unit housing development by Cannard Investments Limited less than a mile south of Toronto International Airport, does the minister not see any conflict between the decision to build the houses and the obvious environmental and housing problems, and particularly the noise problems; and is the minister not concerned that the development fractures all the borough's zoning requirements for the size of houses and setbacks?

Hon. Mr. Brunelle: Mr. Speaker, I believe this question should be more appropriately directed to the Minister of Housing (Mr. Bennett).

Mr. Philip: If I may ask another question of the same minister, then, since it is my understanding that all of the various ministries that would be affected by this problem are under his aegis: In the light of the recent statements by the Honourable Alastair Gillespie in which he requested a recess on all decisions on this project until his colleague, the Minister of Transport, the Honourable Otto Lang, has had an opportunity to consider the ramifications of the Ontario government's decision; and in the light of Mr. Lang's recent statement as reported in the Toronto Star of Friday, June 16, that the decision to allow housing to go this close to the airport was a bad one; would the minister explore ways of getting together under his aegis the various ministers—namely the Minister of Housing, the Minister of the Environment (Mr. McCague), and the Minister of Transportation and Communications (Mr. Snow)—and the appropriate federal ministers, and look at a way of solving this problem?

Mr. S. Smith: Just repeat the question.

Hon. Mr. Brunelle: As I indicated earlier, I believe the Minister of Housing could give the member some information. I would be pleased to look at the whole aspect of your question.

Mr. Philip: Mr. Speaker, may I redirect?

Mr. Speaker: You had the opportunity on the initial question..

CHILD ABUSE

Mr. Van Horne: A question for the Minister of Community and Social Services: In the light of the universal concern over child abuse, can the minister tell us if his ministry has any plans to promote outreach assistance programs in communities across Ontario?

Mr. Lewis: The mere words induce stupor.

Hon. Mr. Norton: I am not sure precisely what the honourable member would include in outreach community programs. But, as I indicated earlier this spring, there are a variety of programs that are being funded during this fiscal year for preventive programs in various communities across the province. The programs are in each case being proposed by agencies within the community. If, following review, they meet our criteria for funding of preventive programs—

Mr. McClellan: Don't go on too long, you are going to make me mad.

Hon. Mr. Norton: There are quite a variety of such programs in place—I can't give the precise number at this point; 30 comes to mind. That is in addition to the efforts we have been making, and continue to make, to establish child abuse teams in communities across the province. We have had some 40 seminars in various communities across the province as well, which have led in many instances to the establishment of child abuse teams.

I am not sure whether that covers the full range of community outreach programs that the member may have contemplated—

Mr. McClellan: I hope not. Let's hope not.

Hon. Mr. Norton: —if not, I would invite him to pursue it with a supplementary.

Mrs. Campbell: Supplementary: Could the minister advise this House how much money is being made available to the Hospital for Sick Children to enable them to expand the Denver Module Program, which seems to be the most effective in the prevention of child abuse?

Hon. Mr. Norton: I cannot give the honourable member a specific answer to that. I will undertake to do so.

Over and above the funding that is available to children's aid societies for prevention programs, which is about one quarter of their total budgets or \$25 million—

Mrs. Campbell: You can't use it for that research.

Hon. Mr. Norton: —we have a special budget allotment this year which is double what it was last year, in excess of \$800,000, for funding specific programs. Whether or not any of that is allocated to the specific program which the honourable member has expressed interest in, I can't say. But I will get her that information.

WASTE DISPOSAL

Ms. Bryden: I have a question for the Minister of the Environment. In view of the minister's lack of information about where the liquid industrial waste which formerly went into the Beare Road landfill site is now going, and in view of the concern by local citizens near Sarnia about the report last week that Tricil Limited, a company with a very bad record on waste disposal, is preparing to establish a deep well disposal project on Highway 40, which is known as the scenic route, I understand, will the minister undertake to set up immediately a task force of ministry officials to collect information on where and in what way liquid industrial waste is now being disposed of in this province and to determine what quantities of liquid industrial waste will likely require to be disposed of in the next decade, and to examine the adequacy of the facilities now available or planned and to make recommendations for the safe disposal of the total amount of liquid industrial waste expected to be generated, which could then be referred to a select committee of the Legislature to examine this very important problem in the fall?

Hon. Mr. Grossman: Another select committee? Unbelievable.

Hon. Mr. McCague: Mr. Speaker, the information that the honourable member is requesting in that series of questions is available from our ministry.

Mr. Kerrio: We're going to have a select committee on the Premier next.

Hon. Mr. Kerr: Are you in favour of that site, Marion?

Ms. Bryden: I understand the minister said in the House that he did not know where the liquid industrial waste that formerly went into Beare Road was now going. Secondly, has he got the way bills on a computer system so that we can have monthly reports on exactly what waste is being generated and where it is going, and can we have those reports made public?

Hon. Mr. McCague: Mr. Speaker, as far as the wastes that is going to Beare Road—the task force of officials of my ministry and of Metro are auditing those figures, and where that's going exactly, I presume will soon be available. As far as computerizing the program is concerned, that will be done in the next few months, but we are monitoring the way bill system, not by computer, but manually at this time.

HOSPITAL BOARD REPORTS

Mr. Stong: In the absence of the Minister of Health (Mr. Timbrell), I have a question of the Provincial Secretary for Social Development. In the light of the proceedings which took place at the annual meeting of the York Central Hospital in the regional municipality of York, wherein the executive board refused to supply requested information to its members, would the minister take steps to set, make known and enforce guidelines which would require hospital boards to be more accountable to their members and communities in terms of supplying general statistics concerning the number of, types of and procedures used in operations performed at their respective hospitals?

Hon. Mrs. Birch: I will be very pleased to take that question under advisement and discuss it with the Minister of Health.

Mr. Stong: Supplementary, Mr. Speaker: I wonder if the minister would report back to the House and make these guidelines generally available throughout Ontario prior to the next annual meeting of all of the hospital boards in Ontario.

Hon. Mrs. Birch: I am rather surprised, I thought it was a practice of public hospitals to divulge the numbers of operations and procedures that had taken place within those hospitals; that is public knowledge. But I will be very pleased to report back.

STUDENT ASSISTANCE

Mr. Cooke: Mr. Speaker, I have a question of the Minister of Colleges and Universities. It is regarding the fact that there is a 55 per cent drop in applications for the student grant program, as reported in the paper last week. I would like to ask the minister if in fact he has any explanation for this dramatic drop and would he agree that the basic reason is the inadequacy of his program?

Hon. Mr. Parrott: No.

Mr. Havrot: Good answer.

Mr. Cooke: Mr. Speaker, would the minister answer the first part of my question? Does he have any explanation or not? Secondly, would he not agree that part of the reason for the drop is the requirement for parents to have to give away the right for privacy for their income tax and, further, the eligibility periods which eliminate thousands of students from the grant portion of the program?

Hon. Mr. Parrott: Mr. Speaker, the answer is three times no. No, no, no.

Mr. S. Smith: No idea?

Mr. Eaton: They have to reveal their income so they are not eligible; that is the problem.

Mr. Grande: The minister doesn't know what is going on.

[3:00]

SALE OF BEER AT BASEBALL STADIUM

Mr. Yakabuski: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Would the minister inform the House, in view of the fact that the patrons of Exhibition Stadium are anxiously awaiting the decision of this government with regard to serving beer in that stadium—

Mr. Warner: Beer in the ballpark—a second-round revolt.

Mr. Yakabuski:—and in view of the fact that summer is nigh—

Mr. Nixon: And the living is easy.

Mr. Kerrio: And Claire Hoy is high on beer in the ball park.

Mr. Yakabuski:—would the minister inform the House if he is moving with Godspeed to provide those patrons with that much-needed refreshment?

Hon. Mr. Grossman: We will move with Godspeed, although that is one quarter from which I have not got any representation on the matter.

Mr. Makarchuk: The Lord works in slow and mysterious ways.

Mr. Samis: It's the power of Billy.

Hon. Mr. Grossman: However, I have indicated earlier that I hope the matter will be resolved one way or the other this coming week in cabinet.

Mr. Martel: What are you recommending?

Mr. Warner: Supplementary, Mr. Speaker: Perhaps I missed the end of that response but, recognizing the minister finds it difficult to make decisions on important matters, could he still tell us by which date this year will we have a decision as to whether or not the good people who attend Blue Jay games can actually enjoy a pint or two of beer?

Mr. Breithaupt: If they miss the playoffs.

Mr. Samis: In 1994.

Mr. Deans: Obviously you are not serious.

Hon. Mr. Grossman: We have, of course, had a busy year making all sorts of decisions on matters such as rent controls, condominium legislation, income tax discounts, changes to the Liquor Licence Act—

Mr. MacDonald: Going in reverse.

Mr. Warner: This decision has taken you a year and a half.

Hon. Mr. Grossman: In view of that record of making decisions, the honourable members can be quite sure that we will have a decision within a week or 10 days, probably this week.

Some hon. members: Hurray!

Mr. Warner: Claire Hoy is smiling.

PROPERTY TAXATION

Mr. Bradley: Mr. Speaker, a question for the Premier: In view of the decision of the court of assessment on May 29 to award Cyanamid of Canada a \$520,000 reduction in assessment, resulting in a tax cut of more than \$82,000 for its two Niagara Falls operations, and in the light of indications that an increasing number of industrial plants will be appealing their assessments as a result of his government's announcement that it will not proceed with property tax reform this year, does the Premier have any plans to review the decision not to proceed in 1978 with the legislation or at least to compensate those municipalities adversely affected by these appeals?

Hon. Mr. Davis: Mr. Speaker, I think the honourable member is aware that it would be very difficult to have legislation to compensate for a decision on appeal.

No, we will not be introducing market value assessment in the form of real property tax reform, although quite obviously, from the tenor of the question asked by the honourable member, it has now become the official policy of the Liberal Party of Ontario that they will introduce real property tax reform, except they won't get the chance.

Mr. Kerrio: Oh, don't bet on that.

Mr. Bradley: A supplementary question: I am always amazed by the Premier's ability to get an indication from an individual member of a party what the policy of that party is.

Mr. Nixon: "Amused" is the word.

Mr. Bradley: However, my supplementary question is this: Is the Premier aware of allegations that some TEIGA ministry employees who discovered loopholes in the existing property tax system and examples of overassessed property, during a government study, have now formed companies which are launching assessment appeals and does he feel this is the proper procedure?

Mr. Makarchuk: A new growth industry in Ontario.

Hon. Mr. Davis: I am not aware of it. If the honourable member has some information that he thinks I should have on this matter, I would be delighted to receive it from him.

[Later:]

Mr. Bradley: On a point of privilege, I just wish to make a quick correction, Mr. Speaker. In the question to the Premier, I referred to former TEIGA employees; it should be former Revenue employees.

Mr. Swart: Supplementary, Mr. Speaker: May I ask the Premier, in view of the indefinite general postponement, is he prepared to recommend to his Treasurer that municipalities which want to proceed with the tax reform, with the assessment at market value, be permitted to proceed with it themselves, as permission is provided in the act for the Minister of Revenue to lift the freeze on those municipalities?

Hon. Mr. Davis: I don't think it is as simple as saying, "Would you permit the municipalities to do that?" I think one gets around to the question, is it a single municipality or is it a regional municipality? I think one would have to answer the question, if this were to be done, does this encompass all of the general reforms that were included in the initial proposals?

I would have to say to the honourable member that I can't answer that question in its rather simple form. I am not being critical; I think the answer to that question has to take into account a number of other issues, and I am just not prepared to give an answer on that at this moment.

Mr. Martel: Better than no reform at all.

Mr. B. Newman: May I ask a supplementary of the Premier? Does the Premier intend to continue to punish municipalities by not doing anything in the line of providing them some financial assistance as a result of their not going along with his tax reform program?

Hon. Mr. Davis: It has never been the policy of this government to "punish municipalities."

Mr. Martel: The Minister of Labour did last week.

Hon. Mr. Davis: I'm sure the member for Windsor-Walkerville fully understands that, when he looks at the involvement of this government in endeavouring to assist that great municipality on so many matters over the years, for which he takes most of the credit locally, if he can get away with it. I know he understands that.

Mr. S. Smith: And rightly so.

Mr. Nixon: They don't give the Premier much credit.

Hon. Mr. Davis: I read the Windsor paper and I get reports from in-laws very regularly

about how the member for Windsor-Walkerville appears almost to be a Tory when it suits him and when it doesn't he is a Liberal. I understand that.

Mr. Speaker: That wasn't part of the question, unfortunately.

Hon. Mr. Davis: It doesn't hurt at all; it's human nature. But I would say to the honourable member I also understand that Windsor has a problem with respect to what it perceives to be something less than its fair share of the resource equalization grant.

EQUALIZATION FACTOR

Mr. Swart: I have a question of the Minister of Revenue. May I ask him if he is going to permit the unjust assessment system to become more unjust and to continue indefinitely; or does he have some alternative proposal to put before the Legislature in view of the abandonment of the tax reform program? Is he or is the Treasurer going to make an announcement to this House before it rises at the end of this week; or whenever that time may be?

Mr. Martel: It will only be the 100th in the last 10 years on tax reform.

Hon. Mr. Maeck: I would inform the honourable member that the staff of the Ministry of Revenue and the staff of the Treasury are working at trying to find an answer to some of the problems raised in the Legislature and raised by municipalities.

I don't think the answers or proposals we might have to give to some municipalities which are in serious trouble as far as assessment is concerned will be forthcoming by the time the Legislature rises, but we are working on it.

Mr. Swart: Supplementary: Will the minister at least assure this House today that he will lift the freeze on municipal equalization, on the equalization factor, so the injustice which is being done to so many municipalities with regard to grants and with regard to—

Mr. Speaker: Order. That's the same question you asked of the Premier on a supplementary.

Mr. Martel: It's a new question.

Mr. Swart: No, it is not. It's entirely different. With due respect, Mr. Speaker, this pertains to the equalization factor. I'm asking the minister if he will give the assurance that the freeze on the equalization factor will be lifted so municipalities can get fairness with regard to grants and with regard to common payments made for regions and education.

Hon. Mr. Maeck: I would inform the honourable member we have investigated some municipalities with a view to allowing the freeze to be lifted from the equalization factors. We have discussed the whole problem with some municipalities and they have found if we had done such a thing they would have been in worse shape than they are now, so I cannot give the member that assurance until we're sure it's going to be beneficial, rather than making the problem worse.

HYDRO CORRIDORS

Mr. J. Reed: I have a question of the Minister of Energy. Is the minister aware of rather serious public accusations that Ontario Hydro has been withholding payment for lands expropriated pending the recipient's withdrawal from an organization concerned with Hydro corridors and known as the Interested Citizens' Group? Would he take it upon himself to investigate the circumstances surrounding these allegations and report to the House to assure us there is no subtle blackmail taking place?

Hon. Mr. Baetz: I am not aware of those allegations but I will promise to look into it and report back to the House.

Mr. MacDonald: Blackmail doesn't sound very subtle.

PRIVATE SCHOOLS

Mr. Deans: I have a question for the Minister of Education. Can the minister explain to the House the extent to which his ministry is able to monitor and to exercise any influence or control over the private school system in the province of Ontario as it affects the conduct of these schools and the degree of care taken by them over the children placed in their responsibility?

Hon. Mr. Wells: The responsibilities of the Ministry of Education for the private school system as opposed to the public school system of this province lie in several areas. One is that private schools are required by law to register with us. They fill out a form which is available for anyone to see and which asks for certain information. No check is made of that information. It's presumed that the correct information is put on that form.

If a private school has students who wish to obtain the secondary school graduation diploma or the secondary school honours graduation diploma, we inspect the teachers for the purpose and then give them the right to grant the credits that would allow those students to get the diplomas. As far as I know, private schools outside the boundaries of this

province pay for that inspection. There is a charge for the inspection within this province also. It isn't a charge that covers the total cost, but it pays our inspectors. People go in and inspect the schools. If the teachers are found to have the standards that are required in the public school system, they then can grant the diploma. Beyond that, we have no jurisdiction with the private schools.

Mr. Deans: Supplementary: Is it the minister's intention to investigate the unfortunate incidents which caused the loss of life of a number of students from St. John's School and, since the inquest will take place in Quebec and we will have absolutely no input, to determine whether or not it would be appropriate to review the overall responsibility undertaken by the Ministry of Education to determine whether or not it is sufficient and whether or not it may be necessary to rewrite some of the legislation governing private schools to guarantee the safety of the children in their care?

Hon. Mr. Wells: My friend has sent me a letter about this matter to which, I must say, if it had been sent to me unilaterally and had not been sent also jointly to the Attorney General (Mr. McMurtry), my answer would have been no, it would not have been the responsibility of the ministry to do that. The coroner's inquest would have been the proper vehicle through which that investigation should be carried on. Since he did write also to the Attorney General, we are collaborating and I'm waiting to find out what the Attorney General has to say on the matter.

SCHOOL BOARD ADMINISTRATION

Mr. Nixon: I'd like to direct a question to the Minister of Education. It's one that I've put to him before, but I didn't get an answer. Can he report to the House on the policy of the various county boards to reduce their administrative staff and costs at the same time and at the same rate, as they are cutting back due to the lower enrolment of students and for other reasons?

Hon. Mr. Wells: I don't have any knowledge of any policy in that particular regard. That would be up to the local school boards, in their wisdom, in deciding on their budgets, to decide if they wish to trim their administrative staff. As I think I said to my friend before, as far as the teaching staff is concerned—

Mr. Nixon: Yes, that's different.

Hon. Mr. Wells:—much of that is all negotiated in the contracts they negotiate each year.

Mr. Nixon: Supplementary: I appreciate the minister's comments about the teaching staff. Has he received complaints—as I have and I'm very sympathetic to them—that in many areas schools are being closed, teachers are either being laid off or not being replaced and yet the size and cost of the administrative staff is growing, both in numbers and cost? Would the minister agree with me that this is something that must concern us and cannot simply be fobbed off by saying that this is a local responsibility, particularly since it was under our responsibility in the first place, or at least the government's through one of the minister's predecessor's, that it was dictated that every board had to have a director of education with everything that went with it?

Hon. Mr. Wells: I think the only place we dictate is that they do indeed have to have a director of education and chief executive officer; that's it. What happens beyond and below that is entirely up to the local trustees. I get letters just the same as my friend does complaining there is a very heavy in-between administrative staff.

Mr. Nixon: And is the minister not concerned?

[3:15]

Hon. Mr. Wells: I draw to my friend's attention that the staff is all appointed, mostly by resolutions of those elected school boards. They decide to have superintendents, assistant superintendents, curriculum co-ordinators and master teachers in certain areas—the list goes on and on and on. I also draw to his attention that we do not require any of those things under our legislation or regulations.

Mr. Nixon: Wouldn't the minister feel there is something we should do about this and not just ignore it?

Hon. Mr. Wells: Let me say that if my friend thinks we should do something about it and stress that boards look at their administrative structures and make sure that if there is any fat in them it be cut out, the answer is yes. If he means we should do something legislatively, I would say no.

WASTE DISPOSAL

Mr. Warner: I have a question for the Minister of the Environment. Since the dis-

posal of liquid waste is a severe problem and a growing problem for Metro Toronto and other areas of the province, and since he told me earlier that his government doesn't have any policy on this important matter, would he not think it appropriate to refer this business to the resources development committee in the fall, when the Legislature reconvenes in October? In the interim, he could collect whatever useful data there is available from his own—

Hon. B. Stephenson: What for?

Mr. Warner:—ministry and from other interested groups, and supply the resources committee in the fall with that material, so that although he—

Mr. Speaker: The question has been asked.

Mr. Warner:—doesn't have any policy we could develop some guidelines for this province?

Hon. Mr. McCague: Mr. Speaker, that's probably a decision that could be made in the fall. There is some work ongoing, as the member knows, and I have mentioned many times; a task force with Metro and members of my ministry. We would expect there will be some fairly significant developments between now and October, but it might be a valuable question to raise at that time and might be needed.

Mr. Warner: Supplementary: I am wondering why, if the minister is now interested in solving this problem, he couldn't simply say today that yes, we're agreed to do that in the fall, so that everyone who is interested can be preparing material over the summertime? Why couldn't he simply tell us that he will agree to that today?

Hon. Mr. McCague: Because we are always preparing material, and I think we should wait to see what the situation is in the fall. I think that's the only responsible thing to do.

REPORT

STANDING ADMINISTRATION OF JUSTICE COMMITTEE

Mr. Philip from the standing administration of justice committee presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill Pr28, An Act respecting the City of Toronto.

INTRODUCTION OF BILLS

**WORKMEN'S COMPENSATION
AMENDMENT ACT**

Hon. B. Stephenson moved first reading of Bill 126, An Act to amend the Workmen's Compensation Act.

Motion agreed to.

**LANDLORD AND TENANT
AMENDMENT ACT**

Mr. Wildman moved first reading of Bill 127, An Act to amend the Landlord and Tenant Act.

Motion agreed to.

Mr. Wildman: Mr. Speaker, the purpose of the bill is to modify the security of tenure provisions of the Landlord and Tenant Act to meet some problems faced by mobile home owners. The bill provides that a mobile home park owner cannot arbitrarily refuse to enter into or renew a tenancy agreement with a person who has taken possession of a mobile home from a tenant of the landlord.

In addition, where an owner wishes to terminate a lease for purposes related to the owner's own use of the site, or to change its use or undertake a major renovation, the owner shall make every effort to find an alternative site for the tenant. In these circumstances, as well as in the situation where a tenant's move is made necessary by a breach by the owner of his obligations under the act, the tenant is entitled to be reimbursed for any moving costs incurred as a result.

CONDOMINIUM AMENDMENT ACT

Mr. Wildman moved first reading of Bill 128, An Act to amend the Condominium Act.

Motion agreed to.

Mr. Wildman: Mr. Speaker, the bill amends the Condominium Act to enable mobile home parks to be registered as condominium projects. The bill also clarifies the existing law by stating that a designated unit can consist of vacant land. This bill, therefore, provides for flexibility in the development of mobile home condominium projects by enabling a developer to choose between designating a mobile home as a unit in itself, or alternatively designating a vacant lot as a unit upon which a mobile home may be placed.

MUNICIPAL AMENDMENT ACT

Mr. Wildman moved first reading of Bill 129, An Act to amend the Municipal Act.

Motion agreed to.

Mr. Wildman: Mr. Speaker, the purpose of the bill is to provide for separate taxation of mobile home park operators and mobile home owners. Where a mobile home is assessed and taxed by a municipality the tax collector must send a tax notice to the mobile home owner indicating the amount of the tax to be paid in respect of the assessed property. Any taxes due in respect of the assessed mobile home constitute a lien on the mobile home rather than against the land of the owner of the mobile home park.

EDUCATION AMENDMENT ACT

Mr. Wildman moved first reading of Bill 130, An Act to amend the Education Act, 1974.

Motion agreed to.

Mr. Wildman: The purpose of this amendment is similar to that of the Municipal Amendment Act. It is to do the same thing and will apply simply to mobile home parks in unorganized communities.

**ANSWERS TO QUESTIONS
ON NOTICE PAPER**

Hon. Mr. Welch: Mr. Speaker, before the orders of the day I wish to table the answers to questions 28, 94, 95, 96 and 98 standing on the notice paper. (See appendix, page 3639.)

ORDERS OF THE DAY

**SELECT COMMITTEE
ON HEALTH CARE**

Hon. Mr. Welch moved resolution 14:

That a select committee of this Legislature be appointed:

1. To review Ontario's health-care costs, health-care financing methods, and services provided for that expenditure; and then to compare that profile with those of other provinces and countries as the committee may deem appropriate for purposes of providing a valid basis for comparison;
2. To review alternative methods of financing the health-care system and the impact of those alternatives on the fiscal and economic affairs of the province; and to make recommendations thereon;
3. To review existing reports which relate to methods and means of containing or reducing health-care costs, and to report its findings to the Legislature.

The committee shall report its final findings no later than October 17, 1978. The select committee shall have authority to sit during recesses and have full power and authority to employ counsel and other such persons as the committee may deem advisable. The proceedings of the committee shall be reported by Hansard in the format used by the House unless otherwise ordered by the committee.

The committee may call for persons, papers and things and examine witnesses under oath, and the Assembly doth command and compel attendance before the said select committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations, for which the honourable the Speaker may issue his warrant or warrants.

The said committee shall be composed of eight members as follows: Elgie (chairman), Conway, Johnson, McCaffrey, Mackenzie, Riddell, Turner and Warner. The committee shall have power to substitute members provided that notice of such substitution is given to the chairman at the commencement of each meeting.

Mr. Speaker: Is the motion agreed to?

Mr. Breugh: No. I have an amendment.

Mr. Speaker: Mr. Breugh moves that resolution 14 be amended by adding a fourth term of reference, namely, to review and recommend alternative methods in the delivery of health-care services.

Mr. Breugh: It is implicit in what is written here as the terms of reference, and after discussing this with the chairman of the committee there was general agreement, that if we're to do a reasonably effective job of examining health-care costs, of course a primary source of health-care costs is how that service is delivered to the public at large.

It is our view that the terms of reference should be expanded somewhat to make it rather explicit that it is the job of this committee, while it is considering all forms of gathering and dispensing revenue, to also look at how the service itself is provided. It is not our intention to broaden substantively what the committee does, nor to broaden its time frame either, but rather to see that implicit in the terms of reference for the committee is this very important part of health-care costs.

We had some previous discussions on this in connection with the matter that was referred to the social development committee. We all recognize the need to go through a rather thorough and substantial exercise in looking at health-care costs in the province. We fail

to see how that can be done with any degree of intelligence unless we look at how the money is spent, and that is, in the delivery system itself.

We are not asking that the committee sit forever and a day, nor are we asking that we broaden the terms of reference to include the entire world; we are saying this is an element, and surely the substantive element, in the cost of health-care services and we must look at the delivery system.

[3:30]

Mr. Nixon: Mr. Speaker, we have considered this in our caucus. I just want to speak briefly about what has led us to the opinion that we would not support the amendment for a fourth term of reference.

The first point is that reference of the report of the Minister of Health to the standing committee, insisted on by my leader, led to a very productive result; not only were there changes in OHIP rates but it also became apparent that OHIP financing methods had to be reviewed. As a result one of the recommendations from the committee report called for the establishment of a select committee and this is what the motion before us this afternoon will do.

Frankly, we were persuaded by the concept that the committee need not necessarily be a large one. I should also say frankly that we're very pleased the member for York East, (Mr. Elgie), has consented to act as chairman, or so we are told. We think with a committee comprising a very highly competent and respected chairman with a competent and respected membership from all parties,—and a very short deadline, October 17—something quite constructive and useful can come out of the recommendation.

This is not an all-encompassing review of the provision of health-care services. We also point out to the mover of the amendment, that in the first term of reference, the phrase, "and services provided for that expenditure" will essentially permit the committee, if in their wisdom they think it is useful, to expand their review and consideration to include the provision of those services.

I'm sure you're aware, Mr. Speaker, it indicates in the third term of reference the following: "To review existing reports which relate to methods and means of containing a reducing health care cost." Having looked at some of those reports and read them very carefully myself, I am of the opinion that those reports open up almost the entire field of review. But we are very much concerned that the emphasis be on the financing aspect,

and also that the report be available in the fall so action can be taken by this House during the fall session. So often, when a deadline has been given to a select committee, and I have from time to time acted on committees of this type, the committee finds important further things to review and asks for further perpetuation, if not perpetual perpetuation,—

Mr. Warner: Are you on the company law committee this time?

Mr. Nixon:—all of which could be justified if the committee sees fit later in this session. But we feel, for these reasons, the terms of reference are in no way restrictive. We have confidence in the committee, under these terms of reference, to give us a report which this House can act upon effectively and expeditiously. We do not intend to support the expansion of the terms according to the amendment.

Mr. Martel: I am a bit disappointed because I thought my friends to my right had indicated that they were prepared to support the motion.

Mr. Nixon: You live in perpetual disappointment.

Mr. Martel: With the Liberals around that's right—

Hon. B. Stephenson: And perpetual perpetuation of various kinds of peculiar activities.

Mr. Martel:—because God only knows how long they're going to stay in the same place on any given issue beyond one minute, and this is yet another example.

Mr. B. Newman: You can look in a mirror.

Mr. Martel: I want to make a few points. How one can deal simply with the cost without really dealing with the system is beyond me. If you want, you could merely hire a chartered accountant to calculate what the costs are, but if you're not going to look at how they're going to deliver that system, or alternative methods of delivering that system, then I think the exercise is merely an exercise in futility. The sum total of what you will get next fall will be that we might cut this, or that has to go this way. I think you have to look at alternative methods.

Surely, when we reach a point where we're spending, what is it now, almost \$4 billion, if we're really seriously looking at costs, we should take the time to find alternative methods to guarantee that we're providing the proper service at the right price. Surely you can't separate one from the other.

I don't pretend to be an expert in the field of health, but I want to tell the House it's

like anything else. Unless we look at the delivery of it, we can't really gauge whether we're getting the benefits in terms of the costs. That's precisely what the committee is going to attempt to do. The government is going to take the costs that have occurred from OHIP to this time and determine whether in fact they are reasonable. Well, if that isn't weighed against something, or if that's not measured against something new we might use to attempt to deliver at a different cost, then surely the government doesn't need the exercise we are going through.

I have never been as excited as my friends to the right are that we have to have it come fall. I think that's just a lot of poppycock. If we are spending \$4 billion annually, and we are establishing a select committee to look at the financing, surely we must look at the other parts of it. I mean you don't undertake a mathematical calculation and leave one of the ingredients out, Mr. Speaker. You take the entire equation so you can come up with solutions which are relevant. What we are doing in our haste to meet a couple of requests made during the debate on OHIP is to simply look at the cost and surely that's irresponsible when we are spending \$4 billion.

I heard the Minister of Labour and she's correct. I suppose there's tons of material somewhere on file that could be looked at. But obviously we haven't done it or we wouldn't have the select committee.

Interjection.

Mr. Martel: Well, what is the government appointing a select committee for then?

And surely if we have tons of material and we hire the staff to glean from it the various recommendations and we look at them, we must look at it in terms of what we are trying to achieve. Just to tabulate the bill to see from the bottom line whether we are getting adequate services for cost is crazy, unless the government is looking at alternatives.

What is the government attempting to achieve, the bottom line? That's insufficient. We know what the bottom line is now and unless the government is going to look at alternatives, we are, I think—and I hate to say it—just wasting our time if the other ingredients aren't included. I implore the House to consider that.

Let's not be in such a hurry to get a report by some deadline and really not achieve what we are attempting to do. Some of us and my friend who is going to chair this committee know what it's like to work under the gun. We went through it with the Inco committee.

We worked under the gun, we made recommendations, everyone gave a little to try and reach a consensus and none of us were satisfied that doing it in haste achieved a lot. We really didn't.

I am sure my friend from York East (Mr. Elgie) agrees with that, that he can't be party to that sort of haste where you have a gun held to your head as you try to reach a consensus; that you are better off taking the time to do a very calculated, very detailed but significant job, because to go through another exercise like Inco and Falconbridge would be a waste of taxpayers' money. It really was a waste because although we got consensus the government failed to respond, because they had to respond almost within hours of receiving our recommendations.

I implore the House that with a \$4 billion expenditure at stake; with us prepared to get to the bottom line; we must look at the alternatives to determine whether we have reached the bottom line in the best interests of society and in the best interests of delivering health services at a cost which we can afford.

If we don't do that, then scrap it. I say to the House leader scrap it, because if we don't do that we are going to get to the bottom line and a chartered accountant with a staff working with him could do that for us this summer in about a month. He's not going to look at delivery. He's simply looking at the bottom line in terms of cost and surely we are not just interested in cost. We are interested in the proper type of delivery with the amount of money available to the government to operate. Surely that's what the government should be interested in doing and not cutting it short just for expediency. I would urge the government to reconsider its opinion if it wants to make this a successful venture this summer.

Hon. B. Stephenson: Mr. Speaker, I doubt that there has been any subject which has been studied more thoroughly by people with specific expertise in the area of the professional service and the consumer requirements than the delivery of health care services.

This has happened not only in Canada and the United States but around the world. I would doubt that there is any country in the world which has been so diligent in its exploration of this subject as Canada has been. At the present time, in the confines of my own library, I have a six-foot stack of reports—Canadian primarily—which weighs 400 pounds and which constitutes the expert examination of alternative methods of delivery of health care services for this country.

I would implore the members of this committee to make use of the information which

has been developed over the past decade, which is thoughtful, incisive and has been examined extremely carefully.

Mr. Breaugh: That's exactly what we are asking you to do.

Hon. B. Stephenson: I would remind the honourable members that the third term of reference within those suggested terms of reference give the committee exactly that power to do so.

Mr. Martel: Then accept point four.

Hon. B. Stephenson: I would also remind members of the committee that it took Mr. Castonguay four and a half years to do his study for the province of Quebec. It has taken other committees equally long or very little shorter periods of time to examine the very thorny and difficult subject of delivery of health care services.

With all due respect, Mr. Speaker, I would suggest that although there may be a great deal of expertise in this House, there is not sufficient expertise to really make the kinds of examination and to draw the kinds of conclusions which would be necessary within that committee if there were going to be developed specific alternative methods of health care delivery legislated by government.

I would recommend very sincerely that the members of the committee take advantage of the opportunity to examine a number of reports which have been written in this country which have relevance for this province and which could provide the background information required by the committee, in a very helpful way.

Mr. Martel: That's all I'm saying.

Hon. B. Stephenson: But a fourth term of reference is absolutely unneeded in order to carry out that kind of exercise.

Mr. Elgie: Mr. Speaker, first of all, I would like to thank members of the opposition and the third party for the co-operation there has been in setting up this committee. The size, to begin with, surely has to be an important indication of the seriousness that we have about this committee. I am also delighted with the makeup of the committee. I might say, Mr. Speaker, it must be some sort of record. Fifteen minutes have gone by and I haven't been asked to resign yet by the member for Scarborough-Ellesmere.

Hon. B. Stephenson: You are doing pretty well.

Mr. Breaugh: You aren't in the chairmanship, yet. That's the point.

Mr. Warner: Don't put any bets on it.

Mr. Elgie: With that sort of confidence under my belt, I suppose we can just move ahead.

I would like to review the matters leading up to the setting-up of this committee, because as the member for Sudbury knows, I share many of his views. But let's remember what brought this committee about. The social development committee passed a motion on April 20 referring to the House this statement: "Your committee recommends that examination of all aspects of the Ontario Health Insurance Plan be continued by this committee or such other committees as the Legislature may decide," et cetera, et cetera, "with a view to recommending a long-term alternative to the premium system."

The direction was clear. The third party's own leader shortly after that, if I may quote him, on page 1910, said, "We therefore think that a study should go forward within this Legislature to find alternate means of financing health costs." On that same page he also said, "looking at the alternatives to health financing and do this in a constructive kind of way with a view to bringing in a recommendation sometime in the fall."

Mr. Martel: You need the alternatives, then. You'd have to look at them.

Mr. Elgie: So with those recommendations, and with the clear suggestion from other remarks that we needed to have some information about health costs, we proceeded to draw up terms of reference that would allow us to report in the fall, as was the mandate suggested, even by the leader of the third party.

Mr. Breaugh: That's right.

Mr. Elgie: It is my feeling that the first item of the resolution—incidentally, item number one was proposed in order to give all members an overview of the health care system. It will review costs, financing methods, services provided for that expenditure; and then compare that profile with other provinces and other countries, all of which have different methods of delivery, and—

Mr. Martel: Alternatives.

[3:45]

Mr. Elgie:—and all of which can be compared in this precise, well-delineated way, without going through a long, drawn-out procedure.

Similarly, item three, as the member for York Mills (B. Stephenson) has said, asks us to review existing reports, of which there are many. If members will take a moment to look at the Mustard report, they will see

that it is broken down into primary care, secondary care, and tertiary care.

Then there is a reaction and response. So the documentation is all there. To ask this committee to go about anything other than a review of the existing reports, I think is unrealistic.

Mr. Speaker: Does any other member wish to speak to the amendment? I am reminded that the resolution as such has not been read into the record. I am advised that that should be done at least by the mover or the chair, so I will do that.

Hon. Mr. Welch moved that a select committee of this Legislature be appointed:

1. To review Ontario's health-care costs, health-care financing methods, and services provided for that expenditure; and then to compare that profile with those of other provinces and countries as the committee may deem appropriate for purposes of providing a valid basis for comparison;

2. To review alternative methods of financing the health-care system and the impact of those alternatives on the fiscal and economic affairs of the province; and to make recommendations thereon;

3. To review existing reports which relate to methods and means of containing or reducing health-care costs and to report its findings to the Legislature.

The committee shall report its final findings no later than October 17, 1978. The select committee shall have authority to sit during recesses and have full power and authority to employ counsel and other such persons as the committee may deem advisable. The proceedings of the committee shall be reported by Hansard in the format used by the House unless otherwise ordered by the committee.

The committee may call for persons, papers and things and examine witnesses under oath, and the assembly doth command and compel attendance before said select committee of such persons and the production of such papers and things as the committee may deem necessary for any of its proceedings and deliberations for which the honourable the Speaker may use his warrant or warrants.

The committee shall be composed of eight members as follows: chairman, Mr. Elgie; members, Messrs. Conway, Johnson, McCaffrey, Mackenzie, Riddell, Turner and Warner. The committee shall have power to substitute members, provided that notice of such substitution is given to the chairman of the committee at the commencement of each meeting.

Mr. Breaugh has moved an amendment, namely, adding a fourth term of reference which will say, "To review and recommend alternative methods in the delivery of health care services."

All those in favour of Mr. Breaugh's amendment will please say "aye."

All those opposed will please say "nay."
I declare the amendment lost.

Resolution concurred in.

THIRD READING

The following bill was given third reading on motion:

Bill 48, An Act respecting Commodity Boards and Marketing Agencies.

House in committee of the whole.

CORONERS AMENDMENT ACT (concluded)

Resumption of the adjourned consideration of Bill 86, An Act to amend the Coroners Act, 1972.

On section 3:

Mr. Deputy Chairman: We are dealing with section 3(3).

Mr. Stong: I have an amendment to my amendment.

Mr. Deputy Chairman: Mr. Stong moves that section 3(3) of the bill be struck out and the following substituted therefor: "3. That said section 9 is amended by adding thereto the following subsection: 4(a) where a worker dies as the result of an accident occurring in the course of his employment at or in a construction project, mining plant or mine, including a pit or quarry, the person in charge of such project, mining plant or mine shall immediately give notice of the death to a coroner and the coroner shall issue his warrant to hold an inquest upon the body."

Mr. Stong: Mr. Chairman, the reason I moved this amendment was that I was persuaded by the arguments and the submissions made by the member for Nickel Belt (Mr. Laughren) on our last occasion; also I had been contacted by a Mr. Higgins of Sudbury with respect to this amendment and the concern was expressed that the section requiring a compulsory inquest not only include action in the mine itself and the shaft but a compulsory inquest arising out of a death including any of the operations of a mine, and hence I included "mining plant" which would include those operations. Simply put, that is the purport of my amend-

ment—to include a mine and the operations concerned therewith.

Mr. Germa: Mr. Chairman, I was concerned with the definition of a mine when first we discussed this section of the bill. I compared at the time the definition of a mine as contained in the Mining Act, which is some two paragraphs long. It does include grinding, it does include screening, it does include leaching, it does include smelting, it does include refining and all those operations which happen to ores or minerals after they have left the mining shop. Now, the minister did say at that time that the definition of "mine" in the Coroners Act would be coincident with the definition of "mine" in the Mining Act. The minister did relieve my mind at that time.

This amendment, of course, goes a little step in that direction but we only have the word of the minister as recorded in Hansard that the mine means all of those diverse activities that would take place when you are dealing with ores—the smelting, the grinding, the leaching, the crushing. I am supportive of the amendment in that it does to some degree define what a mine is and what mining means. I am just wondering why the minister does not include in the bill the definition of "mine." All it would take would be to translate that out of the Mining Act and include it in the definition section of the Coroners Act and it would relieve all anxiety of all people concerned with this bill.

But who knows what definition succeeding ministers will impose upon the coroner; and if there is somebody from the coroner's jurisdiction in the building, I am sure they hear these words loud and clear—that the traditional definition of "mine" and "mining" as enunciated in the Mining Act is what we are speaking to here this afternoon.

With those provisos, Mr. Chairman, I strongly support the amendment and hope the minister will respond in the affirmative to my concerns.

Hon. Mr. Kerr: Mr. Chairman, as the honourable member who just moved this amendment will confirm, it was as a result of a representative of Local 6500 of the United Steelworkers of America pointing out, after the last day we dealt with this particular legislation and amendments, that in order to be consistent with the Mining Act we should include the term "plant or mining plant."

As I indicated to the honourable member before, it is our intention to use the same definition that is in the Mining Act. However, the legislative counsel felt that in view of our definition of "mine" and "mining

plant" it wasn't necessary to put the definition or interpretation into this legislation. It should be understood—and let the record show it would be understood—that the definition in the amendment to this section is as contained in the provisions of the Mining Act at the present time.

Mr. Martel: If I understand the Mining Act, and the definition is explicit in the Mining Act, I wonder when that reference to coroner's inquest is removed—and the Mining Act is now under the Minister of Labour—what interpretation is put on plants like Algoma. I think that's the point my friend is speaking about—places like Algoma and places in Hamilton, or maybe the iron ore plant in Sudbury, which all come under the Mining Act at present.

I would suspect if the definition is removed from the Mining Act, with the overtones and references in the Coroners Act that all of them will be investigated, you might have an occasion where an inquest will not be called. If the minister is so sure it will occur I fail to understand his reluctance to incorporate it into the act. If he says that's what it means then, as sure as he might be, those of us over here are not quite as sure.

I have to remind the minister we've had some bitter experiences over the years. With great assistance from the chief coroner himself and Dr. Bennett some great improvements have been made over the years in the type of representations worker representatives have been able to make at coroner's inquests, but it has not come readily. We've extracted it bit by bit.

It's my 11th year here. We've extracted getting those rights for the workers over the years, to even be allowed to ask a question, or to get away from having all inquests held on Wednesday afternoon so that the businessmen in Sudbury who close their offices could serve on the coroner's inquests every Wednesday afternoon. Those things are not long gone; in fact they are relatively new, with some credit to those people involved in administering the act.

We would just feel a little more comfortable if the minister was prepared to put it in the act. He says he means it, that it entails all those operations my colleague speaks about. That being the case, why doesn't he give us a little peace of mind and simply embody in the act the definition of mining and then we'd have no problems with it? That's being very accommodating for us over here and we would get through the act, because that's what you mean anyway. Sure-

ly if that's what you mean you should be prepared to put it in the act.

Hon. Mr. Kerr: As the honourable member knows, the definition of "mine" and "mining plant" is not going to be affected by any change as far as inquests are concerned and the transfer of that responsibility from the Mining Act to the Coroners Act. As the honourable member knows, the Mining Act is a very thick document, and the definition of mine and mining plant will remain.

[4:00]

The only other thing I can say is, to repeat what I've already said, the legislative counsel did not feel it was necessary. It was something we considered when the bill was originally being drafted. I would assume your critic felt the same way. There's been no move to amend the interpretation or the definition section. If we talk about mine and mining plant in section 3(3), what other definition is there? What other definition is there, except as is set out in the Mining Act, especially when we add the word "plant"?

If the honourable member feels that what we've said here and what's on the record and in the submissions and points made by the member for Sudbury and in my reply isn't enough, then possibly you can make an amendment to the definition section. But we've gone by that section. That section has been carried by this committee. I don't know what the procedure would be in a situation like that.

Rather than go back to section 1 or 2, whatever the definition section is, I would suggest, rather than have everything explicit, the honourable member realize there is no other definition for "mine" or "mining plant" in respect to inquests. We are taking the exact provisions that exist in the Mining Act, including all the trappings, all the definitions, everything dealing with inquests, from one act to another. I can't imagine that if we're doing that, we would in any way limit the scope or the definition of mine or mining plant.

Mr. Martel: We didn't move an amendment to the definition. But there was unrest, as I spoke to the people from Local 6500, that that might not include those other operations. That's what prompted us to raise whether or not we could be assured by having the original sections from the Mining Act included.

I turn to the chairman and I ask the chairman's indulgence for a moment. If this House gave agreement, I'm sure we could go back to that section, definition. If we could get concurrence, and allow the minister's staff under the gallery who must have the amendment from the Mining Act to prepare the

amendment, we could move that very simple amendment of definition. The minister himself says that's what he means. If that's what he means, I'm sure the House is prepared to accept that amendment, and I'm sure we could get concurrence to revert to that section. The minister's staff under the gallery could prepare the amendment for us in a couple of minutes.

The minister includes that definition and I respect the minister's view. But down the road there could be someone else who's a little more ambivalent on it and I prefer to see it written in. I'm sure we could, with the chairman's ruling, get agreement from the House. We could go back and allow the minister to move the amendment on his own rather than us, because I don't have a copy before me.

I checked with my colleague from Sudbury who's trying to look it up, but I'm sure the minister's staff under the gallery has it and we could resolve it in a matter of minutes.

Hon. Mr. Kerr: Is the honourable member talking about amending the definition section?

Mr. Martel: Yes.

Hon. Mr. Kerr: I would suggest, Mr. Chairman, that we do that.

Mr. Deputy Chairman: There is no definition section in this act before us. I would suggest we can only amend the act that is before us. This has not got a definition section in it and therefore we can't do that.

Mr. Martel: I'm sure we're able to add a section to the act called "definition." Any act has definitions. We simply include under definitions, "this will be." I urge the chairman to allow that, since the minister is agreeable. Surely we shouldn't play around with something like that. If the chairman would give us a few moments to work that out, I'm sure we could include that in the definition section and satisfy everyone.

Mr. Deputy Chairman: Might I suggest that we take the vote on this section, then we can take it from there.

Mrs. Campbell: Could I just ask a question of the Solicitor General for clarification? Is the coroner not in the same position vis-à-vis legislation as a judge is? Is he not bound by the terms of the legislation itself, rather than by some sort of statement contained in Hansard?

Hon. Mr. Kerr: Yes, Mr. Chairman. The point I was attempting to make is that the member for Sudbury asked me, by way of clarification, would the definition of "mine" in the section we are dealing with be the same as that now contained in the Mining Act. My answer was yes, in so many words;

we are moving a section that is in the Mining Act to the Coroners Act. Therefore, it is obvious that that section and all its ancillary provisions, including a definition of mine and mining plant, is also moved to the Coroners Act.

There is no other definition. I would suggest by being silent in the Coroners Act on a definition we would refer to the Mining Act in respect to any definition, because that provision is moved from one act to another.

However, if the member for Sudbury East feels that we need some further clarification—as I say, I'm going by advice of legislative counsel who are experts in this field, who say that it is not necessary to have a second definition of mine or mining plant in the Coroners Act.

Mr. Germa: With all due respect to the legislative counsel, certainly he is a master of words but I presume that he is not a master of mining. That's where I find some uneasiness. The longer I sit here and listen to the minister debate, the more he's digging himself in deeper and deeper.

Mr. Martel: He agrees with us.

Mr. Germa: I would refer to section 4(a), which says "not including a pit or quarry." By doing that, you have therefore changed the definition of mine as contained in the Mining Act.

Hon. Mr. Kerr: Mr. Chairman, I can save the honourable member a question. The member for York Centre's amendment eliminates that exemption.

Mr. Germa: That's understood, Mr. Chairman. The point is that the member for York Centre had to amend the minister's bill in order for it not to contradict the definition of "mine" in the Mining Act, and in the Mining Act it definitely includes a pit or quarry.

I don't know what the legislative counsel was thinking of when he chose to try to exclude pit or quarry from this section when he said it refers to a mine, but not including a pit or quarry. So, there is uneasiness on my part. It is not true, Mr. Chairman, that our critic was not concerned and did not make a move to correct this section. He did in fact, move an amendment to read "workplace," which would include every workplace in the province of Ontario where a worker might get killed. That would include shop, factory, mine, smelter, pit or quarry or wherever people work. That's how concerned the critic for this party was. We did try to get universal coverage for inquests to be held wherever a person died as a result of his occupation.

I think the longer I stay here, the more concerned I am that the definition of mine and the activity of mining must be included. I presume there is a definition section in the Coroners Act which we are amending. I would go along with the minister and I am sure the chairman can find some device—I think he'll unanimously agree—to revert to an earlier section, at which time the minister will introduce amendments in the definition section to describe the noun "mine" and the verb "mine." There are two definitions.

I would again ask the minister to respond and the chairman to find a device to get these definitions in the Coroners Act because there are tens of thousands of people who work in mines, pits and quarries and plants connected with these operations who are concerned with what is going on. I am further concerned, now that I realize what the legislative counsel was trying to do when he was trying to weaken the definition of "mine" by excluding a pit or quarry, which the member for York Centre caught on to and has amended.

Mr. Stong: Mr. Chairman, in order to resolve this dilemma, we would not object to an amendment being proposed by the minister which would include the definition as subsection (b), wherein for the purpose of subsection 4(a) "mine" means, and then go on with the definition in that respect.

Hon. Mr. Kerr: Is the honourable member suggesting that, rather than putting it in the definition section, we further amend subsection 4(a)? Is that what he is saying?

Mr. Stong: Yes, Mr. Chairman, I would suggest we add a subsection 4(b), if it would make it easier.

Mr. Martel: Or put it in the definition section. Whichever is easier.

Mr. Stong: There is no definition section in this bill.

Hon. Mr. Kerr: I would therefore move that there is a new subsection 4(b)—

Mr. Deputy Chairman: Can we hold that until the motion before us is dealt with?

Mr. Martel: Mr. Chairman, with the greatest of respect, I just don't want duplication; I see the government House leader in consultation with legal counsel and representatives of the minister's staff. Maybe we could straighten it out and do it all at once. If we could just have a couple of minutes to synchronize what is going on. If you could just hold on for a moment to see what—

Hon. Mr. Kerr: Mr. Chairman—

Mr. Martel: —whichever way you want to do it.

Hon. Mr. Kerr: Mr. Chairman, there is no reason why we can't go ahead with the honourable member's amendment now and decide one way or another on that section; by the time we are through with that, even if we haven't got the proper wording, we can deal with the balance of the bill and then come back. All right?

Motion agreed to.

Section 3, as amended, agreed to.

Mr. Bounsell: You have in hand, Mr. Chairman, a further amendment moved by myself to section 3(3), dealing with subsection 4(a). It proposes that subsection 4(a) be amended by adding the words "in a hospital or laboratory" after the word "quarry" in line three.

Mr. Deputy Chairman: I suggest, with respect, we have already carried the section. We had taken your amendments earlier as amendments to this but you were not in the House and we have already carried that section.

Mr. Bounsell: I just arrived in the House, Mr. Chairman; I apologize if that is the case. You have carried the section now?

Mr. Deputy Chairman: Yes.

Mr. Bounsell: So our further amendment to the section is out of order. I will speak further to this principle at another part in the bill.

Mr. Deputy Chairman: The members will recall that we had carried through section 11 and reverted to section 3.

Section 12 agreed to.

On section 13:

Mr. Deputy Chairman: Honourable Mr. Kerr moves that section 13 of the bill be struck out and that sections 14, 15, 16, 17 and 18 of the bill be renumbered as sections 13, 14, 15, 16 and 17 respectively.

Hon. Mr. Kerr: Mr. Chairman, I had indicated during second reading of this bill that I would be making this amendment. The main purpose of my making the amendment is as a result of some consultation with the Attorney General (Mr. McMurtry) and his staff. There are a number of occasions when, depending on the type of inquest and the complexities of an inquest, it just may not be necessary to have a barrister and solicitor attend in all cases.

[4:15]

At the present time that isn't required. We use people who may be students, for example,

or who are from the coroner's office, or even from the Attorney General's office who are not barristers or solicitors, but who have some experience in the conduct and the intricacies of an inquest and who have been able to represent properly the coroner at such inquests.

The request has been made to me and to the ministry that in view of the number of crown attorneys who are under the employ of the Attorney General and the shortage of staff, it would be difficult to have a barrister or solicitor attend all inquests in every case as provided by the section. Therefore, at least at this time, I would request that this section be deleted.

Mr. Stong: Perhaps I am only speaking on behalf of myself when I address myself to this amendment that is being proposed by the Solicitor General at this time.

I appreciate what he has said with respect to the requirement of barristers and solicitors and their attendance at inquests. However, I have had opportunity to speak to the coroner and he has expressed to me a concern that the coroner who is conducting an inquest have the assistance of a person who is knowledgeable in the law. Such a person, naturally, would be a barrister or a solicitor—we hope.

However, if section 13 of the bill is deleted we revert to the old act. The present section of the act reads that "every coroner, before holding an inquest, shall notify the crown attorney of the time and place at which it is to be held, and the crown attorney or his representative shall attend the inquest and shall act as counsel to the coroner at the inquest." I stand to be corrected on this, but I understand that a crown attorney or a representative of a crown attorney must be a person who is designated as such in legislation. In other words, a crown attorney acting in his capacity as a crown attorney cannot designate a lay person or a lawyer in law to represent him or his interests or the interests of the crown attorney at an inquest, or at any other hearing.

I appreciate the concern about the claim that barristers and solicitors are the only ones knowledgeable in the law. I also recognize that on second reading representations were made with respect to the position that lay people ought to conduct this type of inquiry and assist the coroner. I have no objection to that in principle. I'm wondering if it could be accomplished better by leaving the present section 13 in the bill and amending it so that it includes "or a barrister or a solicitor or any other person designated by him." This would avoid having a crown attorney act beyond the scope of his jurisdiction in ap-

pointing a person other than a crown attorney.

I stand to be corrected that a crown attorney can only appoint a crown attorney, but that was my understanding. If we're concerned about barristers and solicitors or any other lay person, then perhaps the section should remain and be amended to include "or any other person." I'd be glad to hear from the minister on that.

Hon. Mr. Kerr: I have no objection to the additional wording suggested by my friend—that is, adding the words "or any other person" after the words "or a barrister and solicitor" in the third line of subsection 1.

Mr. Deputy Chairman: Are you then withdrawing your amendment, Mr. Solicitor General?

Hon. Mr. Kerr: Yes.

Mr. Deputy Chairman: Did the member for York Centre wish to amend section 13?

Mrs. Campbell: Are you accepting the Solicitor General's amendment?

Mr. Deputy Chairman: He hasn't made an amendment. He has withdrawn his amendment to delete the clause.

Mr. Stong: Then I will propose that the words, "or any other person" be included in section 13(1) following "barrister and solicitor" in the third line.

Mr. Deputy Chairman: May I have that in writing, please?

Mr. Stong: Yes, sir.

Mr. Deputy Chairman: Shall section 13 be stood down for the moment?

Mrs. Campbell: No, it's carried.

Mr. Deputy Chairman: I'm awaiting Mr. Stong's amendment.

Sections 14 to 18, inclusive, agreed to.

Mr. Deputy Chairman: Is there a further amendment from the Solicitor General?

Hon. Mr. Kerr: Mr. Chairman, in reference to the definition of "mine" and "mining plant" as suggested by the members for Sudbury and Sudbury East, it is now my feeling that it would be better to amend section 1 of the bill, which is the definition section.

Mr. Deputy Chairman: This will be a new section 1 of the bill and all other sections will be renumbered, is that correct?

Hon. Mr. Kerr: I think that will look after the points raised by the honourable members.

Mr. Deputy Chairman: Honourable Mr. Kerr moves that the bill be amended by adding thereto a new section 1, which shall read: "Section 1 of the Coroners Act, 1972, being chapter 98, is amended by adding thereto the following clauses:

(aa) 'Mine' means a mine as defined in part IX of the Mining Act.

(ab) 'Mining plant' means a plant as defined in part IX of the Mining Act."

Sections 1 to 18 of the bill are to be renumbered accordingly.

Motion agreed to.

On section 13:

Mr. Deputy Chairman: Mr. Stong moves that section 13 of the bill be amended by adding the words "or any other person" after "barrister and solicitor" in line 6.

Motion agreed to.

Section 13, as amended, agreed to.

Bill 86, as amended, reported.

MINISTRY OF CORRECTIONAL SERVICES ACT

(continued)

Resumption of the adjourned consideration of Bill 85, An Act to revise the Minister of Correctional Services Act.

Mr. Deputy Chairman: I would remind the members that we were dealing with section 9 when this debate was adjourned. We have before us an amendment from Mr. Ziembra which was a matter of discussion.

On section 9:

Mr. Ziembra: To expedite matters, I'm going to suggest that we divide that amendment and vote on the first part which deals with access by MPPs to correctional centres; then we could leave the other part, dealing with the coming and going of MPPs' mail and vote on that separately, if that is agreeable.

Hon. Mr. Drea: I have no objection, but in fairness, Mr. Chairman, that is precisely what I proposed on Friday when you gave a ruling. Now, if you will give a ruling in the proper way which would allow that, I think we would expedite matters today, as we would have expedited them on Friday.

Mr. Deputy Chairman: With respect, Mr. Minister, I don't recall giving any ruling on this matter. I made a suggestion that over the weekend this might be sorted out. As I recall, you had an amendment to the amendment to 9(a).

Hon. Mr. Drea: That is correct, Mr. Chairman.

Mr. Deputy Chairman: And I do not have that in writing.

Hon. Mr. Drea: Well you can have it right now, Mr. Chairman, because I will introduce it.

However, before I introduce it, if you will grant me the liberty, is everybody still agreed that they want the visitation rights in the act or do they want it as a tradition—

Mr. Ziembra: Yes, we're sure of it.

Hon. Mr. Drea: No, you did. Other members weren't too sure, so you just wait a minute.

Mr. Worton: I'm not too sure either.

Hon. Mr. Drea: It was my understanding on Friday, from the House leader of the Liberal Party, that there was a consensus. However, it was brought to my attention afterwards by some senior people in the party that there may not have been, but if there is a consensus I will proceed. You know I have no objection. I just want to know if that's what members want. I know where the third party stands.

Mr. Deputy Chairman: Honourable Mr. Drea moves that subsection 1 of the proposed section 9(a), moved as an amendment to the bill, be amended by adding at the end thereof, "unless the minister determines that the institution, community resource centre or facility is insecure or an emergency condition exists therein."

Hon. Mr. Drea: While we are waiting a moment, how do we propose to delete—or what are we going to do with subsections 2 and 3?

Mr. Deputy Chairman: I have your proposed amendment, which was a further amendment. The amendment was to delete subsections 2 and 3 of the proposed amendment, which was in order.

Hon. Mr. Drea: You have it?

Mr. Deputy Chairman: I have that in writing here. We will take it as two amendments to the amendment.

Hon. Mr. Drea: All right.

Mr. Deputy Chairman: We have two separate amendments to the amendment; we will take them one at a time. You have an amendment to the amendment which adds those words to section 1, and your further amendment is to delete subsections 2 and 3 of the proposed amendment.

Hon. Mr. Drea: Well yes, Mr. Chairman, except that the member for High Park-Swansea said those are the two he wants to separate. This was what began the trouble on Friday. So would you tell me, since you ruled they couldn't be separated on Friday, or you appeared to rule that way, what you intend to do today before I move it.

Mr. Deputy Chairman: Mr. Minister, with respect, I have two amendments from you to

Mr. Ziemba's motion, which is before me. One is to add certain words to 9(a)(1); and your second amendment to the amendment is to delete subsections 2 and 3.

Mr. Nixon: That could be one.

Mr. Deputy Chairman: If we do this it will accomplish your purpose. Is that agreed?

Agreed.

Mr. Deputy Chairman: Any further discussion on these amendments?

Mr. Worton: Mr. Chairman, I want to say that over the 20 years that I have been a member here, and being close to one of the larger institutions in the province, namely the Guelph Correctional Centre, I have never run into any difficulty getting into the premises—there are some people who have difficulty getting out—but, really, I would like to know what advantage this is going to give. I have always felt that the ministry has honoured members' wishes when they wanted to call there. I have had reports of a few examples of members abusing those privileges at times. I thought they used bad judgement 10 or 12 years ago. I would like the minister to convince me of what this amendment will do that just good ordinary common horse sense won't do with arrangements as we have had them in the past.

Hon. Mr. Drea: In all fairness, as a member, not necessarily as the minister, I would have preferred that the same procedures remain, which is as it has been since Mr. Allan Grossman was the minister. I was prepared to file the administrative order with the Clerk so it could be brought to the attention of members or new members in the future. However, on Friday it was the feeling of some veteran members of the Legislature, not the least of whom was the House leader of the Liberal Party, who has compiled a distinguished record here, that it would be better if it was formally placed into legislation.

[4:30]

As I said originally some time ago, and again on Friday, while I preferred one thing I was certainly agreeable if it was the consensus of members, whatever members felt most comfortable with. I would think that now, since the New Democratic Party has produced a unanimous consensus, if you want to put it that way, and they would prefer it to be in legislation; that is there appears to be a consensus in the opposition—my own party is somewhat ambivalent on the matter—I think that perhaps to save time we will put it in there. But there certainly will not be any change in the procedures.

The one thing I would draw to the attention of members, though, is that the question of when the place becomes insecure is dealt with later on in the bill. It gives us the right to declare an institution insecure, for a number of reasons; and when you do the inmates must be removed to a secure institution. The insecure status is just a brief period of time while the institution is still in existence, because there wouldn't be any inmates in it later.

Mr. Deputy Chairman: Mr. Ziemba has moved that the bill be amended by adding thereto section 9a(1), (2) and (3).

Hon. Mr. Drea has moved an amendment to the amendment, that the proposed 9a(1) moved as an amendment to the bill, be amended by adding at the end thereof: "unless the minister determines that the institution, community resource centre or facility is insecure, or an emergency condition exists therein."

Motion agreed to.

Mr. Deputy Chairman: Hon. Mr. Drea further moves that the proposed section 9a(2) and (3) be deleted.

Mr. Ziemba: Mr. Chairman, this has to do with MPPs' mail coming and going. The minister has advised us that the Ombudsman is considering special envelopes, because there is fear that his envelopes could be duplicated and used for illegal purposes. It was for that reason that our mail is opened, censored.

Now two things: With regard to MPPs' mail going to the institution, most of the new jails have elaborate and sophisticated x-ray equipment that checks people coming and going. I don't know why we can't use that, if the minister is worried that one of us is sending a hacksaw to some prisoner, or that somebody has stolen our letter and is using it to send a hacksaw to some prisoner.

Failing that, if we have a courier service that delivers plaques to people who reach age 90 or are celebrating their 50th wedding anniversary, why couldn't we use the same courier service to deliver mail to institutions, to ensure that MPPs' mail isn't opened and censored?

I don't feel as strongly about the mail going from MPPs as I do about the mail coming from the institutions to MPPs. Here is a situation where we are inviting criticism from people in the institutions. As far as I am concerned, they are at some risk if they criticize the staff, because mail addressed to MPPs will be opened and read. To my mind, there is no excuse for this mail to be opened. Certainly, prisoners aren't sending

hacksaws out of jail. There is nothing that could be coming out of prison by way of contraband that would require the minister—

Hon. Mr. Drea: You have got to be kidding.

Mr. Martel: I don't want them to send me a hacksaw blade. That's what he is saying. I can always purchase one. They don't have to send us one.

Hon. Mr. Drea: There is other contraband that comes out.

Mr. Martel: Sure, but none that would benefit Ed.

Mr. Philip: There are easier ways of getting contraband out; you can get contraband out other ways.

Mr. Deputy Chairman: Order.

Mr. Ziembra: I might accept MPP's mail being opened going to a prison, but I do not accept that mail coming out of a prison necessarily should be opened. I don't know if the minister can convince me that this is absolutely necessary, if there is some great risk to the security. I don't know why he insists on opening this mail. I hope that the third part of the amendment carries.

Mrs. Campbell: Mr. Chairman, I wonder if I could ask a question of the minister. What is the position of an MPP if he or she is in receipt, from one of the institutions, of some sort of material which is contraband material? What is the obligation on the MPP to turn it over and to whom? I would like to know what protection there is that we can extend to anyone in an institution if we are in receipt of such material and what our legal obligation is having been in receipt of it?

Mr. Deputy Chairman: Could I ask the member for Sudbury East to please take his seat? He is between the chairs and the speaker.

Hon. Mr. Drea: Mr. Chairman, not being a solicitor, my concern would be that the contraband in the envelope did not necessarily arrive at the Parliament Buildings—

Mrs. Campbell: It might arrive at the east door instead of the north door and we would be in trouble.

Hon. Mr. Drea: No. It might arrive at your riding office or it might arrive at your home address and it mightn't have MPP on the envelope. It might be just written to Margaret Campbell, and your address is a matter of public record. What concerns me in this is—and I'll get a ruling in just a moment—I wouldn't think you had any protection at all. There might be some limited form of protection if you chose to unveil it in the House and say, "Look what I have received," on the basis that the security of the Ministry of

Correctional Services for that institution had been breached or that it was in the public interest.

The courts already—through the first two levels of the Federal Court of Canada right up to the Federal Court of Appeal—have ruled that with the most precious and the most sacred privilege in our society, which is the lawyer-client communication, the absolute confidentiality of it must bow to the security regulations of the institution. That was the case I mentioned the other day, Solosky versus the Queen.

When that relationship, which is squarely enconced in law, must bow to security—and that is what the courts have ruled in this case so far, pending the final determination by the Supreme Court of Canada—it seems to me the communication between an inmate and the MPP, which regardless of our feelings is not enconced in law or in tradition anywhere, certainly must bow. I am informed that if the material is a narcotic or otherwise illegal, et cetera, then he or she must turn it over to the police.

Secondly, other material does not have to be turned over. There is no penalty in our regulations except confiscation of material. For instance, cash is contraband. Cash is not allowed in an institution. It's quite true you have trust accounts and so forth. It's neither allowed to come in nor to come out. In a great many cases it is a more substantial form of contraband than is a narcotic, either in the small leaf form or in pill form. It seems to me the fundamental issue here is security.

I think you have to look at it in this regard, that at the moment we do not necessarily open every letter going out to an MPP, nor open every letter coming in to an inmate that has an MPP's signature or letterhead on it but we may. We are not talking about hacksaw blades or anything as mundane as that. Anybody who is knowledgeable, either as a professional in the legal field or has had experience in the courts, is fully aware of the number of items that can be of great value to people on the inside, or certain things coming out.

A continuing flow of letters comes to me from inmates. They know the system and in some cases they describe rather substantial matters going on; as a matter of fact, I have received material from other honourable members here that has been sent to them directly by inmates describing, in a couple of cases with great accuracy and in some others with less, exactly what was going on. There doesn't appear to be an impediment against the inmate under this system.

I would say that I agree with the member for St. Catharines (Mr. Bradley) that I would have some substantial doubts on this, were it not for the absolute right of the inmate to communicate with and to receive communications from the Ombudsman or the correctional investigator for Canada, whichever is applicable in his case.

Mr. Deputy Chairman: Those in favour of Mr. Drea's amendment please say "aye."

Those opposed say "nay."

In my opinion the ayes have it.

Amendment stacked.

Sections 10 to 21, inclusive, agreed to.

On section 22:

Hon. Mr. Drea: Mr. Chairman, I believe you have an amendment to section 22 which is really a change of just a couple of words.

Mr. Chairman: Mr. Drea moves that section 22 of the bill be deleted and the following substituted therefor: "The minister may designate any person as an inspector to make such inspection or investigation as the minister may require in connection with the administration of this act and the minister may and has just cause to dismiss any employee of the ministry who obstructs an inspection or an investigation or withholds, destroys, conceals or refused to furnish any information or thing required by an inspector for the purposes of the inspection or investigation."

Mr. Nixon: Mr. Chairman, I would just like to ask the honourable minister what powers he has at this time under the old statute for an investigation, as well as an inspection?

Hon. Mr. Drea: None, that is the basic difficulty. We have the powers to do an investigation but we do not have the powers that would be normally assigned in an inspection. On an investigation, which is less formal than an inspection, we want to have those powers, particularly the right to obtain records.

A very good example of this is that prior to my time, in the Don Jail inquiry which led to the Shapiro royal commission, one of the reasons why there was a determination made to go to a public inquiry was the inability during an investigation to obtain records and so forth and so on.

Mr. Nixon: Police records, criminal records and so on?

Hon. Mr. Drea: No, no. These are records of the institution. For instance, who was on duty at certain times—a number of internal matters like that.

An inspection is a formal procedure; we inspect every institution from time to time

for security and a number of other matters. We want to have the same rights if an internal investigation is required.

Our normal procedure when we do an investigation is if there is any reasonable cause to believe there has been anything contrary to the Criminal Code, immediately the police are called in and conduct their own separate investigation for the purposes of the crown. Notwithstanding that, because of our internal regulations and our discipline procedures we carry on an internal investigation, subject to the regulations of the Ministry of Correctional Services Act, which has nothing to do with whether or not criminal proceedings may or may not result.

Mr. Nixon: I certainly have no objection to the amendment. I find it strange, however, that not only does the minister feel he needs these powers spelled out specifically, but that in the past anyone would consider that the minister or his predecessors didn't have full access to them, because they are your records. Whose are they, if they are not yours? That is as to who was on duty and who did what, when. They are your jails; you are the boss. Whose are they, if they are not yours?

[4:45]

Hon. Mr. Drea: Well, Mr. Chairman, they are ours, but by the same token, we feel we would like to have the same powers in an investigation as we do in the regular and routine formal inspection. Then there is no argument as to how certain items or certain records were obtained et cetera.

One of the difficulties is that after an investigation it may be very possible there will be internal proceedings leading to outside grievances within the Civil Service Commission. This is of some concern to us.

Motion agreed to.

Sections 23 to 25, inclusive, agreed to.

On section 26:

Mr. Chairman: Hon. Mr. Drea moves that section 26 of the bill be deleted and the following substituted therefor:

"(1) The minister may authorize an inmate or group of inmates to participate in a work project or a rehabilitation program outside the correctional institution in which the inmate or inmates are confined, and the minister may authorize the absence of the inmate or group of inmates from the correctional institution for that purpose on such terms and conditions as the minister may specify.

"(2) Every inmate who is absent from a correctional institution under subsection 1

shall comply with such terms and conditions as are specified by the minister.

"(3) Every inmate who contravenes subsection 2 without lawful excuse, the proof of which lies upon him, is guilty of an offence and on summary conviction is liable to imprisonment of a term of not more than one year."

Hon. Mr. Drea: We are taking inmates out in work gangs now. The same amendment will be used in a later section with regard to temporary absence.

This is something which the courts so far have been unable to reckon with because there is the tendency in the courts now, unless somebody physically breaks away from an institution by going through the wire or over the wall, to regard that as unlawfully at large rather than escaped. The sentences being given these days for being unlawfully at large are very minor.

It is my feeling the public deserves to be reassured when we take inmates out of institutions. There is no question the inmates are carefully screened and are not a security risk before they go, but there has to be a deterrent to them walking away. The deterrent is making it a provincial offence to walk away from that outside work gang, by virtue of the fact it is a violation of one of the terms and conditions set out by the minister. This will reinforce our efforts before the courts to have these substantial sentences passed on people who violate the trust the ministry has put in them as well as the trust the public has put in them.

When I first introduced this bill and was discussing it I said we might introduce this. Subsequent to that, two people walked away from a paid job in northwestern Ontario and stayed out for a day. Immediately they were charged with being unlawfully at large rather than with escape.

We have also had a bad situation in one court in the province where a person walked out of a minimum security institution—one without a fence and obviously one that's easy to walk out of. The court gave him one day on the grounds that if we really wanted to confine somebody we'd better build walls. This defeats the whole purpose of a minimum security institution where the person is gradually brought around to being able to go back to full status in the community.

We want to have this in there for two reasons: First, the public wants some assurance that there will be penalties for people who do violate that trust, because it is

costly. These people may not be security risks and they may not be a danger to other people if they do take off, but nonetheless it's going to cost you as a taxpayer extra costs in policing and in court proceedings. Therefore, there has to be a deterrent.

Second, all inmates, when they do this type of thing, will be treated accordingly. It won't be one judge's interpretation as to whether walking away from custodial care in an outside work gang is different to breaking out of a maximum security institution and, therefore, falls to the much lesser charge.

Mr. Bradley: Speaking to the amendment, we agree with this amendment and see it as being essential to making the program a success. Security is very important. The minister has aptly put the case for it. If this program is to be a success as far as the public is concerned, the public must have a certain degree of security, the kind of security that can be brought about by means of a reasonable deterrent.

The minister has given some prime examples of how this is not operating at the present time without specific legislation to guide the courts. We in the opposition see an escape as being an escape, regardless of whether it's from a maximum security institution or whether it's from a work gang or from a minimum security institution. We feel that the amendment allows for handling this particular problem in the appropriate manner.

Motion agreed to.

Mr. Ziembra: I have a further amendment to section 26.

Mr. Chairman: Mr. Ziembra moves that section 26 of the bill be amended by adding thereto the following subsections:

"(2) Where an inmate participates in a work project under subsection 1, the inmate shall be paid a wage for his work that is similar to the wage received by a person who performs substantially the same kind of work as a full-time vocation.

"(3) All amounts owing to an inmate in respect of work performed under this section shall be held by the ministry in trust for the inmate, to be paid to the inmate upon his release from the correctional institution at the commencement of parole or the expiration of his sentence; but the ministry may deduct from the moneys owing to the inmate an amount calculated in accordance with the regulations, as compensation to the ministry for the inmate's accommodation in the correctional institution."

Mr. Bradley: Do you have an extra copy of that amendment? I have the other amendment you proposed.

Mr. Ziembra: Do you want it read again?

Mr. Bradley: I have a copy now.

Mr. Ziembra: This is the key section to this legislation, and it has to do with work projects. While most progressive people see this as good legislation, the worry that has been so often expressed is still there. Our provincial correctional centres could be providing cheap labour or slave labour. The wage levels could be depressed and projects could be taken over and done by prisoners, projects that would normally be done by the public or private sector.

I've met with the minister's staff and they have assured me, as he's assured me, that before any project is taken over by the Ministry of Correctional Services they check with the local union first. That's well and good and I'm pleased to see that, but we have no assurances that this is going to be the procedure by his successor a few years down the road.

When I read the minister's speeches and learn that getting offenders out working in the community should provide the people of Ontario with \$10 million worth of free labour this year, that's a cause for concern, especially when he adds, "We have only begun to scratch the surface. Our goal is to help Canada regain its economic strength." What the heck are we going to do, put all 5,000 prisoners out working to regain Canada's economic strength?

I don't think the minister means that. If he does, then we are in trouble in this province. We have 300,000 people out of work who are looking for work. I can't think of the kind of work he could be taking over that would guarantee that somewhere along the line jobs wouldn't be done by prisoners that could be done by trade unionists or people in the private sector.

I also know that there is going to be pressure on the minister from all of these local councils. There have been a few incidents now where local councils were denied the use of his free labour. I can see that escalating over the years with local councils looking for a cheap way out. They won't have to raise the mill rate if they can get their local projects done by convict labour. I certainly don't want to support any legislation of that kind. That's why I'm moving that inmates should be paid the prevailing rate for work that they do. The ministry can deduct from their pay cheques their accommodation expenses and give the rest to their dependants

because those dependants are at present getting money from Community and Social Services in any case.

This isn't a new proposal. The minister has a program in place in Guelph where prisoners are members of the Canadian Food and Allied Workers Union. They are paid union wages, and there is a deduction of \$5 a day from their pay cheques towards their accommodation. I understand that the ministry is also paying for prisoners to plant trees in northern Ontario.

If money can be found to do this, I certainly would like to see his ministry, by way of perhaps switching funds from the Ministry of Community and Social Services or whatever, pay people and get away from this idea of free and cheap labour.

Mr. Bradley: I have for some time shared the concerns expressed by the member for High Park-Swansea. Time and time again we have questioned the minister, through his estimates or in the House or privately, and also people from his ministry, to determine that people from Correctional Services institutions are not doing jobs that would otherwise be done by those who might be unemployed in the province of Ontario.

This has been a concern of organized labour. It has been a concern of those who are presently on either the welfare rolls or collecting unemployment insurance. However, on these occasions the minister has provided assurances to the House or to committee or to members individually that such is not the case. He has outlined carefully his consultation with the Canadian Labour Congress, the Ontario Federation of Labour, the Canadian Union of Public Employees and various other unions. As a consultant on this particular program he has a person from the labour union movement who advises him on the advisability of these particular projects as they are undertaken.

All of us in the House ought to be ever vigilant that the programs and projects being carried out are not being done at the expense of those who require jobs within the community.

[5:00]

I think those assurances have been pretty ironclad. We have organized labour to inform members of the opposition, and to inform the ministry if, indeed, this is not being done. There is consultation before projects are carried out to determine whether or not they might in any way be done by paid employees. I think the ministry is concerned enough to determine before allowing projects to be carried out that they are not merely

requests by various municipalities to get work done that they don't want to pay employees to do.

To pay inmates from our institutions in Ontario the going rate to do this work would simply eliminate many of the projects that might otherwise be undertaken. I can think of certain projects within my own community, one particularly involving the clean-up of the old Welland Canal, where there is no way the federal, provincial, or municipal government would undertake a project of this kind. However, with the assistance of labour provided by inmates from our institutions this kind of project may be undertaken and may be quite successful.

The assurances will be there from the labour union movement and others that the work being done, once again, is not work being done at the expense of those who might otherwise have jobs. Because we feel paying the inmates the going rate would be detrimental to this entire program and in fact, render it almost impossible to carry out in a meaningful way, we cannot support this amendment.

Mr. M. Davidson: I rise to speak in favour of the amendment as it is placed, although I personally would like to have seen it go a little further. The member for High Park-Swansea suggested during his remarks that a portion of the moneys so paid should be directed towards the maintenance of the families. Unfortunately, I noticed that is not included in the amendment.

While not trying to cast any aspersions on the ministry or the Minister of Correctional Services I suggest a lot of the work now being carried out by inmates in the various municipalities could well be done by people within the municipality had the Treasurer seen fit to live up to the Edmonton commitment and forwarded enough funding to the municipalities so these jobs would be done and paid for in the normal manner.

I am one of those who, like the member for St. Catharines, agree with the type of program. I agree that the work program is probably one of the more progressive things that have come forward in this House. I also feel that work being done is work that should be paid for. When one takes a look at what is happening here you realize that in these types of programs, such as the one in Guelph where the inmate is earning a wage in conjunction with the trade-union agreement, he is paying back a portion of that to the institution for his accommodation and for various other items he may require during his stay in that institution. A portion of that is

also going towards financing his dependants and his family, whereas were this not the case, they in all probability would be relying entirely upon the social services of the community. All of which again is money paid out by the province one way or another. I feel this is the kind of situation, if at all possible, the minister should be working towards.

I fully understand this is not a program you can implement overnight. I fully understand that you can't expect to have all inmates who have been provided work in various communities receiving pay starting next Monday once it shows on a piece of paper.

As I said earlier, had the Treasurer and the government seen fit to fund the municipalities the way they are supposed to and lived up to the Edmonton commitment, a good number of these jobs would be on the payrolls of the municipality and would not have to be done by inmates of institutions.

I accompanied the member for High Park-Swansea to the briefing for the estimates and I was also pleased to see that there is discussion among the ministry, the community, and the unions representing the workers, within those various communities or on other projects taking place.

Perhaps the minister can respond to this. I'm not at all certain there are not some jobs carried out where there is no trade union and where, perhaps, consultation with a trade union cannot take place. We're not at all certain as to whether or not these jobs are jobs that can be done by people working on a full-time basis.

However, I do support the amendment as moved by the member for High Park-Swansea. If we're not going to get it through at this time, I think it's something the ministry and the people in the Liberal Party should look at. Perhaps all of us, by working together, can work towards that goal and find an answer to that problem.

Mr. M. N. Davison: I would like to recommend this amendment to my colleagues because it takes a very large step in the right direction. I think it's quite in keeping with the momentum being built in this area by the current minister. I would just hope that after we accept and pass this amendment, the minister would cast his mind even further into the future and look at some of the other things in this area that could be done.

We're all aware of the terribly high and unacceptable recidivism rate in the province of Ontario. I suspect one of the reasons we have such a high rate is that people in our

society who are frustrated by their lack of skills often end up in our institutions. After spending some long period of time there, not particularly usefully in many cases, they return to society—a society with terribly high unemployment—still with limited skills, and find themselves totally unable to function as they should be able to in that society. Often, they commit an offence again which puts them back in the slammer—the cycle is never-ending.

I know the minister is very, very concerned about that problem and is taking large steps to get it under control. But there are all the other problems involved too, such as the problem of a child whose parent is in an institution. That child is part of a de facto single-parent family, and is living, most likely, on some form of social assistance. That presents to the child all sorts of additional problems, aside from the fact that one of his parents is in prison. That too, is one of the reasons we have such a high rate of juvenile delinquency with children in that position.

I think that the approach being taken by the minister and my colleague from High Park-Swansea is an excellent one. In some jurisdictions such as Sweden, where they are quite enlightened, in this particular matter at any rate, they have tried to set up work programs for a number of reasons which I think are very good. One of the most important reasons is not to have the inmate actually filling his time doing some kind of work because the society has a belief in the Protestant work ethic, but rather because the inmate will learn skills that will be useful and marketable when he or she returns to society.

In Sweden they have had a great deal of success with their projects. As I understand it, the division of money in some of those projects runs in the following way: The person is paid the union rate for the job, which is a relatively reasonable rate, and the money is divided into three equal parts with some exceptions made in cases of need; one third of the money goes to provide a fund to re-establish the inmate when he or she goes into society from the institution; one third of the money provides real assistance to the dependants of the inmate in society so we don't face all of the other social damage that arises from having a parent in prison and one third goes to pay not only for the inmate's few needs, such as food, cigarettes, or what have you, while in the institution, but to pay for the inmate's clothing, to pay part of the costs to the ministry—to the Ministry of Correctional Services in

our case—where that person is being incarcerated.

I favour the amendment very much because it is a big step in the right direction. I would like to add my congratulations to the many that have been offered to the minister for the approach he's taking. I hope he'll continue in the future as he's done up until now with that kind of picture at the end of the tunnel, so that some time over the next few years we will have a system in Ontario that we can hold up to the world as a fine example to follow.

Hon. Mr. Drea: First of all, I'm going to oppose this amendment. But before I do I would like to place on the record—it will just take a couple of minutes—the various work programs of the ministry, because they're not all we do. In some of the remarks that have been made today by various members of the New Democratic Party there is a bit of confusion.

Nothing would please me more than if there were sufficient prison industries—by which I mean industries employing prisoners either as the whole work force or as in the Guelph abattoir situation, a mixed labour force of civilians and inmates—to go around. Not only in our system in Ontario but, believe me—I don't get along very well with the federal government—but I would like to see nothing better, because of their particular type of inmate, than that they had enough such industries. But, they are not there.

We have moved heaven and earth, quite frankly. We're making some progress. A great deal of support and help has come from Canada Manpower, the Federal Department of Public Works, and a number of bodies like that. The industry just isn't there.

When I say prison industry I mean industry physically located in the prison, such as the Guelph abattoir, or the mattress factory at Mimico, or the jute bagnill that we will soon have at Mimico, and other developments elsewhere. The jobs are not coming. Let me explain.

It used to be a great source of employment for inmates to make licence plates. It is a defunct industry. We used to make eight million or 10 million a year; now we make around a million and just the coloured markers. The market is defunct.

At one time we used to have long sentences and they could make their own clothing. Now, the sentences are getting shorter and, besides, how many jobs are there for males in that particular type of thing? You have to look at getting somebody an occupation where, when they come out they can get

a job. There isn't much market at the moment for making licence plate markers, although, certainly, well—

Mr. Bradley: Why didn't you finish it?

Hon. Mr. Drea: I was going to say we were trying to get into the export field, and we may very well, but again, that's for only a very small portion of the people in institutions.

At one time the best project we had was farming. It was killed on the grounds that it didn't lead to farm jobs because the hired hand wasn't there any more. My predecessors way back made a terrible mistake. The best thing about the farming operation was it led to the most basic of all work skills and perfected it, the ability to work hard and long on a sustained basis. It's a very labour-intensive type of field.

At the moment, we have about 450 to 500 inmates who are gainfully employed every day, and I emphasize the word gainfully. They either go out of the institution on a temporary absence and work for an employer, or they are in the mattress factory, or the abattoir, or other paying projects.

Not only myself as the minister, but as a ministry, we are totally opposed to convict labour; that was abolished at the turn of the century. We would be using that labour in competition with and taking away jobs from people who have done no wrong. I can think of nothing more unfair than to penalize a man or a woman who has never done anything except be an asset to society.

We move progressively in the penal field so we are not doing that. When they go to work for General Motors or for the chicken plucking factory in Mr. Gaunt's riding, in Walkerton, or when they go to many small plants and so forth in and around Ottawa, they are paid for it. They are paid dollar for dollar, penny for penny, fringe for fringe, what have you, whether there is a union or not. We insist on that.

In addition we have people who are living in our CRCs, our community resource centres. Most of them go gainfully to work every day. Some go to school. We consider that to be work although obviously they are not paid to go to school. We will not undercut labour.

Finally we come to the bulk of the inmates. All right, we are bringing them out—the ones who are responsible enough, which is the polite way of saying not a security risk—to do tasks that otherwise wouldn't be done in the community. And I think that's the operative thing. We are not taking on long-term projects because if it is a long-term project, and I mean by that more than a

couple of weeks or a month, you could hire people to do it. You should be able to hire, and I am talking about five or six days a week of course.

For instance, how would I be in a position to pay for something like this? Mr. Chairman, with your indulgence, this is from the Westway Horticultural Society:

"Dear Sirs: The R. J. Smith senior citizens apartments landscape project which we undertook this spring for the first time involved far too much physical work for older members but thanks to a gang of six able-bodied men from Mimico it was turned into a good experience for all concerned. We are grateful. I must say that the men were pleasant and co-operative and although gardening seemed to be a new experience for most of them, the association was pleasant. I strongly recommend this work treatment as humane and constructive and I am certain that our residents at the home and Westway Horticultural members appreciate the flower beds that were planted this weekend."

That was written in May. Now, how would I ever get around to figuring out who should pay those six inmates of Mimico who went and did that? Is it the Westway Horticultural Society? Is it the Minister of Community and Social Services? Is it Metro or is it me? I am not in a position to pay out those kinds of funds.

First of all, I think we have to recognize that there is somebody who hasn't been mentioned; that is the victim. If people are going to get paid, I am all for them getting paid, making some money and picking up their responsibilities, when they are gainfully employed and in our custody, of paying income tax, OHIP, CPP. But the victim—there has to be some accountability. You don't go to jail to get a job and build up a nest egg.

That's it, and I don't care if there are some very fuzzy proposals coming from some civil servants in Ottawa indicating that people would feel much better if they came home from jail with a bit of money in their pockets. But you forget the victim. You are not just a statistic when you are in a provincial institution. You did something. Many of these are victimless or you cannot identify the victim. It has been mischief, or perjury. It has been things for which you cannot specifically say that he took money from you, or he took money from me.

Nonetheless, all of us including the taxpayer out there, had to pay for the police, the courts and now, here. There has to be an accountability. What we are building up in our system now is an accountability that you will go and do community work if you are in-

carcerated without pay. If you do that on a sustained and responsible basis, then you will get first crack at the paying jobs available to inmates.

For instance, this summer we will be putting a great number into harvesting, farm picking and so forth. Those who have worked hard in community projects and have shown their responsibility will be offered the chance to go out as farm labour and be paid penny for penny, dollar for dollar. They will keep the bulk of that. They will pay back their board to us, or they will pay their board to the farmer. To me, this is a logical system of building up a person's responsibility and self-worth. The first thing they have to get through their head is that they are accountable. They must make some accounting to society in general as well as to their particular victim.

If they do that, show progress and accept the discipline and responsibility that comes with sustained work, that is fine. Then they move out to a position where they can benefit themselves and benefit the community by working and being paid. They also begin to do many of the things that were mentioned here. The final thing I want to say on this particular matter is that if we had to pay for the community work, quite frankly, we would have to stop every single project across this province tomorrow. How am I going to pay? There is a case that was given to me jointly by the member for St. Catharines and my own House leader. A man who was stabbed very seriously in St. Catharines some time ago through no fault of his own, a totally innocent victim, is now paralyzed for life. We are sending him inmates from the Niagara Detention Centre from time to time to cut his lawn, shovel his snow and to help him to remain in his own home. What municipality could afford to get into that type of personalized service, that type of one-on-one service and that type of cost in finding a person to do it on a once-a-month basis? One couldn't even employ anybody to do that.

I respect the concern of the New Democratic Party on this matter. I am not nor is the ministry nor is the government—in fact, it is stated government policy—undertaking work that costs one wage earner his job nor will we undertake anything that erodes future job opportunities. We have been able to do this across the province in varying degrees. We have produced on-the-job training for our own people. It makes it much better when they go back and go out. On that basis, I will not accept this amendment.

Mr. Worton: I have something I would like to draw to the minister's attention. Perhaps this bill isn't the appropriate place.

Mr. Chairman: I hope it's in regard to this amendment.

Mr. Worton: Oh, it will help out. For many years the Guelph Correctional Centre was one of the beauty spots of the institutions under your ministry. The grounds directly surrounding the buildings are still in good shape, but if you go along the road where there are streams and waterfalls along Highway 7, they are certainly in a bad state and need overhauling. The grass is knee-high and the area is certainly a mess.

I would think that's a project very close to home that you could improve. I realize there are a number of visitors to that area who perhaps don't leave the grounds the way they should. This would involve the hauling away of stones, the cutting of the grass and the general condition of the trees. I think that would be a good project to start close to home.

Hon. Mr. Drea: It will be done by the time we come back.

Mr. Chairman: You have heard Mr. Ziemba's amendment to section 26. The mover said the amendment would add sections 2 and 3. I hope he is agreeable to changing those to sections 4 and 5.

All those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

I declare the motion lost.

Section 26 agreed to.

Hon. Mr. Drea: Section 37 was amended. It's all right.

Sections 27 to 37, inclusive, agreed to.

On section 38:

Mr. Chairman: Honourable Mr. Drea moves that section 38 be amended by adding thereto the following subsection: "(3) Where parole is revoked under (2), the parolee shall, notwithstanding that parole was granted before the coming into force of this act, serve the portion of his term of imprisonment including any remission that remained unexpired at the time parole was granted less (a) the period of time spent on parole after the coming into force of this act, (b) the period of time during which parole was suspended and the parolee was in custody, and (c) any remission earned after the coming into force of this act and applicable to the period during which the parole was suspended and the parolee was in custody."

Hon. Mr. Drea: Mr. Chairman, the reason for this is the Grenier decision by Mr. Justice Linden in the Supreme Court of Ontario. In the case of a parole violation there was no question that they should lose their statutory remission except that Mr. Justice Linden pointed out we should have specific authority to do so. We are not going to bother with statutory remission because it dies automatically on June 30—on July 1 earned remission will be proclaimed by the federal government and the other 10 provinces. So it is that court case that makes the specific authority in this amendment necessary.

Motion agreed to.

Section 38, as amended, agreed to.

Sections 39 to 41, inclusive, agreed to.

On section 42:

Mr. Chairman: Honourable Mr. Drea moves that section 42(3) be deleted and the following substituted therefor: "There shall be a supervisor of probation services to be responsible throughout Ontario for the supervision of administration of probation services provided by the ministry."

Hon. Mr. Drea: The reason for that is to change it from "the minister shall" to "there shall."

Motion agreed to.

Section 42, as amended, agreed to.

On section 43:

Mr. Bradley: Just a point of explanation on section 43(3): "In addition to the duties of a probation officer referred to in (1) a probation officer shall perform such other duties as are assigned to him by the minister." Would the minister elaborate on what those other duties might be?

Hon. Mr. Drea: One of them is the supervision of community service orders which so far, while technically under probation, are moving off into a specific sentence of their own. As you know, until they are and until a particular period of time, when they are a valid sentence by themselves they are still bound with a probation order. So the supervision of CSOs rather than the traditional type of probation is one of them.

There might be a direction, particularly in the north, where it would be, in addition to probation, the supervising of part-time probation officers, once you get north of the highways and so forth in the backward areas. Also we have expanded probation officers into anti-vandalism projects and a number of things where they are directly supervising reclamation work through the courts. At

present they are doing this in the Timiskaming region involving Kirkland Lake and Englehart.

[5:30]

Also, quite frankly, it is to prepare for the court worker. We have the native court worker now, and I would hope that we would soon have a court worker "period" for everybody in the courts. It is something coming out of various law reform commissions and so forth. Once again, that might very well be in a limited growth area or a smaller community, and it would be in addition to the probation officer's regular or traditional probation duties of someone reporting to him.

Section 43 agreed to.

Sections 44 to 49, inclusive, agreed to.

Hon. Mr. Drea: I think there is general agreement that one of the amendments passed today involving section 9, making it 9(a), is not applicable there. I wonder whether we could have it understood when this bill is brought back for reprinting and third reading that that amendment (9(a) passed today will become section 46 of the act under general provisions—that is the one about the right of members to visit—rather than being tucked in that particular place.

Mr. Chairman: Does the committee agree? Agreed.

Hon. Mr. Welch: Mr. Chairman, with the concurrence of committee, we have one division here and it may be that we could get started on the next bill and then perhaps, if we need a 10-minute bell, we could call the 10-minute bell and clear this division up at that time, and carry on with the bill. So if the committee would agree, maybe at about a quarter to 6 or so we could then divide and clear up this bill. In the meantime, we could get some time in on Bill 96 and get started on it.

Mr. Chairman: Is the committee agreeable? Agreed.

LIQUOR LICENCE AMENDMENT ACT

Consideration of Bill 96, An Act to amend the Liquor Licence Act, 1975.

On section 1:

Ms. Bryden: I have a question on section 1, Mr. Chairman. It is the one regulation the conduct of agents and representatives registered under section 39.

The previous bill simply provided for the registration of agents, which would be granted except for past conduct of the applicant which affords reasonable grounds for

belief that he won't carry on business in accordance with the law and with honesty and integrity. This new section, Mr. Chairman, seems to be much broader and gives the board the power to regulate the conduct of agents and representatives. I wonder if the minister could explain what he has in mind under that clause and what kind of conduct he is referring to. We had a lot of debates on the Family Law Reform Act on the question of conduct and it seems to me we are getting into the same sort of thing where the government takes the power upon itself to regulate something vague, called "conduct."

Hon. Mr. Grossman: Mr. Chairman, forgive me, I couldn't hear because of some discussion going on over here.

Mr. McClellan: You were trying to eavesdrop.

Hon. Mr. Grossman: You were trying to eavesdrop on what was happening here. I am sorry, could you just—

Ms. Bryden: As I pointed out, Mr. Chairman, the 1975 act simply provided for the registration of agents, which would be granted except where past conduct of the applicant affords reasonable grounds for belief that he won't carry on business in accordance with the law and with honesty and integrity. This now simply gives the minister the power to regulate the conduct of registered agents and representatives. As I say, it seems to me to be rather sweeping powers for the minister to regulate their conduct without specifying in what respect, whether it is their conduct 24 hours a day or just what does he mean by that particular clause?

Hon. Mr. Grossman: There's really nothing new in that section. The authority that would be granted by this section is authority which is now found under the Liquor Control Act. Currently, the agents are registered under the Liquor Licence Act but the conduct is now—

Mr. McClellan: We're all here.

Hon. Mr. Grossman: I've noticed.

In simple terms, the agents are registered—the authority to register them is under the Liquor Licence Act; the conduct, as described here, is currently sitting under the Liquor Control Act. This is just an opportunity with this bill before the House to bring both their registration and control of their conduct under the same act. There's nothing new being added here at all.

Section 1 agreed to.

On section 2:

Mr. Chairman: Hon. Mr. Grossman moves that section 9 of section 45 of the act as set

out in section 2 of the bill be amended by striking out the words "the 31st day of August, 1978" in the second and third lines and inserting in lieu thereof "the 31st day of December, 1978."

Motion agreed to.

Section 2, as amended, agreed to.

On section 3:

Mr. M. N. Davison: The question of the transportation of home-made wine has been raised outside of the House because of interest stirred up by the debate on this bill. As I understand it now, it's illegal to transport home-made wine without special permission from the board. I wonder if the minister would undertake to look into that matter and at some time in the future either report back to the House or bring in an amendment to allow people to transport home-made wine?

Hon. Mr. Grossman: I will look into that.

Section 3 agreed to.

On section 4:

Mr. Chairman: Hon. Mr. Grossman moves that section 1 of section 46(a) of the act as enacted by section 4 of the bill be amended by inserting after "municipality" in the first line "including a metropolitan or regional municipality." He further moves that section 4 of the said section 46(a) be amended by inserting after the words "permit 4" in the second line the words "in possession of liquor purchased."

Motion agreed to.

Section 4, as amended, agreed to.

Section 5 agreed to.

On section 6:

Mr. Chairman: Hon. Mr. Grossman moves that subsection 1(a) of section 52 of the act as set out in section 6 of the bill be struck out and the following substituted therefor: "1(a) Any person who is over the age of 18 years on the first of January 1979 and not an interdicted person may apply to the board for a card indicating that such person has attained the age of 18 years on or before the 31st day of December, 1978."

Motion agreed to.

Section 6, as amended, agreed to.

On section 7:

Mr. M. N. Davison: Just very briefly—because I would like to finish with this bill, if we can, before the supper hour—our party is opposing the inclusion of section 7(2)(1c) in this bill, which is the provision that imposes a minimum fine on employees of estab-

lishments who contravene sections of this legislation.

We don't believe this is a particularly good addition to the legislation because we believe it may place some employees of these establishments in a position where their job is at risk. The reason for that is that some employers, some licence holders, are frequently engaged in the practice of insisting their employees flout the legislation, particularly in terms of serving minors, and place an employee in the position where either the employee breaks the law or is fired—dismissed from his job on a trumped-up charge.

Frankly, we would not be opposing the inclusion of a minimum fine in this legislation if we believed we had enlightened labour laws in Ontario. Because we don't have the proper labour legislation to protect workers in such a position, we can't support the bill. It would put a judge in a very bad position where, after deciding that technically the person had broken the law but had done so only to protect his or her job, the judge would then be forced to impose a minimum fine. We don't think that would be an appropriate situation.

We do believe, however, that the employees of these establishments who break the law under normal circumstances, without being pressured by their employer to do so, upon conviction should not be dealt with lightly. The legislation in its other amendments provides for very stiff fines for those employees. But we do believe it would be unfair to impose the \$100 minimum fine in this case as it could be very unfortunate.

Hon. Mr. Grossman: Very quickly, this is consistent with the policy of putting the onus for controlling the problem on those who are delivering the products. That's the appropriate place to put it. Secondly, you'll note it's a \$100 fine, not \$500.

Certainly we want to make it clear that it isn't operating the way you're suggesting it's operating. The licensed operators are, in our opinion, not carrying on to a very large extent the way you're suggesting. Certain remedies are available if those things are happening.

I'd also point out that the section imposes a minimum fine on everyone who is not a licensee and not only on employees. For example, if any adult—you yourself, for example—were to acquire some liquor and deliver it to a minor, then you'd be subject to that fine as well. In point of fact, the real purport of that section is the acquisition of it by someone other than the persons

you're talking to. You'll notice that section 45 of the act says "no person." However, I would point out that they must knowingly serve. There are those aspects to it, which perhaps aren't entirely clear when you're dealing with a bill with that subsection sitting in it, although I understand your concerns.

Mr. M. N. Davison: Are you suggesting they'd leave it up to the judge?

Mr. Deputy Chairman: All those in favour of section 7(2)(1c) will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Amendment staked.

Sections 8 to 11, inclusive, agreed to.

MINISTRY OF CORRECTIONAL SERVICES ACT

(concluded)

Mr. Deputy Chairman: On Bill 85, Mr. Ziembra has moved an amendment to section 9(a) to add the following clauses:

(2) Any letter addressed to an inmate of an institution from a member of the Legislative Assembly, the Ombudsman of Ontario, or the correctional investigator of Canada shall be immediately forwarded unopened to the inmate by the director or superintendent of the institution or a person designated by either of them in writing.

(3) Any letter written by an inmate of an institution that is addressed to a member of the Legislative Assembly, the Ombudsman or the correctional investigator of Canada, shall be immediately forwarded unopened to the member, Ombudsman or correctional investigator, as the case may be, by the director, superintendent or a person designated by either of them in writing.

The committee divided on Mr. Ziembra's amendment to section 9(a) of Bill 85, which was negatived on the following vote:

Ayes 19; nays 43.

Bill 85, as amended, reported.

LIQUOR LICENCE AMENDMENT ACT

(concluded)

The committee divided on whether section 7(2)(1c) of Bill 96 shall stand as part of the bill, which was approved on the following vote:

Ayes 43; nays 19.

Bill 96, as amended, reported.

On motion by Hon. Mr. Welch, the committee of the whole House reported three bills with amendments.

THIRD READINGS

The following bills were given third reading on motion:

Bill 85, An Act to revise the Ministry of Correctional Services Act;

Bill 86, An Act to amend the Coroners Act, 1972;

Bill 96, An Act to amend the Liquor Licence Act, 1975;

Bill 95, An Act to provide Probation Services to Young Offenders.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, I know that you may be calling the supper adjournment, but perhaps for the information of the members I could say that we will be starting this evening with second reading of Bill 113, An Act to amend the Training School Act. This will start a series of about eight bills put by the same minister. In discussions, it was felt that perhaps we might complete all the debates for second readings and that any divisions might be held at the completion of the eighth bill.

Agreed.

The House recessed at 6 p.m.

APPENDIX
(See page 3615)

ANSWERS TO QUESTIONS
ON NOTICE PAPER

NORTHERN ONTARIO STUDIES

28. **Mr. T. P. Reid** (Rainy River): Would the Ministry of Northern Affairs table all studies done within the ministry pertaining to northern Ontario commissioned by it from other ministries or by outside consultants? [Tabled April 13, 1978. Interim answer tabled April 27, 1978.]

Hon. L. Bernier (Minister of Northern Affairs): This ministry is working on projects with many northern communities and part of each project frequently includes a "study," although these may differ widely in scope and content. The term project is, therefore, more descriptive. I am tabling the following:

1. 1978 feasibility study for cross country ski-based tourism; 2. Effective functioning of chronic psychiatric patients in after-care settings; 3. Interim report and report No. 2 on the development of low technology solar panels; 4. Labour issues influencing the feasibility of long distance commuting in northern Ontario (preliminary assessment); 5. Design for Development: Northwestern Ontario—Initiatives and Achievements; 6. Investing in Our Future: Ontario's Regional Priority Budget 1973-1978; 7. Ministry of Northern Affairs—brief to the Royal Commission on the Northern Environment; 8. Directory of Statistics in the Northeastern Region; 9. Directory—Incorporated Communities Northeastern Ontario (North Part); 10. Directory—Indian Reserves and Settlements Northwestern Ontario; 11. Directory—Unincorporated Communities Northwestern Ontario; 12. Directory—Incorporated Communities Northwestern Ontario; 13. Directory—Indian Reserves Northeastern Ontario (South Part); 14. Directory—Unincorporated Communities Northeastern Ontario (South Part); 15. Directory—Unincorporated Communities Northeastern Ontario (North Part); 16. Directory—Indian Reserves Northeastern Ontario (North Part); 17. Construction Program 1978-79, in English and in French.

The ministry is involved in funding a land clearing and drainage needs study of agricultural lands in northwestern Ontario; no report is available as yet. [See sessional paper 140.]

HEALTH AND SAFETY OF WORKERS

94. **Mr. E. J. Bounsall** (Windsor-Sandwich): As per the minister's response of May

29, 1978, would the ministry table the dates of and participants in all meetings about Bill 70 which have been held since Bill 70 was tabled in this House in February, 1978, and which are planned for the future? [Tabled June 6, 1978.]

Hon. B. Stephenson (Minister of Labour): Further to my response of May 30:

Between March 23 and June 9, 1978, meetings were held with groups representing health care institutions, detention centres, firemen, policemen, agriculture, municipal workers, transportation, hotels and motels, educational institutions, and other occupations which would be covered by the amended Bill 70.

Two meetings were arranged with parties who did not arrive at the scheduled meetings. Three meetings were arranged with parties who cancelled the appointments, stating that they wished the status of Bill 70 to be finalized before conferring on draft regulations.

Invitations have been extended to nine additional groups, for which meetings will be arranged in the near future. The Registered Nurses Association do not wish to consult at this time. Representatives of the Ontario Federation of Labour have met with the Minister of Labour on several occasions.

Following is a schedule of meetings.

Meetings arranged and held: March 23, Ontario Public Service Employees Union; March 28, Ontario Professional Fire-Fighters Association; March 29, Workmen's Compensation Board; April 4, Ontario Secondary School Teachers Federation; April 9, Ministry of Education; April 11, Ontario Teachers Federation; April 12, Transport Safety Association and Ontario Trucking Association; April 14, Ontario Hospital Association and Ontario Hotel & Motel Association; April 17, Canadian Union of Public Employees and Association of Municipalities of Ontario; April 19, United Transportation Union; April 21, Ministry of Colleges and Universities; April 24, Ministry of Correctional Services; April 25, Treasury, Economics & Intergovernmental Affairs; April 26, ACTRA and Police Association of Ontario; April 27, Association of Tourist Resorts of Ontario; April 28, Ministry of Community and Social Services; May 2, Ministry of Transportation and Communications; May 3, Occupational Health Nurses Association; May 8, Ontario Chambers of Commerce (held in Kitchener); May 10, Ministry of Agriculture; May 11, Ontario Nurses Association; May 16, Ontario Fur Breeders'

Association; May 18, Service Employees International Union; May 24, Ministry of Health; May 26, Association of Police Governing Authorities; May 29, Funeral Directors Association; June 1, Association of Chiefs of Police; June 8, Solicitor General.

Meetings arranged—party did not show: April 20, International Union of United Brewery and Flour, Cereal, Soft Drink and Distillery Workers; April 24, International Brotherhood of Teamsters.

Meetings arranged—party cancelled: May 1, Ontario Restaurant & Food Services Association; May 10, Ontario Federation of Agriculture; May 17, United Steelworkers of America.

Parties contacted and invited—meetings to be arranged: Oil, Chemical and Atomic Workers Union; Canadian Guards Association; International Musicians' Union; Ontario School Trustees Council; Ontario Society of Registered Technologists; IATSE Stagehand Union; Canadian Actors' Equity Association; Ministry of Industry and Tourism; Association of Investigators and Guard Agencies of Ontario.

Invitation extended—refused by party at this time: Registered Nurses Association.

95. Mr. E. J. Bounsall: Would the ministry table all responses by ministries of the government to the amendments to Bill 70 made in the standing resources committee earlier this year? [Tabled June 6, 1978.]

Hon. B. Stephenson (Minister of Labour): The ministry believes it would be inappropriate to table interministerial responses of the sort requested.

URBAN TRANSPORTATION DEVELOPMENT CORPORATION

96. Mr. E. Philip (Etobicoke): Will the Minister of Transportation and Communications indicate the number of ministry staff involved on a full- or part-time basis and the annual ministry expenditure involved for each of the following activities related to the work of the Urban Transportation Development Corporation: audit and financial review of UTDC's performance on government contracts; monitoring of research work and findings related to UTDC's work; research work performed at the ministry in areas related to UTDC's work; research, design et cetera into the application of technology being developed by UTDC; other ministry expenditure and time commitments related to UTDC's work? [Tabled June 6, 1978.]

Hon. J. W. Snow (Minister of Transportation and Communications): The response to the member's question for the fiscal year 1977-78 is as follows:

(a) Audit and financial review of UTDC's performance in government contracts: (i) Ministry staff, full-time, nil; (ii) Ministry staff, part-time, 85 man-days; (iii) Expenditure, \$7,640.

(b) Monitoring of research work and findings related to UTDC's work: (i) Ministry staff, full-time, 2; (ii) Ministry staff, part-time, 1.5 man-years; (iii) Expenditure, \$104,700.

(c) Research work performed at the ministry in areas related to UTDC's work: (i) Ministry staff, full-time, nil; (ii) Ministry staff, part-time, 0.8 man-years; (iii) Expenditure, \$9,800.

(d) Research, design, et cetera into the application of technology being developed by UTDC: (i) Ministry staff, full-time, nil; (ii) Ministry staff, part-time, nil; (iii) Expenditure, nil.

(e) Other ministry expenditure and time commitments related to UTDC's work: (i) Ministry staff, full-time, nil; (ii) Ministry staff, part-time, nil; (iii) Expenditure, nil.

AUTO PACT

98. Mr. B. Wildman (Algoma): Will the ministry table any position papers, studies, submissions to the federal government et cetera, which have been produced by or for the Ministry of Industry and Tourism in relation to the Canada-United States Automotive Trade Agreement, auto industry investment, auto industry research and development; and in particular any responses to the proposals put forward by the federal government to subsidize on a cost-shared basis the construction in Ontario of automobile or parts plants by one or more of the "big four" auto makers or their subsidiaries? [Tabled June 6, 1978.]

Hon. J. R. Rhodes (Minister of Industry and Tourism): I am pleased to table a study published in September 1975 by my ministry entitled Sector Analysis—The Automotive and Automotive Parts Industry. [Sessional paper 141.]

Of more current significance have been ongoing consultations at the ministerial and official levels. In April and May of this year, Premier Davis, the Treasurer, the Minister of Labour and I met with presidents of the five largest vehicle manufacturers, the president and board members of the Automotive Parts Manufacturers' Association and with officials of the UAW. In addition, my officials have met with four heavy duty truck manufacturers. As the Premier has indicated, he will be making a statement on these meetings in the near future.

At the federal level, my ministry has been represented on the Automotive Industry Con-

sultative Task Force which has been meeting during the past three months. Throughout this period there have also been ongoing consultations between the federal and Ontario governments at both the ministerial and officials levels. In these various meetings the subjects of discussion and investigation have included investment, research and develop-

ment, employment, Canada's trade deficit with the USA in auto parts and the possibility of offering incentives for investment. Regarding incentives, while various approaches have been examined, no formal proposal has been made by the federal government to this government and consequently no response has been required by Ontario.

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Elgie, R. (York East PC)
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(St. Andrew-St. Patrick PC)
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Kerr, Hon. G. A.; Provincial Secretary for Justice and Solicitor General (Burlington South PC)
Kerrio, V. (Niagara Falls L)
Laughren, F. (Nickel Belt NDP)
Lewis, S. (Scarborough West NDP)
MacDonald, D. C. (York South NDP)
Maack, Hon. L.; Minister of Revenue (Parry Sound PC)
Makarchuk, M. (Brantford NDP)
Martel, E. W. (Sudbury East NDP)
McCague, Hon. G.; Minister of the Environment (Dufferin-Simcoe PC)
McClellan, R. (Bellwoods NDP)
McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs
(Chatham-Kent PC)
Newman, B. (Windsor-Walkerville L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
Parrott, Hon. H. C.; Minister of Colleges and Universities (Oxford PC)
Peterson, D. (London Centre L)
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Stong, A. (York Centre L)
Swart, M. (Welland-Thorold NDP)
Van Horne, R. (London North L)

Warner, D. (Scarborough-Ellesmere NDP)

Welch, Hon. R.; Minister of Culture and Recreation, Deputy Premier (Brock PC)

Wells, Hon. T. L.; Minister of Education (Scarborough North PC)

Wildman, B. (Algoma NDP)

Worton, H. (Wellington South L)

Yakabuski, P. J. (Renfrew South PC)

Ziemba, E. (High Park-Swansea NDP)



No. 91

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Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

MONDAY, JUNE 19, 1978

The House resumed at 8 p.m.

TRAINING SCHOOLS AMENDMENT ACT

Hon. Mr. Norton moved second reading of Bill 113, An Act to amend the Training Schools Act.

Mr. Deputy Speaker: Does the honourable minister have an opening statement?

Hon. Mr. Norton: No, Mr. Speaker. I will wait and perhaps respond. I'm sure the honourable members opposite have some comments they'd like to make.

Mrs. Campbell: Could the minister repeat what he said? Nobody heard it.

Mr. Blundy: I think he said that he would wait until the honourable members on the opposite side responded.

Mr. Sweeney: Responded to what?

Mr. Blundy: I don't know. At this point I could sit down and I would have responded as long as the minister's statement lasted.

Mr. Sweeney: And more eloquently.

Hon. Mr. Norton: The mike wasn't working very well.

Mr. Blundy: However, to get down to the bill at hand, An Act to amend the Training Schools Act, I look upon this bill as a bill that is in some way a housekeeping bill to conform to the amalgamation of children's services within the ministry.

Mr. Haggerty: He has gone.

Mr. Blundy: Did I say something that made the minister go home?

Some hon. members: Yes.

Mr. Blundy: Oh, there he is. He's still here. I have read the bill over. I am not an expert on this bill or the programs that it is governing, however, I am willing to go for second reading of the bill on the understanding that we will have every opportunity to have an in-depth discussion of it, clause by clause, in committee.

Personally, I want to congratulate the minister on the reorganization of children's services—

Mr. McClellan: When is it going to happen?

Mr. Blundy:—and when we see the product of it, we will be able to be even more congratulatory on that matter.

Hon. Mr. Norton: That depends on how you handle this legislation.

Mr. Blundy: However, I hope that this evening, in this House, we are laying the ground rules that will provide a well thought-out amalgamation of children's services.

The one thing I want to say in my opening remarks, Mr. Speaker, is that anybody who has known me for any length of time will know that I have been decrying the cost of government, government budgets and government deficits. I have been all for restraint and I am still inclined that way. But there are certain areas within the purview of government where people are in such a position that they cannot have great restraint practised in caring for them. I would like to point out to the minister that this evening we are talking about a number of bills to do with children's services. Who else in this province could more rightfully be thought of as requiring all of our diligence and a good deal of the money available for social services in this province?

I just want the minister to know that I will not be carping at every nickel being spent if it is being wisely spent and if it is directed to an area where these expenditures are warranted. In my opinion, Mr. Speaker, there are many such areas. So in speaking to Bill 113 I am doing so in very general terms and I will look forward to being able to have a more positive and definite input into the bill at the time we are studying it clause by clause in committee.

Mr. McClellan: Mr. Speaker, I am happy to take part in this debate in the first of a series of bills introduced by the minister to complement whatever he's doing over there.

Mrs. Campbell: That is the mystery of life.

Mr. McClellan: Sweet mystery of life, as the member for St. George quite aptly puts it.

This bill before us, Bill 113, is the first of a series of bills in the package that has to do—this bill, at least in part—with the chaos in residential children's services. I see nothing in the package of bills that leads us out of the

chaos. The promise of salvation is certainly at hand once again, but we have been hearing those promises with great regularity since the minister was appointed and since he first announced his intention to undertake the reform of children's services in this province.

Much remains to be done because virtually nothing has been done. This series of legislative proposals before us now is, in fact, the first concrete legislative step that the ministry has taken.

With respect to Bill 113, we in this caucus are prepared to support the bill. In a sense the bill drops the other shoe, I suppose you could say, from the repeal of section 8 of the Training Schools Act. I'm frankly very pleased to see the amendment to section 9 of the Training Schools Act, which in this bill changes the legislation so that instead of the language being that the judge may send a child to a training school, the language is changed so that the child is firstly made a crown ward and then, secondly, may be sent to a training school; but, I suspect, more likely would not be sent to a training school, would be sent to a more adequate treatment facility. This amendment in my view quite clearly establishes ministerial responsibility for the care and treatment of children who are brought before the court under section 9, and I think that is an important measure to be established in law.

The other measures in this bill, as the member for Sarnia said, are by and large housekeeping amendments with which we can take no exception. The overall problem, as I have said, remains that the chaos in children's residential services, which was described and documented in the report of the interministry committee on residential services, remains. Child welfare services are still very much a shambles in this province and all of the minister's task forces and studies and position papers and green papers and white papers and policy papers have not undone that shambles.

I am convinced that the ministry, or at least his division of the ministry, is making a sincere effort to deal with the problem. I question the commitment of his government however to provide the backup support and resources to make these reforms meaningful. That remains to be seen, and the slowness of the pace is perhaps a reflection of the schizophrenia of the government saying on the one hand that they wish to reform children's services, but on the other hand being really in the business of constraining children's services.

The ministry has moved in a direction that we approve of in, firstly, repealing section 8 then, more recently, announcing its intention to phase out the training school program in this province, and then, as we heard tonight, making a further change in the language of section 9 of the Training Schools Act. That is all well and good, but I say again to the minister that reform is not a matter of laws; reform is a matter of services and of the structure of services. When section 8 of the Training Schools Act was repealed the Provincial Secretary for Social Development (Mrs. Birch) made some promises with respect to the development of alternative services. That was December 9, 1976, to be precise. The minister said, when she announced the removal of section 8 of the Training Schools Act, and I quote: "I would like members to know now that our priorities include the establishment of a small secure-treatment unit for severely disturbed adolescents."

Of course, if you are going to close the training schools, you have simply of necessity to provide small, closed secure-treatment facilities for severely disturbed adolescents. Nothing was done on that promise for the best part of a year or a year and a half. The minister finally announced his intention to redesignate the Oakville assessment centre as a secure-treatment unit for severely disturbed adolescents. I don't know whatever happened to the concept of "small," which was in the original promise, and I'll repeat it again since the minister looks quizzical: "a small secure-treatment unit for severely disturbed adolescents."

I would think that intelligence would dictate that a number of small secure-treatment units for severely disturbed adolescents would be established. As a matter of fact, not a single one has been established. As a matter of fact, even the Oakville facility that was promised to us—I think in February, if memory serves me correctly—was taken away with the same easy facility that it was given. It was taken away in response to pressure, I assume from the Minister of Transportation and Communications (Mr. Snow), responding to concerns of people in his riding who didn't want that kind of a facility in their community. Sooner or later the minister and the government are going to have to decide which side they are on and decide what their policy really is.

If they are saying they want to move away from institutional incarceration of children then they have to be prepared to put their money where their mouth is and to

have the courage of their convictions to go ahead and provide alternative facilities. If they knuckle under to every bully-boy vigilante citizens' group that wants to keep alternative group facilities out of their neighbourhood, they might just as well reopen the training schools and, in fact, build some new training schools.

Until they come to grips as a government, not just as a minister in his pious pronouncements, but as a government and as a cabinet, until they come to grips with the issue of making sure that alternate group facilities are not zoned out, or pressured out—even by your cabinet colleagues—then the minister's rhetoric is simply that; so much rhetoric.

[8:15]

The minister said on May 1 that his decision not to proceed with a secure-treatment unit in Oakville was, if I can paraphrase, merely a temporary setback—that the government would be announcing a new location almost instantly. One would have thought the minister would have announced it before the transcript had been printed, he was so insistent.

To my knowledge that facility has still not been announced. I hope the ministry will assure me I am wrong. I hope the minister does know where the first of these small secure treatment units for severely disturbed adolescents is going to be located. I hope he will tell us in the course of this debate exactly what he intends to do by way of providing concrete alternatives to training schools. Without those alternatives, the minister's program is a sham and a mockery, and I think the minister realizes this.

The minister said in his response to me, "There are so many alternatives and there are a number of communities that would dearly love to have the facility located in that community." Yes, he nods his head and says that's true. I assumed he was telling the truth, I always do, and he usually does; in fact, he always does. But the question is, where is the facility? I hope he will tell us.

Just a brief final statement: I am pleased to see that in the licensing statute, the Children's Residential Services Act, the standards will apply equally to provincial facilities. I think that is a progressive step. We can talk, when we come to that statute, about what the standards are, because again, no one seems to know. Nevertheless, this is certainly one of the most well-intentioned ministers that I know and we certainly continue to applaud his good intentions.

Mrs. Campbell: Mr. Speaker, I just have a few brief remarks and I am confining my remarks to Bill 113. I am, I guess, terribly disappointed that really all we are doing in this bill is reworking for the most part that which is already in effect. There is no imaginative approach in this bill, nothing really to indicate a new look at training schools. I happen not to be dwelling so much on alternatives. While I very strongly believe in alternatives, I also feel, and I am sorry that my experience makes me feel this way, that training schools of some sort must be kept in place.

I had hoped after all these delays there might have been something in this bill which would indicate that we are concerned in the facility itself, quite apart from the alternative facilities suggested. I trust that before this bill gets out of committee it will not look the way that it does now. I trust it will look not just as a bill in legal semantics virtually, or as a housekeeping bill, but that it will carry us forward to a new look at the way in which we treat children who are unfortunately in need of a training-school type of facility.

Certainly I have a great deal of concern with reference to section 13(4)(m). I see that as another way of passing off responsibility from the ministry to whomever out there will take on the responsibility if we cut back on funding. As I see it, that cannot stand as it is presently indicated.

I won't labour the point. I would invite the minister to respond to what I've said. But I will say I trust that when we get into committee we will have an act to amend the Training Schools Act which will stand as an example for the whole of Canada in our approach to this very important aspect of the child in conflict with the law.

Mr. Deputy Speaker: Is there any other honourable member wishing to participate in this debate? If not, the honourable minister.

Hon. Mr. Norton: Perhaps I ought to emphasize in responding to the comments of the honourable members opposite what I have said and maintained from the time of the transfer of responsibility to my ministry back on July 1, 1977, that what we are dealing with in this package are interim legislative amendments.

Mrs. Campbell: Not good enough after all this time.

Hon. Mr. Norton: In spite of what the honourable member opposite may feel, a great deal of work has gone into the development of these amendments and the development of standards which is under way in the ministry, which I'll refer to more fully later in

responding to some of the specific comments of the honourable members. When we think in terms of the longer term omnibus changes which we have discussed previously, I'm sure the member for St. George realizes a task of that magnitude is not something that can be done in a matter of a few months.

I do want to point out that although these amendments may be viewed and referred to as housekeeping amendments, I view them as considerably more than that. I think they have to be viewed in the context of the policy statements I made earlier this spring relating to training schools. If there is any general policy categorization or principle embodied in this particular act, it is to do two things. One is to further the decentralization of the program within our ministry and the establishment of an area administration, which is consistent with what I have stated earlier in terms of our goal of reducing the numbers of training schools and having them serve the children of the province on a regional basis. Second, it is to allow for the program changes I indicated in terms of the development of alternatives.

As the member for Bellwoods has noted, the change in section 9 is significant. It's not just a housekeeping change. It's quite significant in that the wardship of the child who was formerly a ward of the training school will now be with the crown. That will permit a greater degree of flexibility in terms of placement of that child in the most appropriate treatment setting available. It will not preclude what the member for St. George has suggested. We're not suggesting the complete elimination of training schools. I recognize the validity of the point she has made, that there will be a continuing need for a secure setting in a training school setting for some children.

The point I have consistently tried to make is we have historically had more children in training schools than was necessary. There were children there who were perhaps inappropriately in training schools.

Mrs. Campbell: Because there wasn't any place else.

Hon. Mr. Norton: In some instances, that was so.

Given the reality, in terms of the economy and so on, I want to emphasize as well that we recognize that there are not, at this point in time, adequate resources in the communities to deal with the problems of these particular children.

The progressive reduction in the numbers of training schools will, I hope, free up existing resources which can and will be allocated

to the development of community resources. At the present time our existing training schools are approximately at half capacity; so theoretically, at least, we could reduce the numbers of training schools by half, without having to remove any children into alternative settings immediately, by that process freeing up resources to be allocated to the development of community alternatives.

I'm well aware of that, and I want to emphasize that this legislation to this extent will enable our ministry to move in that direction.

The member for St. George also expressed some concern, I believe, about section 13(4)(m), relating to funding. I want to assure the honourable member that it is not our intention to shift funding responsibility by virtue of this provision. If she recalls the discussions that have taken place in terms of children's services committees and bears in mind the development of alternative resources in the community, it's important that we have the flexibility to provide for the funding of those alternative resources and at some point in time, with the development of the children's services committee, if there is to be a coherent and co-ordinated approach to the—

Mr. McClellan: What do you mean "if"?

Hon. Mr. Norton: Well, when; I say "if there is to be"—

Mr. McClellan: I say "when"!

Hon. Mr. Norton: I intend that there shall be, if members are co-operative on the opposite side. If that is to be a reality, then it's also going to be necessary that we provide for a funding mechanism which at this point in time, it would be my intent, would be vested with the children's services committee, which would be monitoring the progress of children; this provision presumably would allow for that kind of flexibility as well.

I think that we must not fall into the trap, perhaps, of developing legislation which is so rigid as to preclude the very kind of flexibility that I know the honourable member wishes to see within the system in order to meet the diverse needs of the children of this province.

I have just one final comment: it really doesn't relate to the principle of the bill, but I would like to make a brief response to the member for Bellwoods and the concern he expressed relating to the pace with which change has been overtly evident. I suggest to him that, as he always assumes that he knows what I am thinking, I am sure he is well aware of the approach we have taken, recognizing—in terms of consultation right now—

Mr. McClellan: It's called flying by the seat of your pants.

Hon. Mr. Norton:—that there are literally hundreds of agencies and thousands of committed and dedicated individuals across this province who are involved in the provision of care for children whose understanding, commitment and support is essential to the success of the kinds of changes of magnitude that we have undertaken. If the honourable member has at any point been a participant in that consultation process, he will understand that there is a great divergence of opinion as to the pace that should be followed.

There are some—very few, I suggest—who are saying, "You're going far too slowly." There are far more people who are saying, "Don't move too quickly." I think that we have hit a very good pace. It's a happy medium, but it's a realistic pace at which we can proceed, and, I believe, at the same time ensure that those people who are most concerned and most involved in the province of Ontario are aware of what is happening. We have an opportunity to encourage and develop not only their input but their support to see this through to fruition. [8:30]

Motion agreed to.

Ordered for the standing social development committee.

CHILD WELFARE ACT

Hon. Mr. Norton moved second reading of Bill 114, An Act to revise the Child Welfare Act.

Mr. McClellan: Is the minister not going to make a statement?

Hon. Mr. Norton: No. Go ahead.

Mr. Blundy: I thought the minister would want to try to do a selling job on those of us present on this bill to revise the Child Welfare Act, but I guess he is going to wait and see what we have to say and how strongly we feel about it.

I would like to make a few comments about the bill. As I said in regard to Bill 113, I want to support the bill and send it to committee to have it thoroughly studied, but when I come to a bill such as this I can't resist the opportunity to speak to the minister and the members of this House on the need for more money for children's agencies and societies in the province of Ontario.

I was speaking to a person just recently and I said I thought that in my community of Sarnia we had one of the highest caseloads of children's aid societies in Ontario and the problems being confronted by them were

very great. I ended up by saying that of course I was sure that the children's aid societies of Metro Toronto must have a great deal more trouble than a relatively small municipality has.

This person, who is knowledgeable about these things and who is professional in the field, told me she thought that many of the smaller municipalities were experiencing even more problems than the large municipalities such as Metro Toronto because there are such a diversity of agencies in a city like Toronto as compared to a municipality such as my own.

I do want to make a very special plea to the minister in regard to children's aid societies concerning the staffing and the budgeting, which, of course, makes possible the staffing. I think a good deal of prevention might be practised with considerable success if the workers within the various child agencies, in particular, the children's aid society, had the time and opportunity to really work with a child and work for the child to the point where there might be some corrective help given and as a result some prevention of problems further on down the line.

Bill 114 is quite an extensive bill. I know there are many areas in the bill that will need to be discussed at some length. I am looking forward to that opportunity in committee. I will be quite happy to have the bill referred to committee for study at a later date, Mr. Speaker.

Mr. McClellan: Goodness, everyone is being so brief. I will try to remedy that.

Hon. Mr. Norton: We can always count on you.

Mr. McClellan: For me, this is really very delightful to be able to take part in this particular debate and the review of this particular act. I am especially pleased the minister has brought forward not simply a series of amendments to the Child Welfare Act but that he has in this bill repealed the Child Welfare Act and brought forward an entirely new Child Welfare Act. That opens the legislation to the House for a serious and intensive scrutiny and gives us the opportunity to put forward some things that, hopefully, will strengthen and improve the legislation.

By and large, the suggestions I want to put forward or the issues I want to highlight tonight are not issues in which I think there is a partisan difference, but they are simply problems which we as legislators are attempting to solve. I think they will be ap-

proached by all parties in that spirit. In particular, we look forward to the opportunity to have hearings on the Child Welfare Act. I gather that they are tentatively scheduled for some time in the early fall and then proceed through the bill clause by clause.

There is one issue I do want to deal with first before I proceed through the bill to try to address a number of particular concerns that I have. We in this party have argued for a very long time that the focus of child welfare services in Ontario needs to be turned around; it needs to be turned away from the traditional crisis orientation and the traditional focus on prevention and needs to become preventive social service. That is not simply a matter of redrafting laws. It is a matter of restructuring social services in this province in a very radical way, and developing social services in the province which do not exist because our social service system is reactive in nature. Our social service system is crisis-oriented, and this legislation doesn't deal with prevention, or seek to prevent family breakdown. This legislation is designed to help society deal with families that have broken up and with children who are already damaged. That is what this bill is about.

I have only to refer you to section 6 of the new bill where the function of children's aid societies are spelled out, and prevention is simply a subordinate clause of section 6, sub 2(c). It is not one of the functions of children's aid societies in this province to prevent the circumstances which may require the protection of children, to quote the bill. Even the wording of the bill talks about prevention in terms of protection.

There is no notion of prevention in Ontario and I know the minister, who is jotting down notes, will respond that Ontario does have a preventive child welfare system. He can redefine items in the child welfare budget until he is blue in the face and until he can pretend that they total up to something in the order of \$25 million—I believe he said the other day—of child welfare funds allocated for preventive services, he has simply redefined what social agencies are doing and labelled it prevention. But it is not prevention.

We do not have a legislative framework for the provision of preventive services. We do not have a structure which can provide social services on a preventive basis; that is to say, to provide support in an anticipatory way which would serve to prevent family breakdown and physical and emotional damage to kids. We don't do that.

As a matter of fact, when you look at the record of this ministry over the last 10 years or, more gruesomely, over the last three years since the Conservative social service constraints began, you can see very clearly just how little commitment this government has to preventive social services.

It's worth noting at this time, before we get into a discussion of the legal niceties of the Child Welfare Act, that the minister can make his laws as nice as he pleases, but when he cuts back on visiting homemakers' services in this province he is telling us where his priorities really are. We read in the estimates book, the minister's own material, that the level of visiting homemakers' services, which is one of the most effective preventive social services that we have, has fallen 25 per cent in this province since 1974-75, that measured in hours of service it has fallen 25 per cent since the government started its social service cutback program. Then the minister has the nerve to talk to us in other documents about a priority on prevention; he has the nerve to talk to us about prevention in child welfare services.

We read in the minister's estimates book that the level of home nursing services has fallen 31 per cent since 1975-76, and that measured in visits per year it is actually lower in 1977-78 than it was in 1970. Then he has the nerve to talk to us about preventive social services or about prevention.

When the minister puts constraints on day care, when he makes it necessary for parents to go to the welfare office and fill out demeaning means tests in order to claim day-care subsidies, when the minister brings day-care capital expansion to a complete halt, when the minister turns day care into a welfare service—and we'll talk a lot more about that during the debate on the Day Nurseries Act—then the minister is not in the business of providing supporting and organizing preventive social services.

Those two service areas, nursing services on the one hand and daycare services on the other, have been most brutally savaged over the last three to four years by this government's social services cutback programs. They are precisely the kinds of preventive social services that need to be strengthened if we are to develop a social service system which focuses itself on prevention rather than protection and restoration of already damaged families and individuals.

Mr. B. Newman: Carried.

Mr. McClellan: As I said, this legislation simply deals with the disposition of damaged kids and the disposition of damaged families.

The major reforms that the minister talks about will never be found in a statute like this but they will only show up in the front line of social services, in the communities and neighbourhoods. That is precisely where services, to the extent that they exist at all, remain in a state of shambles.

[8:45]

The legislation deals with a number of issues that I'd like to proceed through, high-light, perhaps express concern on, and try to identify areas where the legislation is going to require the benefit of expert testimony at the hearings and very thorough scrutiny in clause by clause discussion. Some of the measures, clearly, we applaud. For example, the provision requiring the reporting of child abuse, with penalties attached to professionals and the statutory requirement attached to everybody, is a good reform. That is long overdue. Just how overdue and how desperately needed it is we saw in the Solicitor General's annual report this year.

We read in the section dealing with reports of child abuse by the coroners, that even though the number of child abuse cases has increased dramatically since 1974, from 562 in that year to 1,045 in 1977, we would still expect, according to studies, Ontario, with its population, to have something in the order of 2,000 reported child abuse cases per year. That hideous statistic makes us comparable to other jurisdictions. That means that 50 per cent of the child abuse cases are still not being reported. I believe that the statutory requirement, with penalties for negligent professionals, is going to be helpful in dealing with that problem.

Much has been made, since the Ellis inquest, of the issue of admission of evidence in child-abuse hearings. I have to say that I'm disappointed that the admission of evidence of past maltreatment was made discretionary rather than mandatory. That's something that we will be moving to amend when we get to committee.

I'm also surprised at the way the ministry has handled another issue that emerged in the Ellis case, that is, the question of exchange of information between social agencies. As a social worker, I don't have very much use for the excuse of confidentiality between social workers and social agencies to cover up their blunders. I have no use for that at all. As a matter of fact, I hoped the ministry had stuck to its guns and required an exchange of information between social agencies in protection cases.

Mr. Martel: You would think they were out not to help the child.

Mr. McClellan: I think, frankly, that the minister has been snowed by the agencies.

Hon. Mr. Snow: You be careful how you use that word.

Mr. McClellan: I predicted some time ago that he would be snowed—

Hon. Mr. Snow: Be careful how you use that word.

Mr. McClellan: You snowed them the worst of all, but we have talked about that already.

Mr. Martel: I think that was Bill 21.

Hon. Mr. Snow: A great bill.

Mr. McClellan: That's one area where there is no justification for a kind of a conspiracy of silence which benefits nobody.

Mr. Martel: Except the children's aid society.

Mr. McClellan: It places children at risk. It's not just children's aid societies that are involved in that kind of nonsense; and it is nonsense. We can deal with it in the hearings, because we will hear about it; and we can deal with it in clause by clause where we can do something about it.

Again, this relates to my concern about preventive care and preventive services, but I am not satisfied with section 29 (5) which allows the judge to take into consideration work in the home, because there are no provisions in the act to set with any kind of specificity what those services really are. Until there is a structure of preventive social services in place in the province so that Mrs. Jones in such and such a neighbourhood can reliably expect to get—almost on the basis of a contract between the social service delivery system and herself—can get the services she needs with a certainty they are there in place and are provided on the basis of adequacy and competence, then it is dangerous to return children under supervision orders on the basis of a very nebulous notion of some kind of work being done in the home.

It's my understanding that all of the children who have died and whose tragic deaths have been publicized, that trail of hideous deaths that has led to this legislation being here tonight, were under supervision orders and that all of those children were receiving some kind of work in the home. We have a case in this morning's Globe and Mail of Lessard being visited by the Ottawa Children's Aid Society, I believe as recently as a week before the death of the child. I suppose you could call that work in the home. There are an enormous number of questions related to that whole area.

In case you are getting restless, Mr. Speaker, I intend to take a fair bit of time on this bill, because it is the full Child Welfare Act and it's something that comes before this House very rarely. I don't expect it to be back before another 10 years, despite what the minister has said.

Hon. Mr. Norton: Are you speaking of third reading or are you speaking of—

Mr. McClellan: I don't believe this is an interim bill, in other words; I believe that this is it.

Mrs. Campbell: I don't think any of them are.

Mr. McClellan: This is the bill. Whether the minister intends otherwise or not, I put no stock in his good intentions. What I have before me is the Child Welfare Act and I intend to deal with it. I intend to operate on the assumption that we won't have it back before us for another decade. All of us had better do the best job on it that we can while it's before us, because we won't have another crack at it.

Mr. Haggerty: Just like the election of regional chairmen.

Mr. McClellan: I don't believe the question of legal representation for children is dealt with in this bill in an adequate kind of way. It's dealt with in line with the recommendations of the Attorney General's committee, which as everybody knows was a compromise between a series of compromises. They came up with the most compromised compromise they were able to compromise.

I think we can do better. I think the model presented to the ministry in the brief from Justice for Children makes a lot more sense, assuming—and, I think, assuming correctly—a desire on the part of most members to secure legal representation for children. I think the best way to do it is to establish a separate entity—call it the official advocate or whatever you want to call it—some kind of body that's outside the hurly-burly of private law practice and will be able to develop a particular expertise and sensitivity to the needs of children in child welfare hearings for legal representation.

I don't believe that the official guardian is in any sense at all the appropriate body to act in this capacity. The official guardian's function is very clearly defined to protect the property interests of those who are incompetent to do it. This is an entirely separate function that we are talking about that does not properly belong with the official guardian at all.

Again, I am looking forward both to deputations during hearings and to clause-by-clause

consideration to see whether we can't come up with something better than the appointment of legal representation, solely at the judge's discretion. It begs too many questions to be an entirely satisfactory way of dealing with this issue.

There have been an enormous number of changes in the draft legislation for the Child Welfare Act from the time that the green paper first came out until the time that Bill 114 was tabled in the House last week. Many of those changes, I think, were for the better.

There was a curious philosophy underlying much of the green paper. I have never read such a thorough-going defence, firstly, of the ultimate rights of biological parents, almost the proprietary rights of biological parents over their children. It was stated, restated and overstated in the green paper. It is a matter of considerable interest that at least some of that feeling with respect to the biological parents was weeded out.

When we look at the best-interests section of the legislation, we really see once again a very strong statement of the pre-eminent rights of biological parents. I don't think that is adequate. When you look through that whole section 1(b), where the six considerations are listed, the section states and restates the need for continuity and family structure. There is no mention of the notion of risk in the best interest definition, which I thought was curious.

[9:00]

I would have thought one of the factors that a judge would take into account would be the degree of risk and the vulnerability of the child. I think the preoccupation with the rights of the natural family, which was so characteristic of the green paper and which has permeated most of this government's pronouncement's on the family, is contained again within the legislation. I hope we can deal with that in hearings.

It showed up most bizarrely in the provisions on adoption where the rights of the natural parent were stated to extend past the time of adoption placement. That would have jeopardized the entire adoption process in this province had it been allowed to stand. Fortunately the ministry moved off that position, and we are grateful that they did. There are a number of other issues that I will simply mention for the sake of brevity. I have concerns about the use of non-ward care, even in the amended legislation. All of us are familiar with the charge that non-ward care has been abused by the children's aid society. I will want to raise the question of whether non-ward care should ever be provided in a situa-

tion where there is a need for protection. If there is a need for protection, I am not sure the successor to non-ward care, or temporary care by agreement, is any more appropriate than non-ward care was.

If there is a need for protection, that is to say if a child is at risk, and this is a matter where I have an open mind, I am not sure it is appropriate that a child be involved in a decision-making capacity with respect to the nature of that agreement. The problem around that whole section has to do with its application and the protection situation, and I will want some clarification from the ministry concerning the circumstances in which temporary care by agreement will be used.

The brief from Justice for Children is particularly useful on this point in talking about the need to concretize temporary care through both provision and identification; and I would add to the development of concrete contracts between agencies and people for the provision of specific identifiable services, so that we are not in some realm of never never land with respect to the needs of the family but we know precisely what it is we are talking about.

We don't have, if I can use the Ellis example again, a family like the Ellis family getting the service that doesn't meet the need, that is inappropriate for the need. I don't think there is any doubt about the inappropriateness of that intensive therapy in that particular family.

I have concerns about the notion of place of safety. I don't know why the ministry would use an observation and detention facility as a place of safety. We are burdened with a notion of criminality in child welfare in this province. I don't know how we can escape from it, it's part of the historical development of this service, but I really wish we could.

The Danish child welfare system manages to function as a model system without any notions of criminality or without any reference to the criminal justice system at all. Here, we are quite prepared to confine children who come from a disordered family in an observation and detention home as though they were criminals. We seem incapable of separating out criminality from family breakdown. I suppose in this society there's still a lingering notion they're one and the same thing. We certainly treat damaged children often enough as though they were criminals.

I'm concerned about the issue of adjournments and the kinds of delays that result from the adjournment provisions of the act. I'm concerned about the minister's suggestions with respect to crown wardship. The amended bill doesn't go as far as the green paper, as I

understand it, but he's still changing the notion of crown wardship in a very fundamental way. Crown wardship was always seen to be both permanent and secure. The minister is proposing to make it something that is not permanent.

I think I've touched on all the basics in a kind of a rambling, and I hope not exceedingly disjointed presentation; it's difficult to deal with this kind of a bill in any coherent way.

I have other matters, but I won't take the time of the House to deal with them now. We will have the opportunity to go through them in hearings. I hope I've at least indicated the complexity and range of matters that will have to be dealt with by this Legislature in committee. None of the matters I have touched upon are issues of partisan difference, leaving aside the larger issue of prevention versus crisis orientation. They are problems we will have to come to grips with and try to solve.

In conclusion, I come back to the point of political difference. You have not, in almost two years, even begun to address yourself—

Hon. Mr. Norton: Barely one.

Mr. McClellan: How long is it? It seems like two years; is it only one?

Hon. Mr. Norton: Barely; it isn't even one.

Mr. McClellan: My God; it seems like an eternity.

Mr. Blundy: It seems longer.

Mr. McClellan: It does seem longer, doesn't it?

Mrs. Campbell: Like forever.

Hon. Mr. Norton: That's because you listen to yourself.

Mr. McClellan: It seems almost as long as this speech.

The fact is that in the three years since the interministerial report came down the pipe and was immediately suppressed in April 1975, this government has done virtually nothing to reform the mess in child welfare services.

There's a reason for that. One cannot undertake a fundamental reform and restructuring of child welfare services on the cheap. It's as simple as that. The government can't say it is going to transform a system which has developed over a period of 80 years, and which is dysfunctional at almost every level—and the degree of dysfunction within child welfare services is almost unimaginable.

It's still true that a kid coming into the child welfare system from any of a dozen possible different routes is disposed of by

the equivalent of a toss of the coin. There are still no structures in place adequately to assess treatment needs of children and to place children in the treatment facility appropriate to their assessed needs. That elementary structure of matching needs and service simply doesn't exist. Nothing that the ministry has done so far has changed the service delivery system one jot.

To his credit, the minister has managed to create in his ministry a good place to work. I know a little bit about fads and fashions in social work and how social workers move from one groovy job situation to another. The grooviest place in town these days is the children's services division; that's no mean accomplishment.

Hon. Mr. Norton: Don't you wish you were still around?

Mr. McClellan: I would enjoy it very much. I would probably be there myself, more's the pity. But in terms of the service, it hasn't meant a damn thing. Given this government's commitment to social service restraint and given this minister's propensity to capitulate at every possible opportunity to the demands of the Treasurer (Mr. McKeough) for cost reductions, I'm very doubtful that any meaningful social service reform in child welfare will ever be achieved.

The truth is—and people had better face up to it—that a fundamental reform of the child welfare system will be expensive. There's no point in trying to deceive ourselves, there's no point in lying to ourselves; it costs money to transform an entire service delivery system. It costs money to put in place a network of services that are truly preventive. It will cost money to provide visiting homemakers' services adequate to the needs of the people of this province; the interministry report tells us that in most communities they don't even exist. The ministry is not about that business, the ministry is about cost reductions and cost savings; and to his eternal shame, the minister managed to save for the Treasurer a total of \$44 million in unspent social services money in the previous fiscal year.

Mr. Martel: On the backs of the poor.

Mr. McClellan: That indicates more than green papers, white papers, policy papers or draft pieces of legislation just exactly where this minister's priorities are.

Mr. Martel: He will get a stripe for that.

Mr. McClellan: He will maybe get the Darcy McKeough stooge of the year trophy. I always thought it was going to go to Dennis Timbrell.

Mr. Deputy Speaker: When referring to another member, would the honourable member refer to him by his riding or ministry rather than by the surname?

Hon. Mr. Norton: And the award you anticipate he gets.

Mr. McClellan: My apologies.

Mrs. Campbell: I think the stooge award is fitting.

Hon. Mr. Norton: Not you too.

Mr. McClellan: I've forgotten his riding.

Mr. Martel: Kingston and the Islands.

Mr. McClellan: Kingston and the Islands.

Mrs. Campbell: You must remember it will have to be made out of something very cheap.

Mr. Martel: Rather cheap, like the rest of the ministry; plastic perhaps.

Mr. McClellan: The second problem this ministry has, aside from the fact that they are constrained at every turn, is that it is prevented on the basis of adequate funding from shifting responsibility to the municipal level, which is the only way, as everybody knows, that these kinds of reforms will work. If the minister proceeds with a program of decentralization which does not provide full funding to local levels of government to assume additional responsibilities for child welfare services, all he is doing is adding a further constraint on the expenditure of social service dollars. As a matter of fact, the mechanism by which the government has managed to achieve savings in the order of \$44 million in fiscal 1977-78 has been simply to increase the burden on the municipality. They have made it necessary for municipal politicians to choose between providing extra social services or stabilizing the tax rate; and that is simply a mechanism for constraint.

[9:15]

That is precisely how the minister proposes to go about reforming child welfare, as nearly as we can tell, through the development of local children's services committees and increased responsibility to the municipal level. The government's fiscal policy will ensure that reform will be an unmitigated disaster if it is carried out on the basis of anything other than financial generosity.

If it is carried out on the basis of cost sharing, even the existing cost-sharing arrangements, or, more likely, if it is carried out on a more punitive cost-sharing arrangement, I can predict that it will be a disaster for social services. It will result in the kind of reduction of service levels that we have

seen in visiting homemakers' and visiting nursing services.

The second problem the ministry has is that they don't know what they're doing. The minister is engaged in one of the unique experiments in modern government. He has announced a series of reforms as intentions to reform.

Hon. Mr. Norton: They are proceeding very well.

Mr. McClellan: He then put together a task force of exceptionally competent people to try to figure out what it is that the minister was talking about when he said he was going to initiate reforms. Normally what one does is to appoint an independent body to perform the task of assessing, planning and making the recommendation around what it is you are intending to do.

The minister is certainly in a unique position. I won't be uncharitable to it because it is unique and interesting. He has a lot of very talented people—

Hon. Mr. Norton: Which independent body does the member have advising him? Who are his advisers? He is suggesting people should set up independent bodies to advise them.

Mr. McClellan: I am referring to the Castonguay commission in Quebec. I refer to the Seebohm committee—

Hon. Mr. Norton: I am talking about the member's.

Mr. McClellan: I am not the government.

Hon. Mr. Norton: The member is purporting to draft legislation.

Mr. McClellan: If I were the government, I would have preferred to go the route of the British government in 1969-70 with the Seebohm committee or with the Quebec government with the Castonguay commission in the 1970s.

The minister's problem is that he is tripping over himself. His administrative responsibilities and the process of running a royal commission from inside the government, trying to figure out what the hell he is doing, are conflicting functions.

Hon. Mr. Norton: I haven't tripped at all; I have a good sense of balance.

Mr. McClellan: The minister has the same staff in positions of responsibility for ongoing programs in administration, simultaneously engaged in the function of trying to figure out what they are doing, where they are going and what social service reform is.

Hon. Mr. Norton: It is fundamental if you sit on this side of the House. That's because

we don't plan as though we are talking about pie in the sky.

Mr. Martel: You don't plan at all.

Hon. Mr. Norton: We do.

Mr. McClellan: The minister shouldn't dwell on it too much, because it is truly a bizarre process, and increasingly seen as a bizarre process. We are no closer in June 1978, than we were in April 1977 when it was first announced, to understanding what a local children's services committee is; and we are no clearer about how the minister intends to reorganize social services—

Mr. Martel: The amazing creature.

Mr. McClellan: —than we were when he announced his original intention to decentralize somehow.

Mr. Martel: The whole thing is just a delay process.

Hon. Mr. Norton: Why don't you pay us a visit sometime? We will brief you.

Mr. McClellan: It is every bit as ephemeral in June, 1978, as it was when it was first announced.

Mr. Martel: Get another green paper and you can postpone it indefinitely.

Mr. McClellan: The reality is that I don't believe this government has any real commitment to do what the minister says he wants to do; and I don't have very much faith in his capacity, or the capacity of his government, to pull it off.

Mrs. Campbell: Mr. Speaker, again I shall try to be brief. I suppose my approach to this particular bill may be somewhat different from that of my colleagues in the House, in that for years we have been looking forward to a new Child Welfare Act. Having in mind that which we have now, and have had for some time. I have to say that I view this with some sympathy, if not with endorsement, because I believe that at last we have an opportunity to review the whole range of the child welfare philosophies, which is important at this point in time.

Like my colleague, I am disturbed that we are talking about prevention, we are talking about protection, and there is nothing, really, in this legislation, that gives teeth to that kind of a philosophy or gives funds for that kind of philosophy. Of course we have such things as the child abuse provisions, but there is nothing, anywhere, of a commitment really to try to prevent that very serious indictment of our society.

Let me just go to some of the specifics. I am somewhat pleased, unlike my colleague, that we do have the best interest defini-

tions in this legislation. But I must say that I don't think it is there for the judges, because I think the judges, in their own special way, have operated rather on the principles of those definitions. What I do think it does is help society come to grips, in very real terms, with the parameters of their problems in addressing the situation, and I think that may well be helpful to them.

I note that while there are provisions as to what the ministry can do if it has a recalcitrant municipality or an agency which is somewhat less than efficient in presenting its budget, but I don't see one darn thing that protects the rest of us from a ministry that doesn't deal with the budget adequately and on time, and we have seen enough of that. So I would like to have some kind of assurance of a new type of procedure so we will not see the ministry dealing with children's aid societies' budgets *ex post facto*, but rather that they may indeed deal with them in advance so a society may have some idea as to what, in fact, is part of its protection budget and what is its crisis intervention budget.

I think that has been one of the major issues, as far as I am concerned, ever since I entered politics in 1958. We have never been able to come to grips with giving to the children's aid societies, or to anyone else dealing with children, the kind of budgeting necessary for proper protection and preventive kinds of approaches to family breakdowns, to the problems of children in our society.

I don't see any new steps forward here. I suppose we couldn't expect the minister to acknowledge the inefficiencies in his own ministry, but I would at least have liked to have seen him address himself to some kind of limitation period on the ministry itself.

One of the problems and one of the dichotomies of judges is really not addressed in this particular piece of legislation. It is a very difficult thing to be a judge sitting in a family court, dealing with a matter of contributing to juvenile delinquency or a juvenile delinquency aspect of legislation, and to recognize that there should be at some point in time—if I do not have the ear of the minister I will await his pleasure.

Hon. Mr. Norton: I can listen as I speak to my colleague.

Mrs. Campbell: I would hope that the Deputy Chairman might recognize that his function is not to interrupt debate.

Mr. McClellan: He doesn't understand his function at any time.

Mrs. Campbell: I will await the pleasure of the minister.

Mr. McClellan: We can wait all night.

Mr. Deputy Speaker: The member for St. George.

Mrs. Campbell: Thank you, Mr. Speaker.

Mr. Martel: You now have his undivided attention.

Hon. Mr. Norton: Don't you distract me.

Mrs. Campbell: I was saying it is a difficult thing for a judge who is dealing with a matter in some other aspect of the family court function to know what to do when he or she recognizes there is a real need for the protection of a child before the court in another capacity. I would have hoped that somewhere the minister would have addressed himself to this matter and perhaps have provided for some function related to child welfare so that judges don't somehow feel they are letting a very important matter slip because they do not feel they can sit in judgement perhaps on the parent under contributing legislation and then ask a society to take a child into care. A judge then becomes something other than a judge, he becomes a police officer or an enforcement officer at the same time. That situation is in desperate need of addressing by the ministry in this particular legislation if the overriding concern is concern for the welfare of the child.

We have some pretty express references to children being before the courts in some of these proceedings. It strikes me that it would be a better provision if we recognize that a child might be talked to by a judge, have **conversation with him** and be produced for the purpose of an in-camera discussion rather than to see the matter spelled out as formally as it is in this legislation.

Judges normally are people who are able to talk to a child, without any direct questioning on the specifics of a matter but to draw a great deal from the attitude of the child and the answers to questions which may seem irrelevant but which are not. I would like to see a strengthening of that particular area of provision so that the hearings may be quite flexible so far as the judge is concerned.

[9:30]

I can't be quite as negative as my colleague has been about the role of the official guardian in view of the fact that that role has changed and expanded over the years and, as I understand it, the official guardian in his intervention in the divorce courts has been quite useful. However, that is a matter which can be discussed in depth as this goes into committee.

When I look at the child abuse provisions, I despair. The minister could not advise this afternoon as to what funding, if any, had gone to the Sick Children's Hospital. Certainly, we know that his predecessor, in some kind of effort at political PR—and that's all it could ever be deemed to be—put a little money here and a little there and a little money somewhere else instead of really zeroing in on the problem as it has been addressed at Sick Children's Hospital and the kinds of expertise which they have, I think, extended beyond the original Denver Module. It always seems to me that if you really want to address yourself to a problem, you certainly might start somewhere ahead of zero, if you know that there is something ahead of zero, rather than taking people back to zero just for the fun of it.

I really am not very happy with the provisions insofar as they pertain to child abuse. I raised all those questions on the private member's bill of the member for York East (Mr. Elgie). I thought it was a thoughtful bill that he produced, but again the weakness in that was the lack of provision for prevention.

I don't think I need to go through all the aspects of this bill. I welcome it being before us. I would have hoped, too, that the minister might have discussed with his colleague the Attorney General (Mr. McMurtry) some way of trying again to overcome the difficulties where you don't have a unified court between the function of a provincial court judge in child welfare cases and the function of the surrogate or Supreme Court in custody matters. It seems to me that should be worked out, because it must be very disturbing to a child, particularly a child who is of an age to understand what is happening, to be in the middle of a child welfare hearing—and only to have the whole matter washed out because some third party has gone to another court and applied for custody.

I think this is something that should have been addressed by the minister, not alone but in conjunction with the Attorney General, if we're talking about the best interests of the child. The jurisdiction is confused. It's overlapping, it's awkward and it doesn't help a child.

Having said that, I am prepared, as my colleague has indicated on behalf of this party, to support this bill in principle, again with a view to returning to this House a bill which is vastly improved and which can spell out something of a philosophy of protection both for the family and the child, a philosophy of concern for prevention rather than for crisis intervention, a philosophy which could make us leaders in Canada instead of

followers, as we so often are in these very difficult areas.

Mr. Martel: Mr. Speaker, I will not take a great deal of time on this bill. I guess the only saving grace about the bill is the fact that it is wide open and it will go to committee where we will have an opportunity to amend it, because as I look at the bill I am dismayed. You know it was 1971 when I started to agitate for some reform to the Child Welfare Act and as the critic for this party continued that for four years.

In fact in 1975 we finally had hope that we would get a chance to look at some meaningful reform in the Child Welfare Act. The then minister (Mr. Brunelle), on suggestion of the former member for Nipissing, Mr. R. S. Smith, the member for St. George and I, invited Judge Thomson to a meeting over in the Macdonald Block with a group of people. The minister was kind enough to say to the opposition parties—maybe he had a premonition of what was coming—that they could bring in people to take part in that first hearing or first discussion. Judge Thomson was one of three to address the group and all of us had people there because there was some hope that the minister of the day would have the act rewritten with the emphasis on prevention, and ultimately, if need be, rehabilitation.

Well, we all know what happened. The minister of that day was—

Mr. McClellan: Thrown out on his ear.

Mr. Martel: —moved to another area of jurisdiction. We had a new minister who scuttled the whole idea of looking at the Child Welfare Act. We now have this bill before us; it comes as a result of a number of green papers and this is supposed to be just the interim legislation, because the real stuff is coming somewhere down the road.

Mr. McClellan: In the sweet by and by.

Mr. Martel: I want to tell you, Mr. Speaker, that those of us who have been here a few years longer than the minister thought, in 1971 to 1975, that the effort in 1975 was going to lead to something meaningful. There were all kinds of amendments, and like this bill they really didn't deal with prevention. Here we are today with the same sort of bill, which doesn't deal with prevention. In fact we will still deal with crisis-oriented situations; there's nothing in the bill that alters that one jot, nothing. Look at the bill; you know it's the most ridiculous thing. So what if we let the press in, and that's a great move forward. How is that preventive? Just take any one you want; curfew in street trades, abuse registry—my golly, that's nice stuff, but

what does it do to prevent the destruction? It's not going to do a lot.

For example, it's not going to get a field worker to spend, as I have suggested for a long time, three or four days if need be in the home to try and assess where the difficulty is; to determine what's creating the problem; to determine if it can be resolved without splitting up the family. That's not going to happen under this act, and don't tell me it could happen before because most of the social workers involved in the field have too big a caseload and they can't cope. They can't cope with spending that much time with a family or making the number of visits necessary.

What about rehabilitation, getting some assistance for the child once he's been released from wherever to make sure that the same thing doesn't occur once he's back in the natural setting? What about trying to utilize the schools to detect problem areas and prevent a crisis situation from occurring? Surely that's what we should be talking about, how to try to prevent the crisis from occurring if at all possible. Teachers are well aware or can detect when a child is having problems. It shows up in his attitudes; it shows up in his marks; it shows up in such a variety of ways. All of a sudden his total personality changes, and one has to understand there is a problem developing somewhere.

How does one work under the terms of this bill with all its nice amendments to prevent that crisis from developing? It's not there. That's why my colleague speaks happily about the possibilities that are going to occur as a result of the hearings that will take place in the fall with the possibility of moving a good number of amendments. I suggest we get together very quickly in the game. I say to my friends in the Liberal Party, to assess where we want to go. That's the way, without voting against each other, to rewrite the Child Welfare Act in totality so that it is prevention-oriented and not crisis-oriented any longer.

We should move to move amendments that will make it possible for there to be some meaningful rehabilitation once the child is back in the natural setting. I say to my friends to my right we should do that readily and quickly for the sake of the child. As I read through the various amendments in this thing that I have before me—and I call it a thing; really, after this many years it is almost ludicrous. It includes the society's budget, capital grants payable to societies, definition of parents and place of safety.

Hon. Mr. Norton: What are you going to do, abolish the society's budget?

Mr. Martel: Now there's one. I want to tell you that sometimes the place of safety certainly wouldn't be the children's aid society, if it is anything like the children's aid society in Sudbury and the way it can respond, as it did with the Savard case. A more distasteful exhibition I have never come across in my life than what was done, not only by the society to me on an agreement, but what was done to the minister's own staff by that society. It was a disgrace what that children's aid society did. There should have been a house cleaning. My golly, a place of safety!

The bill deals with transfer of proceedings to another court and independent legal representation of children. It goes on and on for 30 amendments. If the minister can find for me in there some real effort at prevention and some real effort at rehabilitating the child, then we have moved a long way. I don't see it; maybe the minister can explain to me where it is. If it's short-term legislation, I can assure him that by the end of September or October, whenever it may be—unless of course we get the big threat to withdraw the bill, which has been known to happen in the last couple of months, as we have with Bill 70 sitting there—

Mr. Sterling: With 52 amendments.

Mr. Martel: Yes, but it's not being recalled. Isn't that interesting? We could have 152 amendments. The government isn't prepared to bring back Bill 70, it continues to sit on the order paper.

Mr. Gregory: He is not speaking to the principle.

Mr. Martel: When we talked about Bill 19, the Mental Health Amendment Act, the Minister of Health (Mr. Timbrell) said: "I won't bring it back."

Mr. Gregory: Is that part of the principle?

Mr. Martel: I say to my friend the minister that he might end up in the same position as his colleague the Minister of Health, his colleague, the Minister of Labour (B. Stephenson); and I understand the Treasurer (Mr. McKeough)—

Hon. Mr. Norton: It is in your hands to put me in that position.

Mr. Martel: It is in our hands to bring in positive legislation which will be preventive in nature. I hope the minister is prepared to join in that.

Hon. Mr. Norton: In the spirit of co-operation in a minority government.

[9:45]

Mr. Martel: I haven't seen that work in those very important bills like the Mental Health Act and the Occupational Health and Safety Act.

Mr. Sterling: Maybe this will be the first.

Mr. Martel: Maybe this minister is prepared and maybe some of the people who were instrumental — maybe Judge Thomson who sat in that first meeting in 1975 prior to the 1975 election and I think was intrigued with the idea of rewriting the whole act; and I suspect that is ultimately what we will have to do, rewrite much of the act in order to bring it in line with what we need today. I am sure the minister is prepared to co-operate with that, being the fine fellow that he is—

Hon. Mr. Norton: Co-operation is a two-way street. I've been open, responsive—

Mr. McClellan: You got your amendments; we should get ours.

Mr. Martel: We have given the minister an opportunity. He has moved 28 or 29 or 30 amendments and we are prepared to accept them, all right? We were prepared to accept most of these amendments and I hope the minister is prepared to accept most of our first 29 or 30

Hon. Mr. Norton: I should hope so.

Mr. Martel: —and being the co-operative fellow that he is I know—

Hon. Mr. Norton: Not sight unseen.

Mr. Martel: No, not sight unseen.

Mr. Deputy Speaker: May I suggest that the member for Sudbury East and the minister withhold this discussion until a more appropriate time?

Mr. Martel: I am speaking to the principle of the bill, Mr. Speaker, and some of the recommendations that will make it a meaningful exercise.

Hon. Mr. Norton: We have six more bills before 10:00.

Mr. Martel: I suspect that won't occur. To save time, just to let the minister know that we will be back with our 29 or 30 or so amendments, in the spirit of co-operation to get this done and try to leave the minister in a good frame of mind so he will accept our amendments. I will pass this on to whoever wants to become embroiled in this battle.

Mr. Cooke: Mr. Speaker, I will be brief. I just want to make a few comments. I, too, am very pleased that this entire bill has been brought in front of the Legislature. I think this will provide an opportunity for

workers in the field and other people who are interested, clients as well, to come before the committee and give their impressions of how the child welfare system in this province is working. It is something that we have asked for many times over the last year that I have been here and the government has not seen fit to look into the administration of the Child Welfare Act. I suggest to the minister and to the government that maybe now we will find out what really is happening out there. I think the government will be convinced by finding out what really is happening that some of the amendments we will be putting forward are needed and should have been put forward by the government.

I would like to comment on a couple of the amendments and my reaction to them. Certainly we will get into them and other issues in much more detail during the committee hearings.

I was very disappointed to see that the care by agreement, or the non-ward agreement, has not been changed to a greater extent. I know from when I worked in the field that particular process—non-ward agreement—is abused by the societies. The agreements are used in an effort to stay out of court.

In my opinion they should be used only in cases not involving protection—short-term care when maybe a parent has to enter a hospital for a few weeks or something like that. They should not be used in a case of protection: those cases should go before a judge and the court system should make the decision. I really think that care by agreement or non-ward agreement provides for little or no accountability. Therefore I think very strict guidelines have to be drawn up to make sure the societies do not abuse them.

I also was somewhat disappointed in the legislative changes about the adjournments. I know, again from experience, there are too many adjournments taking place. I like the original proposal—I think a 30-day adjournment was going to be provided, although there were no limits on the number of adjournments as I recall. I would think this is something that will have to be looked at very closely. It is very traumatic for a family and a child to have to go into court. They come out of court after a five-minute session in which the judge adjourns the whole thing and they are still in limbo. I think we will have to look at that very closely and see if somehow we can limit it to a much greater extent.

I was pleased to see that the terms and conditions of supervision can form part of a supervision order. I think that builds in a

great degree of accountability and provides a measurement for the courts to find out how much progress is being made by the children's aid societies. However, I was a bit disappointed to see that maybe the supervision order should be included as part of the two-year period whereby a child is left in limbo. Under the suggestions, I believe a child can be in care under a non-ward agreement and society wardship for up to two years. If we're going to leave it at two years for intervention on the part of children's aid societies through the courts, supervision orders also should form part of that two years. That's something we can possibly look at in committee.

I noted the minister had changed his suggestion of reviews of crown wardship and made them administrative reviews. That's a whole area we will have to look at again. As my colleague from Bellwoods said, crown wardship up to this point has been something where a child was relatively secure, whether he was in a group home of children's aid or whether he went on to adoption. What is happening through some of these suggestions is that crown wardship is becoming a form of temporary wardship and that worries me.

The main problem that is not addressed, as has been noted by other members of the Legislature tonight, is the problem of prevention versus protection. If the minister examines what children's aid societies consider to be prevention, they basically say that prevention is preventing a child coming into care. Sometimes that's good and sometimes it's not too good. There are many cases where children are left at home when they shouldn't be left at home. The children's aid chalk it up as a success case if the child remains in its parents' home for a certain length of time rather than coming into care. I think this leads to some of the problems we saw earlier this year and last year with child abuse cases.

I know from experience. At one time, when I worked at children's aid, I had the unfortunate experience of having to go into a home to remove four children because their baby sister, a 15-day-old baby, had been killed by the parents. That's not a pleasant experience. The children's aid society had been involved with that family for about three months, working with the other children with suspected child abuse.

When the other children were examined in detail at the hospital it was found that there had been broken bones that had healed over.

In my opinion, there was no excuse for that case. Those children should have been taken into care long ago. But this type of

thing happens because of the philosophy of the children's aid society, and of the ministry, that children are best with their biological parents at all times and that prevention and success mean leaving the kids in their home with their parents. That has to be looked at very carefully.

I personally don't feel children's aid societies can do the type of job of prevention many of us would like to see. The types of prevention I look at are the types my colleague from Bellwoods mentioned, such as day care—that's a real form of prevention—or other forms of teaching parents how to be parents, teaching them skills of parenthood. I think those are things that can be provided by other agencies, and I don't think they can be adequately provided by children's aid societies.

The primary purpose of children's aid societies should be to aid and protect the child. If we're going to talk about prevention, as I hope we will, I think we might have to look at another agency; we might have to look at separating the functions somehow within the child welfare system.

I want to comment about one final thing. I know we want to get on to other bills.

Last year in estimates, when I mentioned in-service training for those working with families that are suspected child abusers or families that have abused their children, I suggested to the minister that in my opinion the children's aid workers in most agencies across the province were not skilled or trained to work with those families. I still think that.

A social worker who goes to work for a children's aid society might have a bachelor of social work degree or a bachelor of arts degree, but there is no specific training where the social worker can learn a specific skill of how to work with specific types of problems.

The in-service training I have seen within the societies has been inadequate, to say the least.

As I said to the minister last year in estimates, when I started at the Essex County Children's Aid Society, in my orientation period I had more time spent with me by the administration in teaching me how to use the switchboard and the phones than I did on how to work with children-abuse families. I think that's something the minister and the ministry are going to have to say to children's aid societies: "Your primary purpose is the protection of children and you are going to offer these types of in-service training."

Last year the minister said that's not his responsibility, and that children's aid societies are private agencies. I think the Child Wel-

fare Act is a provincial law. The government funds the children's aid societies and the minister can take that kind of responsibility and provide that type of direction. I hope we'll see that.

Hon. Mr. Norton: I certainly would hope they would hire a social worker who already knew how to handle a telephone.

Mr. Cooke: They did that; that might say something about the Essex Count Children's Air Society, and maybe it's intended to.

Those are some of the things I wanted to talk about. There are many other issues that are addressed in the green paper and then in the legislative amendments that I hope we'll get into in great depth. I might say to the minister that I've already spoken to some social workers in different children's aid societies and told them that the entire bill had been introduced. All of them were elated that they would have the opportunity to come and speak to the social development committee and suggest their amendments.

Mr. McClellan: This is an historic event.

Hon. Mr. Norton: In the time remaining I don't know how I can possibly respond to all of the matters that were raised by the honourable members opposite.

Mr. M. Davidson: Don't try. Just take five minutes.

Mr. Cooke: Just agree that we're right.

Mr. McClellan: Concede—capitulate.

Hon. Mr. Norton: I shall try to abbreviate my remarks. I would first of all like to express sincere regret that the member for St. George (Mrs. Campbell), who was so concerned that I be attentive to her remarks, was unable to be present so that she could be attentive to my responses.

Mr. M. Davidson: Don't say it, Keith. She's right outside the door.

Hon. Mr. Norton: However, in the absence of the honourable member—

Mr. McClellan: You will be sorry you said that.

Hon. Mr. Norton: I might well be.

Mr. Cooke: Here she comes.

Hon. Mr. Norton: I would like to initially indicate that I bring these legislative amendments before the House, as I think the honourable members opposite will acknowledge, in good faith—

Mr. McClellan: Are you going to take that lying down, Margaret?

Mrs. Campbell: I didn't hear what he said. Are we dealing with mala fides?

Hon. Mr. Norton: No, I had commented that I regretted very much that the member for St. George wasn't here to be attentive to my remarks since I had been brought to attention for not being attentive to hers. I'm very pleased to see that she is now in the House.

Mr. B. Newman: She heard everything. She heard it all.

Mr. McClellan: Your abject apology is accepted.

Hon. Mr. Norton: In terms of the concern that some of the members opposite had expressed relating to the extent and the speed with which the amendments have appeared, I want to emphasize—and I'm sure the honourable members opposite understand—

Mrs. Campbell: We didn't say speed. It was the lack of it.

Hon. Mr. Norton: All right, the lack of it, then is what was expressed. I think that the honourable members opposite really do understand that when dealing with an undertaking of the magnitude—

Mr. McClellan: Sort of like property tax reform—it takes time.

Hon. Mr. Norton: —that we have undertaken—and I say “we,” because I fully recognize that although the initiative was a government initiative, it is something that can only see fruition with the support of the whole House. I realize that I and the government, if we are to see the changes in terms of children's services in this province through, must depend upon that support.

Mrs. Campbell: And we on yours.

Hon. Mr. Norton: I would hope that the honourable members opposite would also realize, as I indicated almost a year ago now, or perhaps even a little more than a year ago, that the kinds of major changes or complete restructuring that they may wish to see at this point in time, I really do believe take very careful planning and forethought. As I indicated a year ago, I do not see that there would be interim amendments, and we have already begun work on the development of the omnibus legislation which will take a longer period of time.

I think it's important that we bear in mind that original commitment and the fact that so far we are still essentially on schedule in terms of the commitments that I made to this House. I would hope that I could rely upon the honourable members opposite—

Mr. McClellan: You keep changing the schedule.

Hon. Mr. Norton:—to be as sincere in their commitment that they have expressed to the restructuring of the children's services system in this province. If they should think that it is something that can be totally restructured in the course of a few weeks of a committee sitting, then I would urge them to take the—

Mr. McClellan: Don't be silly.

Hon. Mr. Norton: Well, there were certainly suggestions made tonight that the restructuring would take place in the course of the committee deliberations.

[10:00]

Mr. Cooke: It would probably take a new government.

Hon. Mr. Norton: I think it is important to realize that what we have before us tonight is not something which was hatched and grew up in an ivory tower.

Mr. McClellan: Don't set up straw men.

Hon. Mr. Norton: It is based upon proposals brought forward—

Mr. McClellan: Don't set up straw men; you're beating your gums for nothing.

Hon. Mr. Norton: It resulted in at least 126 briefs, in many cases very comprehensive ones, coming from people involved in children's services across this whole province—the very agencies you refer to, and in some cases individuals. Those were carefully analysed, digested and responded to and gave rise to the very changes that some of the honourable members in their comments tonight have observed between the green paper and the form of the legislation.

The consultation process so far has been very successful. I think it is one of the most important things that we have undertaken, certainly in the time that I have been a member of the Legislature—which is not a very long period of time I must admit. It is a very important undertaking and it is a larger undertaking than most other jurisdictions in the western world have undertaken with respect to children's services.

Mr. McClellan: Rubbish. That's just rubbish.

Hon. Mr. Norton: I have looked and my staff have looked at the experience of other jurisdictions. I would urge opposition members to do so as well, because more jurisdictions have failed than have succeeded in the kinds of undertaking that we have made. I really do believe very sincerely in the question of the timing and the opportunity to involve—

Mr. McClellan: If you only do what you were going to do, it would not matter how long it took.

Hon. Mr. Norton:—the persons upon whom we ultimately are dependent for the execution and the carrying out of children's services throughout this province. It cannot all be done centrally by members opposite and I and others.

Mrs. Campbell: You were right when you said execution. We like to think of it as implementation.

Hon. Mr. Norton: I say execution in the best sense of the word.

I do think members have to bear in mind the sensitivity of this whole process in terms of contemplating amendments. It is when the member for Bellwoods talks about a radical restructuring that I take some solace in the more moderate approach of his colleague from Windsor-Riverside, who doesn't refer to radical restructuring. I would hope that we be careful that—

Mr. McClellan: Does "radical" terrify you? Does it give you palpitations?

Hon. Mr. Norton: Perhaps that word in his mind means something different from what it means in mine.

Mr. McClellan: I hope we didn't scare you too badly.

Hon. Mr. Norton: I am prepared to accept radical change, but I think that the important counterbalance to that is that it be change that takes place within a context of planning and forethought, that really is sensitive to the delivery of this service across the province, not the kind the thing that one sitting in a committee or in an ivory tower somewhere decides, with a stroke of a pen, that they are going to do to restructure the whole thing; that's just not realistic.

I urge members to work co-operatively with us to see this through. I am open to constructive suggestions with respect to amendments. I think there are a variety of things which we realistically must bear in mind in terms of the rate with which the change can take place. I hope that before it goes to committee to have an opportunity to speak to members more fully on the concerns that I have in that area.

Mr. McClellan: Sounds like a threat for Wednesday.

Hon. Mr. Norton: Certainly the amendments that the member for Bellwoods referred to, well reasoned amendments that would strengthen this legislation, I would welcome.

The other thing I would welcome—and there have been a number of references tonight to the absence of any legislative framework for prevention—I would implore members that if they have or can develop proposals for a legislative framework for prevention, please present them to me if they can before committee so that we can give them very careful consideration. I assure the House that if there is any way in which we can act more effectively in the area of prevention, and I think that it requires far more than simply legislative framework—

Mr. McClellan: Oh we will.

Hon. Mr. Norton: If there is any way in which we can do more tell us. There was repeated reference to absence of a framework in the legislation, so if members have proposals please present them to us at the earliest date so that we can give them careful consideration. I do wish to be co-operative in this process. I do hope that members are sincerely intending to reciprocate.

I won't get into the discussion that arose at times. For a moment I thought we were dealing with our estimates in the estimates debate when we got talking about home-makers' services and nursing services and started to go through that whole process.

Mr. McClellan: They are preventive services in case the minister doesn't know.

Hon. Mr. Norton: I agree, of course they are; and I am not denying that. I would only ask the member for Bellwoods, when he issues these outrageous press releases also to take the time to read the press response, because each of the things on which he had, uncharacteristically, superficially drawn conclusions, I did have an opportunity to respond to. It was one of those rare occasions where the press actually presented both of our arguments quite faithfully.

Mr. McClellan: The press always does that.

Hon. Mr. Norton: Obviously the member for Bellwoods did not read the responses, even as presented in the press, because he still is labouring under the same misapprehensions that somehow I magically returned \$44 million to the Treasurer (Mr. McKeough).

Mr. Makarchuk: Your response comes from the Treasurer. It doesn't come from you.

Hon. Mr. Norton: No, my response comes right from me.

Mr. Makarchuk: No, it doesn't; it comes from over there. You pick up the crumbs.

Mr. McClellan: You are simply a puppet.

Hon. Mr. Norton: I can assure members that I will leave those matters for the estimates debate.

Mr. Makarchuk: You dangle at the end of a slender string. You are a puppet on the end of a string.

Hon. Mr. Norton: I very much regret I have only had one day of estimates during this session. I was looking forward to them very much.

Mr. Speaker: Order. All members of this House have had an opportunity to discuss this bill on second reading. Show some courtesy and allow the honourable minister to reply uninterrupted.

Hon. Mr. Norton: My last comment was simply that I had been looking forward very much to the estimates debate, which unfortunately will be very brief this session I gather.

Mr. McClellan: I hope the minister is going to be brief.

Hon. Mr. Norton: I just point out that in terms of specific responses to the honourable members opposite, as I say I simply haven't time to go through all of them. With respect to the best interest test—and I believe it was the member for Bellwoods who expressed concern about the absence of any specific reference to risk—I would think that risk is one of the primary concerns; and perhaps that is why it was not expressly provided, because it is assumed that would be the primary concern under those circumstances.

Mr. McClellan: Yes, but that is not what happens.

Hon. Mr. Norton: The reference here, if one looks at it, is suggesting that it is in the best interest of the child in the circumstances, having regard, to all other relevant considerations. It then lists some seven considerations. It is not in any way exhaustive; it is simply to offer some guidelines. As the member for St. George has suggested, it may be of as much value to the societies as to the judges. I hope those are the kinds of things we can discuss reasonably in committee and go into in more detail than we have tonight.

On the concerns that are expressed on the proposals for care by agreement, a continuation with slight modifications from previous provisions, I am certainly willing to consider the concerns the honourable members opposite have expressed. My feeling is the provision for an involvement on the part of a child after a certain age is a recognition of the rights of that child to a degree that some reasonable involvement is important. One of the concerns I had in practising in the law

courts in the province was that at times there was too little consideration given to the child and the child's concerns.

Mrs. Campbell: Precisely.

Hon. Mr. Norton: The point that the member for St. George has made tonight relating to the opportunity, at least for the child and the judge to have some exchange, whether it is in the context of the full court hearing or not, is an important consideration. I don't believe there is anything at the present time to prevent that, but if some express provision would help, then that certainly is something I would support. But we must not fall into the trap of forgetting, whether we are social workers, lawyers, legislators or whatever, that sometimes it is amazing at what tender years a child can have very valid concerns to express.

Surely if we are concerned about children's rights, it has to extend at least to the right of the child to be heard and to understand, to the fullest of his capacity at his age, what the proceedings are about. I think we have only to look at some of the early history of the juvenile courts to understand some of the travesties that took place in the interests of the child, if you wish—at least, that would be the opinion of those who participated.

Mr. Speaker, I don't wish to go on at great length. Perhaps one final thing I would comment upon—again, I'm willing to discuss this with the honourable members in committee—is the question of crown wardship and the concern that there might be an undermining of the security of crown wardship. In fact, the reverse was the intention; that is, where a child might end up in limbo, where there was a lack of a clear plan for the child, where the child had become a ward and no planning had been made for placement in an adoptive home, or perhaps no concrete or specific plans were worked out in a period of two years, I would think it would be reasonable under those circumstances to review that, so there is some degree of accountability as to what in fact is being done with a child who has become a ward, who has not been placed for adoption. I'm not suggesting that if there has been an adoption the child be brought back for a review, not that kind of uncertainty, but to ensure that something constructive has been done on behalf of that child.

Mr. McClellan: That wasn't my understanding of it.

Hon. Mr. Norton: Perhaps, again, we can clarify that in further discussions. We certainly have no intention of bringing adopted children back to be reviewed.

Mr. McClellan: No, no.

Hon. Mr. Norton: It is to ensure that something constructive is done and that there are not long periods during which the child may sit in limbo, if you wish.

Mr. Speaker, I will terminate my comments at this point.

Motion agreed to.

Ordered for the standing social development committee.

CHILDREN'S MENTAL HEALTH CENTRES ACT

Hon. Mr. Norton moved second reading of Bill 115, An Act to revise the Children's Mental Health Centres Act.

Mrs. Campbell: Surely the minister has an explanation of this bill, **Mr. Speaker.**

Mr. Speaker: Does the honourable minister have any opening comments?

Hon. Mr. Norton: **Mr. Speaker,** I hadn't intended to make any.

Mrs. Campbell: We invite them.

Hon. Mr. Norton: I wonder if the honourable member could point specifically to what areas she would like me to discuss.

Mrs. Campbell: No, I'd like the minister to explain this bill.

Hon. Mr. Norton: One of the concerns that has been expressed by the members opposite relates to funding.

Mr. McClellan: Don't anticipate. Why doesn't the minister let me make my remarks before he responds to them?

Hon. Mr. Norton: I had suggested that I would. **Mr. Speaker,** I don't believe there is any requirement that I go through the bill first.

Mr. Speaker: Does any other member wish to speak to this bill on second reading?

The honourable member for Sarnia.

Mr. Blundy: **Mr. Speaker,** I am certainly pleased to see An Act to revise the Children's Mental Health Centres Act. I know that in this area there certainly is great room for improvement over what now exists. There are certain items in this act, that if they had been in force in previous years might have prevented some of the difficulties that have been encountered with certain groups or centres in the past. It is hoped that this bill will provide for proper supervision and regulation, and the minister will have the prerogative to step in to look after any situation that is not being handled in the

best way for handling children's mental disabilities by the centres that care for them.

I'm very interested to hear what the minister has to say about this bill. I want to see it given second reading and referred to committee, of course, so that at that time we will be able to study it in depth.

That is all I have to say about this bill at this time, Mr. Speaker.

[10:15]

Mr. McClellan: Mr. Speaker, I'll be mercifully brief. I appreciate the indulgence of the House during my last speech, which I appreciate was boring in the extreme.

Hon. Mr. Grossman: I wasn't here.

Mr. McClellan: Do you want me to give it again?

Mrs. Campbell: No!

Hon. Mr. Grossman: I promise to read it in Hansard.

Mr. Makarchuk: I want that in writing.

Mr. Speaker: Order. The member for Bellwoods said he would be brief.

Mr. McClellan: I'm rising to oppose Bill 115. I'd like to set out very briefly the reasons for doing so.

In the first place, I have a minor but important objection which I think refutes the remarks of the member for Sarnia that this bill will redress the abuses which have taken place in the past.

The green paper proposed that children's mental health centres be non-profit corporations. Unfortunately, "non-profit" has been removed from Bill 115 and they have simply to be corporations, profit or non-profit. I feel that the green paper was correct in the first instance, that children's mental health centres ought to be non-profit corporations. Should this bill pass on second reading, as I guess it will, we will move in committee that "non-profit" be reinserted in section 5 where it originally was. The policy and the principle have been stated on numerous occasions—on both sides, I think, but quite clearly in this party at any rate—that these kinds of services ought to be provided on a non-profit basis, period.

The major objection I have to the bill has to do with the funding provisions, which are really the central part of this bill. There's no mistake about it. What this bill does is to remove funding for children's mental health centres under the Mental Health Act, through which they have always been funded, and to place the funding provision in the regulations with no indication whatsoever how children's mental health centres are to be funded in the future. All it will do is place the funding

mechanism in the regulations, and we are asked to pass the bill and to rely again on the good intentions of the minister—

Mrs. Campbell: It's like a blank cheque.

Mr. McClellan:—blank cheque, as the member for St. George rightly describes it—to come up with a funding proposal that is fair, just and equitable. I'm sorry, that's not good enough. I know what the funding sections of the interministry committee on residential services had to say about funding residential services. They talked about the dichotomy between services like children's mental health services which were funded under Health on an insurance principle, on a universal basis, and, on the other hand, services within Community and Social Services which were financed on the welfare principle.

I am not prepared to see any children's services moved from the insurance principle, from the universal principle, to a welfare principle. What welfarization of services means is that services become available on the basis of means testing, or needs testing, or income testing, and the history of funding within the Ministry of Social and Community Services on the welfare basis is mean and nasty. There is no other way to describe it.

Their record is mean and punitive. They like to provide services on the basis of humiliating and discriminatory tests applied to individuals as a condition of eligibility. They like to provide funding to groups, organizations and municipalities on the basis of inadequate cost-sharing provisions. Their record is one of meanness and cheapness.

We are not prepared to see this happen to the one program in the children's services field which has up to now been funded on the basis of adequacy and on the basis of 100 per cent funding without any screening, without any humiliation and without any demeaning means tests or income tests. We are not prepared to take the chance that the Ministry of Community and Social Services will standardize the funding mechanism on the basis of its mean and punitive penchant for means testing or income testing.

That may or may not be the minister's intention, but I have no intention of giving carte blanche to that ministry with its record. If the minister has a proposal to standardize funding, he has to tell me what it is before I will vote for it.

Mrs. Campbell: I invited the minister to address the assembly on this bill because I had some very deep reservations. They have been expressed in part by the member for Bellwoods. There is another aspect to the bill

itself which really seems to feed in to the uncertainties of funding. If one looks at sections 5 or 6, we seem to be dealing with whether or not a corporation is financially capable and so on. There is nothing addressed to the quality of care, there are no criteria in this area.

Ever since I have come into the House we have complained about the fact that in so many of these cases the standard seems to be the physical standard and the physical plant and not the type of program or the kind of care which in our view is very important and fundamental to the care of children in this area.

I see that the Provincial Secretary for Resources Development (Mr. Brunelle) is with us. I'm sure he will recollect that kind of debate which took place year after year in his estimates as we concerned ourselves—not in this case because it was otherwise constituted—about areas where we felt there was more emphasis on the physical plant than there was on the care and the program within the institution or within the framework of it.

Mr. Haggerty: The honourable minister had great understanding of the problems.

Mrs. Campbell: Yes, he had indeed. One certainly regrets that his concerns, which were real concerns which everyone recognized as such, were not shared by other members of the government at the time when he bore the responsibility for this ministry.

There is no question, as I see it, that the minister must be prepared to spell out in this statute in very clear terms the type of criteria for funding and the basis for the funding so that we may be assured that there is stability in the funding and that it relates both to the physical plant and also to programs to be conducted within the plant. I am not going to, and my colleague, speaking for the Liberal caucus, has said we are not going to refuse this bill at this time. But the minister must be absolutely certain that he must meet these very real concerns as the bill goes to committee or I believe that we can all assure him of a very rough passage in that particular field. If he wants our co-operation, I have to point out that we too need to have his co-operation in meeting our concerns in this area.

Mr. Speaker: Does any other honourable member wish to speak to this bill? If not, the honourable minister.

Hon. Mr. Norton: Thank you, Mr. Speaker. In fact, I think I can probably do it in three minutes.

Mrs. Campbell: Good. The amendments are all ready.

Hon. Mr. Norton: First of all, addressing the issue of funding. I am not sure if the honourable members are aware that there is no change in the provisions of this legislation in funding procedures from either the Children's Mental Health Centres Act or the Mental Health Act.

The concern the member for Bellwoods addressed himself to, if I understood it correctly, does not represent any change in authority as far as funding is concerned. Precisely the same provision exists in both of the other acts. If he felt that somehow this act was giving to me or to my ministry greater discretion, then I would be prepared to show to him the provisions in the other legislation which are identical to that. It is not a change in terms of the present funding for Children's Mental Health Centres or the provisions under the Mental Health Act.

As to the concerns expressed by the member for St. George relating to standards and so on, I can assure her it is my intention that if this bill does not go to committee until—I don't think there is a firm schedule yet, but I've heard suggested some time in September, perhaps—

Mrs. Campbell: Or October.

Hon. Mr. Norton: Well, whichever. I hope it is before the House resumes. And I hope the committee will soon tell me so I can plan my summer. We hope by then to have standards available for consideration, which could be looked at by the committee as well at that time.

Mr. Speaker: All those in favour of second reading of Bill 115 will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Call in the members.

Some hon. members: No, stack it.

Mr. Speaker: Is there an understanding?

Hon. Mr. Welch: The understanding was to stack this until the completion of all of the minister's bills.

Mr. Martel: It's what they call a one-shot vote.

UNIFIED FAMILY COURT AMENDMENT ACT

Hon. Mr. Norton moved second reading of Bill 116, An Act to amend the Unified Family Court Act, 1976.

Motion agreed to.

Ordered for the standing social development committee.

CHILDREN'S INSTITUTIONS ACT

Hon. Mr. Norton moved second reading of Bill 117, An Act to revise the Children's Institutions Act.

Mr. McClellan: Mr. Speaker, I have some remarks to make on Bill 117.

On motion by Mr. McClellan, the debate was adjourned.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, before moving the adjournment of the House, it was my undertaking that we would keep members advised on a daily basis.

Tomorrow afternoon when the orders of the day are called, we will start with the

13th order, which is Bill 112. Once second reading of this bill is completed—that is going out to standing committee—we will return to the Minister of Community and Social Services for the balance of his legislative package, Bills 117, 118, 119 and 120.

Following that we will go to second reading of Bill 124, Bill 126 and, hopefully, have time to complete Bill 35 in committee of the whole.

Mr. Martel: Mr. Speaker, have we in fact directed Bill 115 to the social development committee?

Mr. Speaker: Yes.

On motion by Hon. Mr. Welch, the House adjourned at 10:30 p.m.

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Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

TUESDAY, JUNE 20, 1978

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

CHILD ABUSE

Hon. Mr. Norton: In February I announced the appointment of a task force chaired by Dean Ralph Garber of the Faculty of Social Work, University of Toronto, to examine the services provided by Ontario's children's aid societies with regard to the management of child abuse cases.

The task force was appointed because we recognized that there were problems in the handling of child abuse in Ontario. The mandate was to inquire into the management of child abuse cases by the 50 children's aid societies and into the services offered to abused children and their families.

In fulfilling this function the task force commissioned research to provide it with necessary information. In addition, opinions, viewpoints, and submissions were invited from children's aid societies, community groups, staff associations, interested citizens and professionals throughout Ontario.

I am pleased to table the report of that task force today. It is one which my ministry is considering very seriously. We are analysing the recommendations and their implications and we will act promptly on them wherever possible.

At this time I would like to thank Dean Garber and the other members of the task force on child abuse, all of whom volunteered their time, for having undertaken a great deal of work and for having produced a comprehensive report in a short period of time.

I would also like to thank all those people and groups who submitted their views to the task force. I particularly would like to thank the children's aid societies for their co-operation throughout. Without their thoughtful and sincere contribution, the work of the task force and the report—copies of which are being distributed today—would not have been possible.

I want to draw the attention of members to the first paragraph in the summary of recommendations, since it appears not only to raise

concerns about the present arrangement of services but to find them completely wanting in their ability to protect children.

While my ministry can see merit in the recommendations, I cannot, as minister, accept the blanket nature of the summary's first sentence. I think we have to recognize that a great deal of good work has been done over the years by the children's aid societies. I am confident that a very great number of children have been and are being well protected.

I want to stress as well, however, that I am very concerned about the substantial variations in the levels of service among the societies, and the fact that many societies have not developed guidelines to assist in critical decision-making. Both of these areas are identified in the report.

The need is identified for greater supervision of societies by the province and for my ministry to develop guidelines and standards of service. Historically, our role has been to support and to assist the children's aid societies rather than to direct or to require. This is the approach taken with other quasi-private agencies.

Recent developments have led me to the conclusion that greater ministry involvement is called for. To make this possible, I have authorized additional staff for the child welfare branch. Active recruiting has been taking place over the past one-and-a-half to two years and staff has been augmented. We now have eight full-time professional staff appointed to the supervision of the children's aid societies. In addition to this, the child abuse program increased its capability to five full-time professional staff. I accept the principle of an increased ministry role and recognize that this is a departure from past policy, but one which is warranted.

The task force developed 21 specific recommendations to improve the situation. As I have noted, these will be given careful and urgent consideration. Already we are taking action in the direction proposed by the task force.

Several recommendations place responsibility on my ministry for the development of guidelines and standards of service for all aspects of child protection practices of children's aid societies, and for more intensive

monitoring and supervision of the societies. I am pleased to note that standards development in all aspects of children's services is one of our priorities.

The children's services division has appointed a standards development advisory committee which is at work on the development of standards. A consultation paper on residential care standards will be released this summer.

The child welfare branch recently circulated a memorandum of guidelines respecting child abuse cases. These are necessary steps, and the task force has identified additional areas where standards development is required.

Certain recommendations have implications for other ministries—for instance, in the development and operations of interdisciplinary teams and in incorporating child abuse training into the curricula of various educational institutions. I assure the Legislature I will bring these matters to the attention of my colleagues in government and to the inter-ministerial committee on children's services which has been designated by the government to carry responsibility for the inter-ministerial aspects of child abuse, and which has a child abuse subcommittee.

The report recommends further child abuse training for professionals in the field and the establishment of interdisciplinary teams to advise on the management of child abuse cases. Over the past two years my ministry has been encouraging and funding local inter-professional seminars on child abuse, and providing active consultation to assist communities to establish planning committees and interdisciplinary teams. In order to promote this work an additional \$460,000 has been allocated to the child abuse program this fiscal year.

At the present time at least 30 interdisciplinary teams have been established in Ontario. In addition, a minimum of 20 hospital-based teams have been established to advise on the treatment of the abused child and the abusing family. We are pleased with the progress that has been made so far and will be continuing to support these necessary additional efforts.

The report recommends that more attention be paid to services in the north and to native children. We have previously identified this as one of our priorities in 1978 and we have had a group studying the needs of northern areas of the province where there are disproportionate numbers of native children in care.

Several of the recommendations call for legislative changes and I am pleased to re-

port that most of these, such as legal representation for children in protection hearings and authority for the child abuse registry, are included in the bill to revise the Child Welfare Act which I introduced two weeks ago and which received second reading last night.

The task force recommendations are extremely helpful to my ministry and they convince me we have much work to do. Both the report itself and summarized research highlight the urgent need for action. Staff of the ministry are studying the report with care and will formulate proposals for action which we will discuss with the children's aid societies this summer.

In addition to working with children's aid societies to improve the handling of cases of known or suspected child abuse, we are also as a ministry focusing our attention on prevention strategies so that we can deal with the roots of the problem.

We have commissioned the chief of child psychiatry at War Memorial Hospital of Western Ontario, Dr. Naomi Rae-Grant, to undertake a project to develop prevention strategies for application within the children's services division of my ministry.

Mr. McClellan: You've changed your tune since last night.

Hon. Mr. Norton: A flexible new proposal has been presented to children's aid societies to encourage the reallocation of money for child care into prevention initiatives. I will, of course, keep the House and the public informed about progress.

COST REDUCTIONS

Hon. Mr. Drea: Mr. Speaker, I am pleased to announce that my ministry has reduced energy consumption by approximately 25 per cent over the past two years. This reduction, which exceeds by five per cent our goal for this 24-month period, has resulted in a cost avoidance totalling \$685,000.

In addition to my ministry's commitment to reduce energy consumption by a further seven per cent during the fiscal year, I have set targets for reductions in food, clothing, and other supplies. There will be no reduction in the size of portions of food served to inmates, but efforts will be stepped up to ensure there is no wastage of food. Stricter regulations will also be applied to the issuance of clothing, linen, and the cleaning and maintenance supplies. This year's cost avoidance target for these resources I have mentioned will be \$679,000.

I am sure that honourable members will be pleased to learn that one of our correc-

tional facilities, the Ontario Correctional Institute in Brampton, is involved in a project aimed at making it more self-sufficient through the use of solar energy. Through the experimental use of solar collector panels, the institute hopes to meet most of its hot water needs. This experiment is being conducted in co-operation with the Ministry of Energy, Ontario Hydro, and the Ministry of Government Services.

Efforts to conserve resources can only be successful if staff participate fully, and I am very pleased with the work performed to achieve our goals by staff at all institutions and field offices.

In summary, if we achieve our cost avoidance targets for this year—and I am confident that we will—this will represent a total savings to the taxpayer over three years of more than \$1.3 million.

OIL AND GAS PRICES

Hon. Mr. Baetz: Mr. Speaker, I would like to advise the House on the Ontario government's position concerning the announced crude oil price increase of \$1 per barrel scheduled for July 1 which, after a 60-day price freeze to use up existing stocks, could result in an increase of approximately 3.5 cents per gallon in the cost of gasoline on September 1. Home heating oil would increase by about three cents per gallon.

Yesterday, the Canadian Press reported that the federal Minister of Energy, Mines and Resources had announced that the price increase results from an agreement negotiated last spring wherein the federal and provincial governments plan to continue to gradually move domestic oil prices towards world price.

Mr. Bradley: That's your friends in Alberta.

Hon. Mr. Baetz: Contrary to that report, the Ontario government strongly opposed any such agreement last year and continues to do so.

Mr. Deans: That's shameful. You got us into this mess four years ago.

Mr. Ruston: Tell your friend Peter Loughheed.

Mr. Haggerty: What did you do about Ontario Hydro's increase?

Hon. Mr. Baetz: For the recollection of the House, I'm tabling a copy of Ontario's position taken at the federal-provincial conference last year.

Mr. Deans: You got us into this at the first ministers' conference. You agreed to this nonsense.

Mr. Ruston: Blame it on Loughheed, your buddy.

Hon. B. Stephenson: We did not agree to it.

Hon. Mr. Baetz: In essence, we stated a price increase was not justified at that time for a number of reasons. Today, those reasons are even more valid than ever.

Mr. Mancini: You are kissing cousins.

Mr. Nixon: Send the money to Alberta.

Hon. Mr. Baetz: I might also say that it seems very strange to me that the federal government would in early May of this year urge the OPEC nations to maintain a freeze on world prices because the western economies were just recovering from the sharp increases of 1973, and then turn around one month later and impose such an increase on Canadian consumers.

Mr. Deans: You are just as bad.

Hon. Mr. Baetz: I should like to advise the members that during the past few weeks I have had discussions with the Minister of Energy for Alberta and with the federal Minister of Energy, Mines and Resources about the proposed price increases of crude oil for July 1 and for proposed increases in the price of natural gas.

Mr. Kerrio: Darcy understands that kind of management.

Hon. Mr. Baetz: Those discussions have been followed up by my officials. At these meetings we have made strong representation against any price increase at this time while the Canadian economy is soft and unemployment is high, and when inflation is still not under control.

Mr. Haggerty: What are you doing about it?

Hon. Mr. Baetz: I would like to assure the members of this House that I will continue to press Ontario's case with Mr. Gillespie. Even though Mr. Gillespie has already taken unilateral action on this increase, there is yet another increase proposed for next January 1, and it would help considerably if members on the other side of this House would support the government in its efforts to prevent still a further increase.

Mr. MacDonald: Oh, go away.

Mr. Breithaupt: What's Joe Clark's position?

An hon. member: Look after our dear friends from Alberta.

Mr. Samis: Always passing the buck.

Hon. Mr. Baetz: Now is not the time to increase the price of crude oil or natural gas. [2:15]

Mr. MacDonald: You have made your bed, now you've got to lie on it.

Hon. Mr. Baetz: Such a price increase is not needed to increase the supply of either energy source and can only further undermine the economy.

Ms. Gigantes: The minister finally figured it out.

Hon. Mr. Baetz: Ontario has many times been accused of taking a narrow view with respect to energy pricing. Such is not the case. It is as much in the consumers' interest as it is in the producers' interest to ensure supply. Price and supply go hand in hand.

Mr. Roy: No they don't.

Mr. S. Smith: It is our view of respective politics.

Hon. Mr. Baetz: I am very confident that we don't need an additional price increase to encourage further exploration and development.

Mr. Makarchuk: This is a lot of bunk.

Hon. Mr. Baetz: Exploration and development are already happening at an unprecedented level. As a result of my recent visit to Alberta, I was impressed by the optimism displayed about this country's ability to meet its future domestic crude oil and gas requirements.

Mr. Deans: Talk about flip-flopping.

Mr. Nixon: They can't wait for you to send them money.

Hon. Mr. Baetz: My discussions with the Canadian Petroleum Association, the Independent Petroleum Association and the Canadian Association of Oil Well Drilling Contractors—

Mr. Nixon: That's a Conservative government out there, isn't it?

Mr. Breithaupt: Keep Alberta green.

Hon. Mr. Baetz:—indicate that 1977 was a record year for activity, and projections suggest that 1978 will be even better. Indications of the growth in activity in Canada in 1977 over 1976 are that—

Mr. Deans: They have lied to us for years.

Hon. Mr. Baetz:—the availability of drilling rigs peaked at 336, for an increase of approximately 10 per cent; the number of exploration and development wells drilled totalled 5,381, for an increase of approximately 11 per cent; and the footage drilled totalled approximately 18 million feet, for about a 12 per cent increase.

Mr. S. Smith: That's because the price went up.

Hon. Mr. Baetz: New reserves of crude oil and natural gas have been found and every effort is now being directed to prove up these

findings so that they can be connected to transportation systems and made available to markets.

Mr. S. Smith: Will the Treasurer tell him the realities?

Hon. Mr. Baetz: Although recent findings of crude oil are potentially significant, at best they might reduce our dependency on offshore supplies and not replace it. High exploration activity for conventional crude oil must, therefore, be maintained—

Mr. Swart: That was all in the paper two weeks ago.

Mr. Samis: Support Joe Clark.

Hon. Mr. Baetz:—and must be supplemented by the development of synthetic crude oil from the oil sands and heavy oil deposits.

Mr. S. Smith: That's expensive oil, for heaven's sake. That is only going to go on stream if the price goes up. Will the Treasurer (Mr. McKeough) explain it to him?

Hon. Mr. Baetz: It will take a concerted national effort for Canada to become self-sufficient in crude oil.

Mr. Laughren: Tell us about uranium now.

Hon. Mr. Baetz: Without such self-sufficiency, Canada could be subjected to considerable inconvenience and hardship should another oil embargo on imported oil occur.

In February 1977, the National Energy Board reported that the remaining reserves of conventional crude oil in Canada totalled approximately 6.5 billion barrels, for a decrease of about six per cent over the previous year.

Mr. Deans: Their figures aren't accurate either.

Hon. Mr. Baetz: We hope the growth in exploration and development activity will reverse this downward trend, but even if the trend is reversed it will become increasingly necessary to develop synthetic supplies. Present Alberta Energy Resources Conservation Board estimates show that some 26 billion barrels of synthetic crude oil, or four times our known reserves of conventional crude oil, could be recovered by surface mining of the oil sands, as is being done by the Great Canadian Oil Sands and Syncrude projects.

Mr. Samis: Is that last week's figure or this week's?

Hon. Mr. Baetz: Members will recall that Ontario has a five per cent investment in the Syncrude project through the Ontario Energy Corporation. It will be going into production

in July and will achieve about 109,000 barrels daily by early February. For the two non-believers across the House, I am going to send them a sample from the oil sands that I picked up in Alberta last week.

Mr. Cunningham: Is this a credit course?

Mr. Nixon: What did they give you, dark glasses?

Mr. Breithaupt: They only gave you a candle and a sweater.

Hon. Mr. Baetz: The Cold Lake and similar heavy oil deposits must be developed using in-situ schemes, rather than the Syncrude mining approach. These have an estimated potential of 15 billion to 30 billion barrels of synthetic crude oil.

Mr. Nixon: What an impact this is making.

Hon. Mr. Baetz: My discussions in the past few weeks also suggest that Canadians have an opportunity to benefit significantly from this industrial activity which would produce an investment of \$8 billion in such projects. As members know, a major portion of that investment would be spent right here in Ontario to purchase equipment, material and services.

Mr. Sargent: Why don't you start all over again?

Hon. Mr. Baetz: Ontario, therefore, has a major stake in the development of Canada's oil reserves and we must take every advantage of the opportunities which are available. In this regard, I have met with the Honourable Don Getty, Minister of Energy and Natural Resources for Alberta—

Mr. Conway: Not even the Argonauts wanted him.

Hon. Mr. Baetz:—and discussed in considerable detail the status of proposed oil sand and heavy oil projects. Mr. Getty was most encouraging about the prospects for Ontario industry and how favourably placed it is to compete for business.

Mr. Sargent: Sure he would when you gave him \$100 million.

Hon. Mr. Baetz: I have discussed Mr. Getty's comments and suggestions with my colleague, the Minister of Industry and Tourism (Mr. Rhodes) and I am confident that Ontario's industrial interests will continue to be vigorously pursued. We have heard much in the past few years of an energy crisis.

Mr. Roy: What a soft touch you are!

Mr. Samis: What did you say to Getty?

Hon. Mr. Baetz: In my view, we have no shortage in western Canada of crude oil reserves, nor are we limited by technology.

Mr. Conway: Who wrote that for you?

Mr. Ruston: Did Joe Clark write that for you?

Hon. Mr. Baetz: In our view, price is not the key issue at this time to ensure our future supplies, but rather there appears to be a serious lack of will and commitment frustrating the timely development of those reserves.

I should add, as members know, that the National Energy Board is currently conducting hearings into Canada's energy supply and demand, with particular emphasis on crude oil. Yesterday my officials presented the government of Ontario's submission to the National Energy Board. At the appropriate time later this afternoon I shall table a copy of that submission for the information of the House.

Mr. Makarchuk: Where do you stand on exports?

Hon. Mr. Baetz: In line with what I mentioned earlier, one of the principal recommendations in our submission is the need for Canada to become self-sufficient in crude oil no later than by 1995, and we believe this to be a realistic goal. Our submission also stressed the need for a new process for addressing and solving energy supply, demand, transport and price problems in Canada, a process based on collaborative planning amongst the provinces and the federal government.

Mr. Makarchuk: Are you supporting exports or not?

Mr. Sargent: Are you planning a price increase?

Mr. Nixon: Boy, you should have heard McKeough when he delivered those statements. We all listened in, eh, Darcy?

CITY OF HAZELDEAN-MARCH

Mr. Roy: Darcy, are you going backwards today?

Mr. Bradley: Blow the bugles of retreat.

Hon. Mr. McKeough: Mr. Speaker, I am pleased that later today I will introduce an Act to establish the new city of Hazeldean-March.

Mr. Bolan: Sounds like a swamp.

Hon. Mr. McKeough: This will be a new municipality within the regional municipality of Ottawa-Carleton, composed of the former March township and portions of Goulbourn and Nepean townships which contain the western urban growth areas designated in the regional official plan.

The bill contains the following provisions: that the new municipality have the boundaries as indicated and have the status of a city for all purposes, save initially for having to maintain a local police force under the Police Act; that the council of the city be composed of the mayor elected at large and six aldermen elected by wards—

Mr. Nixon: We will deal with that next Tuesday.

Hon. Mr. McKeough:—that the composition of councils established or affected by the above proposal be provided through minister's orders, including such adjustments respecting wards and related matters as are necessary for the council of the city of Hazeldean-March and the township of Goulbourn; and that the name of the new city may be changed with a provision for a general vote.

The creation of the new city of Hazeldean-March has followed much discussion with the three existing municipalities involved, namely, the townships of March, Goulbourn and Nepean.

Everyone has agreed that establishing a single municipality for the suburban areas now growing together in this western part of the region is one of the soundest proposals made in the Mayo report.

Mr. Roy: Why don't you call it McKeough's folly?

Hon. Mr. McKeough: The adjustments to the boundary proposals originally made in the Mayo report result from practical considerations, and with the understanding that future changes can be made after further study and when appropriate. This understanding applies, for example, to the northern portion of March township about whose ultimate boundaries there is not yet a consensus.

Substantial financial assistance can and will be made available under existing policy to the municipalities affected by this restructuring proposal to ensure that no municipality is left in difficulty by the fact of restructuring itself. Goulbourn township has been especially concerned about this. The council of Goulbourn has indicated by a resolution adopted on Monday, June 12, that it favours the proposal subject to the financial understandings that had been reached as of that date. The new city itself will be on a sound financial footing, assisted by the start-up and transitional moneys to which it will be entitled.

With the above in mind, the government agrees with local views that it would be well to end uncertainties and establish the new

municipality now. We wish the new city of Hazeldean-March well, and we are confident the city can become one of Ontario's best-governed urban municipalities within its appropriate boundaries and scope of responsibility.

I would like to re-emphasize that the planning process in the areas affected by this bill should proceed as usual and that this legislation not become a reason for delaying plans now pending approval. I am sure that other amendments to this act and to the Ottawa-Carleton Act may be necessary but they can be dealt with at the fall session.

Mr. Conway: Next Tuesday. That's a phoney war if ever there was one.

Mr. Roy: You really don't know what you are doing.

Mr. Conway: Are you going to make Hazeldean-March part of Gatineau?

WASTE DISPOSAL

Hon. Mr. McCague: Mr. Speaker, on June 1 the Leader of the Opposition (Mr. S. Smith) asked a question which has a fairly long answer which I will give as a statement rather than using question period time. I would like to answer those questions and attempt to settle some of the apparent confusion on this important issue.

The development and operation of waste management facilities have traditionally been a municipal responsibility, and it should remain so. The province's job is to see that municipal collection and disposal of garbage is conducted safely and without environmental damage. Our future responsibility is to provide guidance and to co-ordinate the efforts of municipalities in the development of shared waste management systems when required.

Mr. Deans: Are you reading this for the first time?

Ms. Gigantes: We can't hear the minister.

Hon. Mr. Grossman: If you would keep quiet over there, you would be able to hear him.

Interjections.

Mr. Speaker: If we had a little more quiet it would be much easier to hear.

Hon. Mr. Grossman: Why didn't I say that?

Mr. Peterson: The Dennis Timbrell school of mumbling.

Hon. Mr. McCague: In determining these roles we have established clear provincial objectives. Simply stated, we want less

garbage and we want to recover more from the waste we produce.

An hon. member: Get rid of the Tories if you want less garbage.

Hon. Mr. McCague: We want to reduce our dependence on landfill and we want to effect all of these changes by the most efficient and economic means, and with minimum displacement of the work force.

Mr. Nixon: Go on; it's good stuff.

Hon. Mr. Grossman: It gets better.

Mr. Roy: Don't be shy.

Hon. Mr. Grossman: We will never get out of here on Friday if you don't cut it out.

Hon. Mr. McCague: The major means of achieving these objectives is reclamation, which is the basis of my ministry's resource recovery program. We have a number of projects now under way in the Toronto area which are intended to prove the viability of reclamation and to open the door to the construction of major resource recovery facilities which ultimately will lessen our dependence on landfill as a means of disposal.

Under development in Metro Toronto is the Watts from Waste project, which has reached the final design stage with construction expected to begin this year. Its purpose is to recover the energy value from about a quarter of a million tons of garbage each year by using refuse-derived fuel as a partial replacement for coal at the Lakeview generating station. This facility will have a capacity to handle approximately 1,200 tons of waste per day, and approximately 80 per cent of this flow will be recovered for energy purposes.

The glass gobler program of the Glass Container Council is now in operation in Metro Toronto. During May 260 tons of glass were recycled. Currently, collections are made at 90 commercial establishments in Toronto, and this program will be extended to Mississauga as equipment becomes available.

In addition, plans are proceeding in connection with the Toronto district heating scheme, which is based on using approximately 1,200 tons of refuse per day to produce energy. My ministry's resource recovery plant, now in full operation, can process 600 tons of waste per day and reclaim approximately 90 per cent of this flow for reuse in one form or another. At 150,000 tons per year, the percentage recovered would be 7.5 per cent of Metro's total solid waste. In addition, a large quantity of commercial

wastes, such as corrugated cardboard, is recycled directly by the private sector.

We have concentrated a number of resource recovery projects in the Metro area. We believe it is expedient that Metro lead the way for other municipalities in moving away from landfill as a principal disposal method.

Of the approximately two million tons of waste produced each year in Metro, about three quarters of one per cent was recycled in 1977, the figure to which the Leader of the Opposition (Mr. S. Smith) referred. About one half of this is made up of newspapers recovered through collection in the city of Toronto and the boroughs of Etobicoke and Scarborough; the other half comes from cans reclaimed from the ash at the Commissioner Street incinerator.

That total of less than one per cent for Metro Toronto is a long way from ideal, I agree. But the current state of resource recovery is far from ideal, not only in Ontario but in North America. Resource recovery is an undertaking which requires huge initial capital investment. At a time of economic instability, municipal governments are hesitant to make major long-term commitments involving large expenditures, despite my ministry's 50 per cent subsidy program which Ontario has offered to municipalities for the construction of resource recovery plants.

Because resource recovery is so critically dependent upon reliable markets for reclaimed material, the current economic constraints are also hindering the establishment of these markets. While resource recovery is a proven philosophy, the technology for efficient, comprehensive recycling remains unproven. A lot of work has to be done.

[2:30]

At a conference I recently attended in the United States, the technical director of the National Solid Wastes Management Association summarized the situation by saying of existing resource recovery facilities: "The results of the first generation of projects indicate that the best of them can be characterized as limited successes, while others have proven to be outright failures."

Of about 40 resource recovery facilities in the US and Canada, more than two thirds are less than fully operational today. Even the well-publicized system in the city of Milwaukee has experienced some difficulty.

The fact is that resource recovery is not an instant solution to our waste management problems in this province. We have never regarded it as such, although we do believe that resource recovery, when fully developed,

will be an integral part of the efficient solid waste management system of the future.

There is a danger in looking to resource recovery as an immediate panacea and rushing into widescale construction of resource recovery plants based on the soundness of the philosophy alone. What we must do now is to test and develop workable technology and work at the development of marketable products, and the markets themselves which are required for a viable resource recycling industry. We are making progress in this direction through the ministry's experimental plant in Downsview and through our involvement in several other projects.

Mr. Samis: Jimmy Auld has met his match.

Hon. Mr. McCague: In addition to the projects in the Metro area, which I have already mentioned, today I am pleased to announce that through partial ministry funding, a study in the region of Peel is being undertaken to examine the feasibility of generating steam and energy from domestic garbage and waste paper to fuel a manufacturing plant, and to generate additional energy in the form of electricity.

Though markets for this form of energy are well established, the technology under study is unique in North America. It is highly complex, which is why we are anxious to have a detailed engineering study of the process to explore the potential that it holds for Peel, and later for other municipalities in dealing with their problems.

As we develop resource recovery, there will be a continuing need for landfill capacity in Ontario, including Metro, to accommodate waste which cannot be recycled or which has no energy value. This landfill capacity will have to be obtained in co-operation with Metro's neighbouring municipalities, and the sites must be environmentally acceptable. We have established a working committee involving Metro Toronto, York, Durham, Peel and Halton regions with the objective of developing an effective and integrated waste management plan for the greater Metro area.

With respect to regional waste disposal studies, we offer a 50 per cent subsidy for area planning studies so that municipalities can determine the most effective means of waste disposal for their unique circumstances.

Regarding the recent proposal by Crawford Allied Industries Limited to erect a recycling plant at the Maple pit, the firm's proposal was conditional upon approval of the Maple pit landfill site application.

Mr. Sargent: Time, George.

Hon. Mr. Davis: Quiet.

Hon. Mr. McCague: Since this was not approved, the firm will not be proceeding with construction of the reclamation plant.

ORAL QUESTIONS

WASTE DISPOSAL

Mr. S. Smith: I'd like to direct a question to the Minister of the Environment. I take it that the minister is explaining the discrepancy in the comments he made earlier in the House when he estimated that about 10 per cent of Metro's waste was not being recycled; he then lowered that estimate in a private communication to 7.5 per cent. I take it that what he is saying now is that it was, in fact, only three-quarters of one per cent last year, but that with the Downsview resource recovery plant he expects that it will be 7.5 per cent this year. I take it that's what he's saying.

May I therefore ask the minister to confirm that as of the end of last week—from January 1 to the end of last week—the input to the Downsview plant has been 69,239 tons; and of that, 67,448 tons went to landfill sites, with a small amount to incineration? Isn't it a fact that the Downsview station is virtually a transfer station, and that in point of fact since the loss of moisture accounts for about 1,000 tons it's really up from 0.75 per cent to 0.8 per cent and nowhere near the 10 times that amount the minister is suggesting?

Hon. Mr. McCague: The honourable member is correct in that up until the end of 1977 it was 0.75, as he suggested in a statement made on June 1 in the House. The fact is that the capability of Downsview does increase that to the 7.5 per cent. I admitted at the time that I was not sure of the 10 per cent figure and within three or four minutes I did send across to him the figure of 7.5 per cent.

Mr. S. Smith: That's true.

Hon. Mr. McCague: I said in my statement that the resource recovery plants are not the ideal solution at this point in time. He will well recognize that our plant in Downsview is an experimental one. It does have the capacity, as the statement said, to handle 600 tons of garbage per day on a two-shift basis; and yes, a good deal of it is going to landfill sites on a much compacted basis. If five truckloads come in, it goes out in one.

Mr. S. Smith: By way of a supplementary, would the minister not accept that, compacted or not compacted, in point of fact waste recovery recycling is virtually minimal at Downsview and that 67,500 out of 69,000

tons has gone, compacted or not, into landfill sites and therefore can hardly be held up as 7.5 per cent? Would he please check with the people in his ministry and make sure they are informing him correctly?

May I just ask in passing as well, does the minister not think that the time has come, instead of just having co-ordinating committees of Halton and Peel and all that, for the province to take responsibility for obtaining those landfill sites that are necessary?

Mr. Hennessy: We'll let the Leader of the Opposition take care of it.

Hon. Mr. McCague: That was a long statement, and a quick answer is no, Mr. Speaker.

Ms. Bryden: Supplementary: Regarding resource recovery, which we were talking about, could the minister give us the name of the firm in the Peel region which is to be assisted in the development of experimental technology to generate steam and energy for manufacturing purposes from garbage and waste paper, and also the amount of the funding from the ministry and whether there will be any rights to any patents that are developed from this new technology?

Hon. Mr. McCague: What was the latter part of the question, Mr. Speaker—will there be any patents?

Ms. Bryden: I understood the minister said it would be a new and experimental technology that he was assisting this manufacturing firm in developing. If any patents arise from that will the province of Ontario have any right to a share in the patents or proceeds?

Hon. Mr. McCague: Mr. Speaker, it's a co-operative study between Peel region, the government of Ontario and Reed Limited. Our contribution towards the cost is \$300,000 and the designs will be ours on completion.

Mr. J. Reed: Supplementary: I wonder if the minister could tell the House why on earth his ministry has been so limiting itself to the technology studies when we know, for instance, that there are open-grate garbage burners that generate steam and electricity that have been operating successfully for 30 years? What's the big holdup about this whole business of resource recovery, or energy recovery? The technology has been in Europe, it's been all over the world; and Ontario is the last place to get it.

Hon. W. Newman: You're a real expert, aren't you? We know all about it. You don't know what you are talking about.

Mr. J. Reed: They've been doing it in Europe for years.

Interjections.

Mr. Speaker: Order. All of the interjections add nothing at all to the question period.

Mr. Kerrio: Neither do the answers.

Hon. Mr. McCague: Mr. Speaker, I don't agree with that statement.

Ms. Bryden: Mr. Speaker, I wonder if the minister could tell us what the province gets for the \$300,000 which it is going to pay to the Reed paper company for developing what appears to be, as my colleague from the Liberal Party said, a project that has already been proved in many areas on how to use garbage for steam and energy?

Hon. Mr. McCague: Mr. Speaker, to my knowledge the technology for the reclamation of fibre as a form of energy is not developed. It will be to not only do the design, but it will also be to assess the needs as they affect Peel region.

OIL AND GAS PRICES

Mr. S. Smith: I would like to direct a question to the Minister of Energy, who has sent over a few packages of crude material.

Mr. Nixon: Is that his statement?

Mr. S. Smith: This is apparently the dividend to the people of Ontario for our investment in Syncrude. I might just say parenthetically that since to bring it on stream—

Mr. Roy: Can't tell which was his statement.

Mr. S. Smith: —is going to cost \$21 a barrel, I wonder how the far-sighted policy of the minister is going to bring this stuff on stream.

Mr. Nixon: He's got \$200 million sunk into this.

Mr. S. Smith: But may I ask the minister—

Hon. Mr. Davis: You are disappointed that Syncrude is working, aren't you?

Mr. Peterson: Not at all.

Mr. S. Smith: It won't if you freeze the price, you know that; you know that very well.

Hon. Mr. Davis: "If" it is going to be successful the taxpayers will be the beneficiary. You people are all wrong.

Mr. S. Smith: I would like to ask the minister whether Ontario, in view of the surplus that appears to be developing in natural gas as opposed to oil, is now proposing to unhinge or change the level at which the price of natural gas is hinged to the price of oil. Is the government making any proposals, apart from the political statement the minister made today, to separate the

price of oil and natural gas and allow natural gas to fall a little closer to a market price in view of the surplus that seems to be developing in Alberta?

Hon. Mr. Davis: World market price.

Mr. Conway: Check with Joe Greene first.

Hon. Mr. Baetz: We have on a number of occasions, in as forceful a way as we can, proposed to the federal government and the government of Alberta that the price of natural gas and oil should no longer continue in locked step, to loosen it up, but so far with no success whatsoever—deaf ears, just stonewalling.

Mr. S. Smith: May I, by way of supplementary—

Mr. Roy: That sounds like the leadership you have been giving.

Mr. S. Smith: I am pleased that such initiatives have been taken, and could I ask by way of supplementary—

Hon. Mr. Davis: Come on, you people were all in favour of the increase at world price two years ago.

Mr. S. Smith: I should allow the Premier the right to interrupt with a few interjections—

Hon. Mr. Davis: I am just speaking to my friend.

Hon. Mr. Welch: Look at your comments on world prices two years ago May.

Mr. S. Smith: It's been a long day and there are a lot of pressures on the job.

Mr. Ruston: What is Joe Clark's position on this, Bill?

Mr. S. Smith: Could the minister table some of Ontario's interventions in this regard so the Legislature can see them? And will Ontario be intervening before the National Energy Board with regard to oil prices, and also with regard to the application that is expected from the province of Alberta to export so-called surpluses of natural gas to the United States? Will Ontario be taking a strong position against Alberta's desire to export to the United States? Will Ontario suggest instead a lower price for natural gas, so that we as a consuming province will be able to benefit from the natural gas that exists in our country rather than have it sent to the United States of America for higher prices by the province of Alberta?

Hon. Mr. Baetz: We will continue to do everything within our power to protect the consumer of Ontario as well as the well-being of all Canadians; to try to keep the price of natural gases down; and also certainly to prevent any kind of short-term exports, the

benefits of which would accrue only to a very small segment of our society. That's been our stance; that will continue to be our stance.

Mr. Deans: Are you intervening?

Hon. Mr. Baetz: And incidentally, since the Leader of the Opposition skated a little bit on the first question, I would like to skate a little bit in reply. The fact is—

Mr. Roy: You are always skating—backwards!

Hon. Mr. Baetz: —Syncrude is coming in, and coming in extremely well. The Ontario government's very small investment is paying off very handsomely so don't be sceptical about it. We could sell our small share any time. It's going to be a huge success.

Mr. S. Smith: But at a high price.

Mr. Nixon: They have used heavy water up there.

[2:45]

Mr. Laughren: Supplementary to the minister—and I hope also he would tell us whether or not he does intend to intervene, but further to that: In view of the minister's vociferous and rather passionate opposition to the price increase as he articulated it today—and the minister seems to agree with this party that the present price is adequate to guarantee future supplies—is he prepared to implement a price freeze on gasoline across Ontario at this time?

Hon. Mr. Baetz: We indicated our position on that subject some weeks ago when there was a private member's bill before this House. We frankly don't think that kind of an artificial—

Mr. Peterson: You never did it before, did you, Reuben?

Hon. Mr. Baetz: —very small price freeze would help the broader problem at all.

Mr. Peterson: If we had an election would you do it?

Hon. Mr. Davis: If there was an election would you still be in favour of world price?

Mr. Sargent: Supplementary to the minister: If he is going to keep on whacking us with increases every six months on the price of oil—

Mr. Yakabuski: Trudeau.

Mr. Sargent: —why doesn't he pull out the \$100 million from Syncrude and get his money back?

Hon. Mr. Davis: This is your leader's policy.

Mr. Roy: What does Joe Clark say?

Mr. Sargent: Mr. Speaker, can the minister answer that question?

Hon. Mr. Baetz: Mr. Speaker, I couldn't hear that question, I'm sorry. There was a little noise back here.

Mr. Speaker: The question was are you going to take your money out of Syncrude?

Hon. Mr. Davis: A great investment.

Hon. Mr. Baetz: We will take that under consideration.

Some hon. members: Oh, oh.

Hon. Mr. Baetz: I can say, just to show how wrong members were across the House, we could probably sell that \$100 million investment in Syncrude for \$140 million or \$150 million right now. How's that for performance?

Mr. Roy: Just a lot of talk. Tell it like it is, Reuben, you are just going to talk a lot.

Mr. Deans: Mr. Speaker, I wonder if the minister would care to elaborate on his statement that the government to which he is related is prepared to do everything in its power to protect the consumer in Ontario against unjustified increases. Given he has said he believes the petroleum industry does have sufficient cash flow and profit to meet the 1995 objectives of self-sufficiency; and given that the only thing left to him is to protect the consumer at the consumer level, what is it that he intends to do?

Hon. Mr. Baetz: I think we are going to have to continue to negotiate with the federal government.

Some hon. members: And Alberta.

Hon. Mr. Baetz: We hope in due course they will begin to see the wisdom of our ways.

Mr. Deans: Negotiate? Negotiate what?

Hon. Mr. Baetz: Further, we will have to negotiate with the producing provinces, particularly Alberta—

Mr. Deans: That's just idle rhetoric.

Hon. Mr. Baetz: There are some leverages available to us on that score, which I frankly wouldn't want to reveal at this time. I think there are constitutional constraints that have been placed upon us here, but within that we will certainly continue our efforts to protect the consumers of Ontario.

Mr. Deans: What the minister means is there is nothing he can do. He is talking a lot of political bull.

Mr. Breithaupt: Will the Minister of Energy encourage his federal leader to make some statement on this subject so that we will have the benefit of his intervention?

Hon. Mr. Baetz: We will certainly—

Mr. S. Smith: Sign a letter.

Mr. M. Davidson: You are not going to get off the hook that easily.

Mr. Speaker: Order. The interjections are completely irrelevant.

Hon. Mr. Baetz: We will certainly do our share to talk to our party in Ottawa, but I would hope that members opposite would do more than they have done in the past to talk to theirs—

Mr. S. Smith: Table the results.

Hon. Mr. Baetz: —because for a short period at least they will still form the government. They had better convince them they should take some enlightened action.

Mr. Roy: Are you embarrassed by Joe Clark, Bill?

PROVINCIAL FINANCES

Mr. Laughren: I have a question of the Treasurer. I wonder if in the three months and some time that has passed since he introduced his budget, the Treasurer has had an opportunity to review the performance of the economy in relation to the budget he laid before us? Could he say whether, in view of the fact that the economy is not performing along the lines of some of the assumptions in the budget, he intends to lay before this chamber a new set of budgetary policies in September or early October?

Hon. Mr. McKeough: I have no such present plans.

Mr. Laughren: By way of supplementary: Has the Treasurer taken a look at some of the specific revenue figures and growth projections which have been made? If so, is he aware, to be specific, that the mining tax revenues which he projected at \$33 million are going to be substantially reduced to \$19 or \$20 million; that corporation taxes will be down over \$100 million, probably \$150 million; that growth projections by independent forecasting bodies such as the Conference Board in Canada have been reduced since the time he brought down his budget—and they already were lower than the Treasurer's; that his deficit is going to be considerably higher than he had predicted; and further, that he is going to have some public borrowing which he indicated he would not have to do when he brought down his budget? Does he not think it is time that he laid before this chamber in late September or early October a new set of figures so that we know that the economy is being directed on a set of accurate figures?

Mr. Peterson: Will he be here in September?

Hon. Mr. Davis: Will you?

Hon. Mr. McKeough: Mr. Speaker, no. I can only repeat, I see no such reason at this moment. I would take issue with the member. In the next few days we shall receive reports on the first quarter, but the economy generally is performing along the lines forecast in the budget. It is true that the conference board have lowered their forecast somewhat and their forecasts now tally with our forecasts, which is interesting. My own view at the moment is that the economy, other than the serious problems of unemployment and the still continuing problems of inflation, prompted for the most part by food prices—

Mr. S. Smith: Apart from that everything is fine.

Mr. Breithaupt: Other than those two things.

Hon. Mr. McKeough: The target, the forecast figures, are pretty well, with some variation, as we had laid out in the budget. But there are two substantial differences. Members are aware that from the time of the budget until the end of the fiscal year there was, as I reported, a further drop off in our revenues, which has somewhat lowered the base on the corporate side, and a small reduction, as I recall at the moment, in the retail sales tax side. In addition, there were changes, of course, brought about by the decisions with respect to health-care financing; and there is also a large change, of course, brought about by our paralleling the federal move with respect to the retail sales tax to the extent of \$143 million which necessitated—and I announced that night that we would run up the treasury bills for the time being, perhaps not for the whole year—

Mr. Sargent: And the \$600,000 you gave Toronto, too.

Hon. Mr. McKeough: —but for at least part of the year, to finance that run-down in revenues. But I see no reason at the moment to contemplate a change of policies.

Mr. S. Smith: Change of government would be more like it.

Mr. Laughren: A supplementary: I wonder if, when the Treasurer is talking about his projections, he could tell us as well why it was, when he tabled his report on the Ontario Youth Employment Program, he used a different set of projected employment figures for the next 10 years than those laid out by the Ontario Economic Council; where did he obtain those figures and on what basis he arrived at those numbers?

Hon. Mr. McKeough: I will have to get an answer to that for the member. I am not sure which figures he is using from the economic council, but I would be glad to take a look at them.

Mr. Speaker: The honourable member with his second question.

AUTO PACT

Mr. Laughren: Thank you, Mr. Speaker. I have a question for the Minister of Industry and Tourism. In view of the answer which was tabled yesterday from the ministry in response to a question from my colleague the member for Algoma (Mr. Wildman) concerning the submissions which his ministry might have made to the federal government concerning the Canada-United States Automotive Trade Pact, and in view of the fact that in that answer which was tabled the ministry indicated there had been no formal proposals by the federal government to this government, and no response made by this government to the incentives proposed by the federal government; and further, that not since 1975, when the sector analysis was done by his ministry on the automotive sector, has there been any studies or any commissions conducted to look into the whole question of the fair share which Ontario should be receiving in the automobile sector?

Hon. Mr. Rhodes: I heard the statement, which I assume is a fact, but what is the question?

Mr. Laughren: Let me rephrase it. How is it the minister can respond to a question, indicating that absolutely nothing has been done by his ministry to look into the problem of the auto pact, and how does he justify that kind of abysmal inactivity on the part of the officials of his ministry?

Mr. Breaght: Did the minister get the question this time?

Hon. Mr. Rhodes: As I recall, the question placed on the order paper was to submit the information we had submitted to the federal government. That was done. That's what was provided.

As the honourable member has pointed out, that document indicates we had had no response from the federal government. He's quite correct, as we have indicated, that we have not responded to the incentives program of the federal government because, quite frankly, there hasn't been one. There has not been an incentive program. The only incentive program we are aware of—and I think we're correct—is the Department of Regional Economic Expansion funding that

is available for incentives to companies to locate in Canada. The federal government does not have an incentive program.

Mr. Laughren: In view of the fact that there are problems, as evidenced by the announcement by the federal government of the appointment of the Reisman commission and the announcement by General Motors to delay the decision on the new facility, is the minister really surprised, given the difference of opinion between himself and the Treasurer, that this kind of activity is going on both in the private sector and at the federal level? Further, is he going to make a presentation to the Reisman commission? If so, which position is going to be presented—his or the Treasurer's (Mr. McKeough)?

Hon. Mr. Rhodes: I don't think the member will find any great difference between my position and that of the Treasurer. As far as a submission to the Reisman commission is concerned, we will have to wait and see whether the gentleman wants to hear from us. I understand part of his responsibility is to talk to all the areas involved in the automotive industry, including the industry itself and the provinces with their positions. Obviously, he'll be discussing the matter with us.

I don't understand what the honourable member is referring to when he talks about a difference of opinion between the Treasurer and me. I don't think there is anything of any great consequence.

Mr. Speaker: Final supplementary.

Mr. Laughren: Is the Minister of Industry and Tourism telling us he's in agreement with the Treasurer that we should be entitled to our fair share without having to buy it and without jumping into bed with Jack Horner and going along with the sell-out he's announced?

Is the minister fully aware of the TEIGA document, which indicated there were 25,000 jobs at stake and further, that there's as much as \$60 billion in investment going to be made in the auto industry between now and 1985? Does he really think Ontario or Canada is going to get its fair share if he and the Treasurer can't come to a general agreement as to what position should be put to the industry and to the federal government?

Hon. Mr. Rhodes: I think the honourable member is imagining certain things. The Treasurer and I, along with other of our colleagues, have met with the industry. We have not been presenting opposite views. We think there is more than one way to approach this particular problem.

I certainly wouldn't be jumping in and out of bed with Jack Horner because I'm not too sure what bed Horner is in most of the time.

Mr. Peterson: That's it. Get personal.

Interjections.

Mr. Speaker: Order.

Mr. Breaugh: You are trying to get Horner.

Hon. Mr. Rhodes: I will certainly bow to the expertise of the member for Oshawa, who's more familiar with beds than I am.

Hon. Mr. Davis: Is that true?

Hon. Mr. Rhodes: Concerning the other part of the question, as far as the sellout Mr. Horner has announced, unless the member was referring to the establishment of the recent commission, there haven't been any real statements made by Mr. Horner.

Mr. Laughren: Only on incentives.

Hon. Mr. Rhodes: As I understand it, Mr. Horner has not made any announcement on incentives. I've had a number of discussions with him.

Mr. Cooke: A million dollars to Ford.

Hon. Mr. Rhodes: We've discussed with his staff about what possible incentives might be involved, but no decision has been made in that area at all. There's been no announcement by the federal government relating to incentives. The only incentive we have heard of was the possibility of funds being made available to General Motors through the DREE program if they locate a plant in a designated area.

[3:00]

Mr. Breaugh: Montreal.

Hon. Mr. Rhodes: The other one was the possibility of some funds being made available on an ad hoc basis to Ford Motor Company if a plant were to be located in Ontario. In either one of those particular cases there was no involvement of the province of Ontario. Certainly we would not be involved in an incentive program for a plant going into Quebec.

Mr. Laughren: It's not a spectator sport.

Hon. Mr. Rhodes: Secondly, there was no request of the province of Ontario to give funds towards the development of a plant by Ford. If and when such a suggestion is made to us, then a decision can be made.

Mr. Bradley: Supplementary, Mr. Speaker: When the minister gets an opportunity to further discuss this matter with the federal Minister of Industry, Trade and Commerce, would he indicate to him the information that he has been given from the industry

and from the unions in terms of the impact that any of these incentives would have on existing plant facilities such as now exist in the Niagara Peninsula?

Hon. Mr. Rhodes: That's a matter we have been discussing with him all along. I think the honourable member is probably well aware, because of his particular interest in the industries in his particular riding, that the incentives being offered would not necessarily involve the creation of new jobs but could very well mean the relocation of existing jobs, and that is a concern of ours.

Secondly, something was suggested previously about a \$60 billion investment. I think most members in this Legislature are aware of the fact that the \$60 billion investment, or whatever the figure is that they have been throwing around, is not necessarily new plant construction. A very substantial amount of it is to be used on retooling and modernizing existing lines in order to produce the new automobiles required to meet the energy consumption regulations that are being imposed by governments at this time.

Mr. Laughren: It's still dollars and investment.

LONDON CONSTRUCTION PROJECTS

Mr. Peterson: Mr. Speaker, I would like to ask a question of the Premier, in the absence of the Attorney General.

Hon. Mr. Davis: As long as it's not a legal opinion.

Mr. Peterson: No, no. We don't even ask him for legal opinions any more, because they're no good.

Mr. Roy: That's right.

Mr. S. Smith: Or a policy of any kind.

Mr. Peterson: In view of the fact that the capital works budget of the city of London was submitted to the Ontario Municipal Board on January 14 for 11 specific proposals and only two have been approved, and in view of the fact that this is holding up construction and jobs and all sorts of things in London, would the Premier intervene or get involved to make sure that the OMB hurries up on that approval process?

Hon. Mr. Davis: Mr. Speaker, if the honourable member is asking me whether I or the Attorney General (Mr. McMurtry) endeavour to expedite some problems emanating from the city of London, I have never been reluctant to try to assist any member of the House in the determination of a constituency problem.

Mr. Nixon: The problem is with the OMB.

Hon. Mr. Davis: Certainly I'll take this up with the Attorney General.

Mr. Peterson: Supplementary: This obviously speaks to a much wider problem than just London's problem. This administrative tardiness is costing London in the order of \$2,000 a day. To offer a specific suggestion, would the Premier consider sending some people from the Ministry of Treasury, Economics and Intergovernmental Affairs—now that they've scrapped every major program in the TEIGA portfolio, they must have a lot of people not doing anything—would he possibly consider sending them over to assist the OMB in working out these figures, getting back quick approvals and getting construction and jobs going again?

Mr. Nixon: Sounds reasonable.

Hon. Mr. Davis: Mr. Speaker—

Mr. Ruston: Darcy's withdrawing.

Mr. Conway: He is going to Hazeldean-March for a holiday.

Hon. Mr. Davis: I was interrupted, Mr. Speaker.

Mr. Speaker: You were indeed.

Hon. Mr. Davis: I would be delighted to confer with the Attorney General and determine to what extent communities other than London—I must confess that I know of several communities where their capital budgets have been approved and work is in progress. I will endeavour to find out if there are other communities besides London with this difficulty and so inform the honourable member.

Mr. Van Horne: Supplementary, Mr. Speaker: Could the Premier give us some indication of his priority system in the selection of the two out of the 11 projects? Given his dedication to a policy of local autonomy, could he indicate to us when he provides that answer what kind of priority criteria were used in selecting these two projects out of the 11?

Hon. Mr. Davis: I would have thought the honourable member would be somewhat familiar with the activities of the Ontario Municipal Board. I don't make those determinations of priorities. They are, of course, made by the board. I don't direct the board in terms of what particular project from the City of London is approved or not approved—

Mr. Nixon: McKeough does, though.

Mr. Kerrio: Darcy does.

Mrs. Campbell: Darcy does.

Hon. Mr. Davis: That is what the OMB does and does quite well.

Mr. S. Smith: The Treasurer sends them a letter. Darcy says, "No parks, no—"

Mr. Breithaupt: "Dear Mr. Chairman—"

Hon. Mr. Davis: Certainly the Treasurer sets out general areas of concern. There's no question about that.

Mr. Van Horne: Why don't you just find out and get us an answer?

Hon. Mr. Davis: I think one of our areas of concern, unlike the Leader of the Opposition, is some development in downtown Hamilton. He is more concerned about Toronto than London; I learned that the other day.

CHILD ABUSE

Mr. McClellan: I have a question for the Minister of Community and Social Services on the report of the Task Force on Child Abuse. The task force says in the opening sentence: "It is impossible to avoid the conclusion that the present arrangement of services are not effective in protecting children from child abuse or violent death."

The minister challenged the truth of that statement in his own statement. I want to ask him whether he does not understand that that inevitable conclusion was based on evidence of the task force's own research report to the effect that the majority of children's aid societies in this province have no standards, no guidelines and no procedures for identifying and treating child abuse cases?

Hon. Mr. Norton: Mr. Speaker, I think that if the honourable member recalls my comments, I was taking some exception with the generality and the sweeping nature of that opening statement. I do not disagree with the recommendations. In fact, although I have only very recently received a copy of the report myself and we and the committee were in some considerable rush to be able to table it before the House rose for the summer, my concern was that the opening sentence, in a careful reading of the recommendations, is not necessarily borne out or supported by those recommendations.

It does not make any exception for the fact that there are many children in the province of Ontario who have been and probably are being well served by the protection afforded by the children's aid societies. I just think that statement, as a blanket statement, would have been more accurate had it been qualified to suggest that it was true in some cases, but not as a blanket statement implying, as one might interpret it, that under no circumstances does the system provide protection.

I don't deny there are cases where there have been failures, but I also think the members opposite and I and everyone else who shares a concern in this area must recognize that although there can be and will be

improvements in the system, there can never be a guarantee of a perfect system. Wherever human judgement is involved, even with the most complete and thorough guidelines, there will always be room for some error in human judgement, especially when that judgement relates to the anticipated acts or the interpretation of acts of other human beings. There is just no way that I know of to provide for a foolproof predictability in human behaviour.

Mr. McClellan: Supplementary: In view of the fact that the task force indicts the ministry's failure to properly supervise the work of children's aid societies, will the minister agree as a minimal response to implement the first two recommendations and bring forward guidelines and standards of service for children's aid societies, and present them to the social development committee by the time we begin hearings on the Child Welfare Act in September 1978?

Hon. Mr. Norton: I am not sure that is a realistic time frame.

Mr. McClellan: You've had since 1974.

Hon. Mr. Norton: I will indicate, if the honourable member can control his apoplexy for a moment—

Mr. M. Davidson: It's sincere concern, not apoplexy.

Hon. Mr. Norton: We share his sincere concern, if that's the case. I would like the honourable members to bear that in mind.

There have been many policy directives and memoranda go out to children's aid societies over a lengthy period of time indicating approaches and guidelines, if you wish, in dealing with cases of child protection. One of the things that have come to our attention is that in some instances it is questionable whether these have been circulated or whether in fact they have even been maintained in a file by some of the societies.

At the moment we have a group within the ministry working on a manual, using as a base, some of the material that has already been prepared. As I indicated in my statement in the House earlier, we are working on the development of guidelines. I cannot guarantee it at this point, because I think that as a social worker the member would understand that it is not always possible to develop full and complete guidelines within a very limited time frame. We are working on them, and I hope it will not be long before guidelines will be available; at least in the form of a compilation, in the form of a handbook of recommendations that can be referred to by the children's aid societies.

Mr. McClellan: You are in a fog. You are floating in a fog.

Mr. S. Smith: A supplementary: Can the minister explain how it is that between his predecessors and himself there could still be what is referred to on page eight as the ministry being "remiss in setting standards and monitoring their performance," "the fact that the unevenness of service has persisted and is so pervasive is most disturbing," and on page 13: "There exists a lack of consistent ministry guidelines for abuse investigation and disposition"?

I realize he has been minister a relatively short time, but how does he account for the fact that with child abuse having been with us for so long there still persists such a situation in Ontario? Have his predecessors not been on the job? Has there been a problem within the organization of the ministry? What has the minister done about it within the ministry? Has there been some upheaval? These are very serious indictments.

Hon. Mr. Norton: Mr. Speaker, I am sure the honourable member realizes that I view these as very serious matters. I would agree that child abuse has been with us a long time; in fact, probably since the beginning of time or the beginning of man. Perhaps a more relevant time frame is the time at which a growing awareness of the rights of children has come about, and that may have been delayed in our society, or North American society, or western society generally. But the fact of the matter is that since that perception has grown, we in Ontario, as in other jurisdictions, have moved really quite quickly in terms of trying to come to grips with this problem.

In a more specific response to the Leader of the Opposition's query I have not yet had a chance, because of the very short period of time I have had the report, to evaluate or to review all of the background material that the task force had at its disposal, but I think part of that very problem may relate to the traditional organization of the children's aid societies in our province, in that they have been—

Mr. McClellan: No, it has to do with your ministry. You are responsible.

Hon. Mr. Norton: —established traditionally and historically as having a degree of autonomy that perhaps allowed for a limited amount of supervision.

Mrs. Campbell: Oh come on. You can't use that one.

Hon. Mr. Norton: As I have indicated in my statement, I believe now that it is time to

review the role and perhaps seek some changes in the role of my ministry vis-à-vis children's aid societies in this province.

TOURISM

Mr. Eakins: Mr. Speaker, my question is of the Minister of Industry and Tourism.

Mrs. Campbell: He is leaving.

Mr. Conway: He is going back to the Premier's chair, where he was the other night.

Mr. Eakins: Has his ministry conducted any studies geared to reducing the provincial tourism deficit this year, similar to the study in British Columbia, where they have found that if just one resident in 10 who normally travels outside of BC could be convinced to stay at home the provincial deficit could be reduced by 30 per cent? Is the ministry undertaking any studies that would reveal similar findings in Ontario?

Hon. Mr. Rhodes: No, Mr. Speaker, we do not have such a study.

Mr. Eakins: Supplementary: Since British Columbia and Ontario together make up over half of the national travel deficit and yet BC is ahead of us by one year in attempting to reduce its deficit, has the minister been made aware of some of BC's more successful efforts, such as the Bonus Blitz in which the provincial government would purchase newspaper space in which members of the private sector in turn would submit discount coupons for their particular operations? If he is aware of these programs, would the minister consider such a measure before the summer season is upon us in Ontario?

[3:15]

Mr. Ruston: Tomorrow is the first day of summer.

Hon. Mr. Rhodes: We are aware of some of the programs that are being started in the province of British Columbia. They have taken several steps. We have monitored what they have been doing. We have attempted to do some similar things to what they have done, but we have not embarked upon quite as expensive a program as they have.

Mr. Laughren: I don't think you are doing much over there.

Hon. Mr. Rhodes: We have put a great deal of our money into the advertising budget as opposed to what they are doing in BC.

Mr. Martel: You are not doing much about the auto pact either. What are you doing?

Mr. Conway: They're sinking without the former minister. Bring back Bennett, buggy and all.

Hon. B. Stephenson: The member for Renfrew North is suffering from terminal dandruff.

OIL AND GAS PRICES

Mr. Deans: I have a question for the Minister of Energy related to his statement earlier today. I wonder if the minister could tell us, firstly, whether or not in the deliberations within his ministry he has taken into account that there will likely be a loss of approximately 4,300 jobs as a result of the increase that will take place this year in the price of petroleum-based products.

Secondly, has he done a calculation to determine whether or not there is in the inventory 107 days' supply, as opposed to the 60 days' supply in the period of grace that is permitted by the federal government? Since \$23 million will, therefore, flow to the oil companies as a gift, will he consider extending the freeze period in the province of Ontario for at least the 107 days in order that we not further reduce the capacity of the province of Ontario to maintain its relative economic position both in terms of jobs and in terms of income?

Hon. Mr. Baetz: Certainly we will do all we can to extend the freeze period beyond the 60 days that has now been agreed to.

Mr. Martel: Permanently.

Mr. Laughren: Do it.

Hon. Mr. Baetz: On the matter of the percentage of funds from the increase going to the industry itself, if the member opposite would look into that in some more detail he would find that only about half of the increase goes to the industry itself. A very big chunk of it goes to the government of Alberta and a smaller percentage goes to the federal government.

Mr. Conway: Loughheed will balkanize this country yet.

Mr. Deans: Supplementary: Does the minister believe it is within his competency, his power and his jurisdiction to extend the freeze unilaterally in the province of Ontario to the 107 days in terms of the impact of the increase? If he does believe that, what other course of action can he take in order to protect the consumers of the province of Ontario for the period of time during which there is an inventory sufficient to meet the needs of the Alberta producers?

Hon. Mr. Baetz: I frankly don't think—

Mr. Haggerty: You don't know.

Hon. Mr. Baetz: —that applying a unilateral freeze on price increases here in Ontario—

Mr. Deans: You can't apply it anywhere else.

Hon. Mr. Baetz: —and disregarding the increases that will be taking place outside is a solution at all. That is simply running away from the broader problem.

Ms. Gigantes: That's what you do all the time.

Hon. Mr. Baetz: That is just a Band-Aid approach.

Mr. Deans: What's your alternative?

Mr. Martel: Nothing.

NUCLEAR PLANT SAFETY

Mr. Sargent: I have a question for the Minister of Energy. In view of the very serious news story in this morning's Globe and Mail, headlined "Emergency Coolers for Atomic Units Can't Do Full Safety Job, Reports Say," which goes on to say that the Bruce plant is now shut down to 65 per cent power; and in view of our concern that the interorganizational working group for the past nine months did not volunteer to the royal commission on electric power planning the fact that it had discovered serious inadequacies in the emergency system design, I ask the minister if it is his concern that we can guarantee to the people of Ontario that criminal negligence charges will be laid against scientists or those in the nuclear program who withhold information from the public? Why can't we have a full disclosure of the whole situation?

Hon. Mr. Baetz: I certainly share the concern of the member opposite about the story that appeared in the Globe and Mail this morning. I think that probably every member in the House who read the story is equally concerned.

Ms. Gigantes: We were concerned two weeks ago and we were concerned two years ago.

Hon. Mr. Baetz: Even though I have a very high regard for the Globe and Mail, and peddled it as a boy myself, and a regard for the reporter—

Mr. Cunningham: That is the best thing the minister ever peddled.

An hon. member: When the minister was a boy?

Mr. Conway: It must have been the Globe then.

Hon. Mr. Baetz: —I would like to say that I do not believe the story that appeared in the Globe and Mail this morning. Until such time as I can get evidence to prove

something to the contrary, I will continue to believe what the chairman of the board of Ontario Hydro tells me and what the president of the Atomic Energy Control Board, Dr. Prince, tells me.

Ms. Gigantes: What did Dr. Prince say?

Hon. Mr. Baetz: And this morning, following my reading of that story in the *Globe* and *Mail*, I talked to both of those gentlemen. I asked them a very direct question and I wanted a direct answer.

I said, "Are you withholding anything? Is there a concern here? Is there something that I should be concerned about, or the people of Ontario?"

The chairman of the board of Ontario Hydro said, "Categorically, no. There is no room for concern." The president of the Atomic Energy Control Board said, "Look, if I was concerned about the safety, I would close those plants down or I would de-rate them. There is no reason for concern." Therefore, until such time as further evidence is available, I'm going on the assumption that, in fact, that story was erroneous in many of its aspects and that the information I got directly from the Atomic Energy Control Board and from Ontario Hydro is the correct information.

Mr. Sargent: A supplementary: Due to the fact that there are billions of dollars involved and that the lives of 10 million people in this province are involved—

Hon. B. Stephenson: We have only eight million.

Mr. Sargent: —eight million people, Mr. Speaker—

An hon. member: Not according to our OHIP files; we may have 11 million.

Mr. S. Smith: There are visitors here during the summer, Bette.

Mr. Sargent: —in view of the fact that the minister makes a very serious charge, and it says here, and I quote: "However, leaked documents indicate official worry about how Parliament and the public might react."

Mr. MacDonald: You were dismissing them last week, Eddie.

Mr. Sargent: The thing is that I would hope that the minister would get a full investigation, get the names of these people and get them on the carpet and find out what the hell's going on.

Mr. Hennessy: Atta boy, Ed. Go right ahead.

Hon. Mr. Baetz: I agree, Mr. Speaker. I would like to do precisely what the member opposite wants us to do and that is to find

out what is going on; and that is precisely what we're doing right now. I can simply say in this House at this time that on the basis of the information that I've received from the Atomic Energy Control Board and from Ontario Hydro, that that report in the *Globe* and *Mail* this morning was largely—not entirely—

Mr. Deans: Ontario Hydro has not told the truth in 20 years.

Hon. Mr. Baetz: —erroneous and misleading and it is unfortunate it was written in the way it was.

Mr. Sargent: The minister had better back that up.

Hon. Mr. Baetz: The very fact that the scientists today are not in total agreement with each other about what constitutes adequate criteria for safety, is to me a sign of real assurance. If they are all complacent about safety and there was never an argument about it, then I think we should have cause to worry. But, really, it is most unfortunate that that report in the *Globe* and *Mail* this morning was written the way it was and I fully expect that after we hear more from Dr. Porter, after we have a statement from the Atomic Energy Control Board, which is forthcoming, that report will be largely disproven.

Ms. Gigantes: After a lot of unfortunate incidents.

Mr. Speaker: A final supplementary: the member for Carleton East.

Ms. Gigantes: Mr. Speaker, could I ask the minister if he is saying, in the light of Dr. Porter's letter in which he mentioned his concern that information relevant to the vital subject—and he was speaking of the safety of existing nuclear power plants—may not have been brought to our commission's attention by the responsible organizations and the other source—that this may be true, which is the *Globe* and *Mail* story, apparently confirmed by sources in the AECB, that there may, in fact, have been an attempt to "rewrite regulations in such a way that the existence of an escape clause on the safety requirement could be covered up"?

Is the minister satisfied to tell us that if information is being withheld he will sit tight and feel calm and we should all feel calm until the people who withheld the information come forward with the information? It's illogical and inconsistent, it seems to me.

Hon. Mr. Baetz: Mr. Speaker, the member opposite has quoted from Dr. Porter's original letter to the Provincial Secretary for Re-

sources Development. I expect on Thursday of this week the minister, my colleague, will be tabling Dr. Porter's further letter where he will elaborate on what he meant in the first one. I think when that letter comes, the honourable member will see the subject from a somewhat different point of view.

In the meantime I can only say, as I said earlier here, other statements will be coming out of the Atomic Energy Control Board and from Ontario—

Ms. Gigantes: When?

Hon. Mr. Baetz:—probably from Ontario Hydro to my ministry to make it very clear that there is no prevailing danger and as a matter of fact the standards set by Ontario Hydro for their own nuclear reactors were higher than those the Atomic Energy Control Board finally imposed and the level at which they licensed those stations to operate.

Ms. Gigantes: There was a mistake.

Hon. Mr. Baetz: There is at this point nothing—nothing—to indicate that there is any danger or that in fact we are compromising on our safety standards; there is nothing to that story whatever.

Ms. Gigantes: They are not rushing forward to confess.

Hon. Mr. Grossman: Quit grandstanding until you get the facts.

Mr. J. Reed: I wonder if the minister is saying by his answer that really what is happening here is that the article represents another point of view regarding the same subject, or is he suggesting that the article is definitely erroneous? Because of the sensitive nature of this whole nuclear issue and because these stories elicit such a strong response and because they provoke such a deep concern among the people of Ontario—and rightly so—would the minister see to it that these articles are answered factually and concretely, so we know that we are dealing with either an erroneous statement or simply a divergence of viewpoint?

Hon. Mr. Baetz: It is our full intent to issue a statement coming from the Atomic Energy Control Board, possibly from our ministry, but a statement which will clarify the issues. There is no doubt that in this particular story there are differences in points of view and nobody argues with that. I think what has been unfortunate in this and earlier stories, but particularly in this one, is an innuendo, a suggestion, that there's something very clandestine and undercover going on here and that they are fooling around with the safety and the lives of the workers and

the people of Ontario. We are determined to get to the bottom of that so people will know just what is what.

An hon. member: And you run them at 100 per cent capacity?

OHC SALARY AWARD

Mr. Bounsall: A question for the Minister of Housing Mr. Speaker: In the contract reached between Ontario Housing Corporation and the housing authority employees across Ontario, members of the OHC employees' union, CUPE Local 767—the nine per cent salary increase in the contract received as an arbitration award in December 1977, rolled back by the AIB to six per cent in February 1978 and that decision re-enforced upon appeal in April 1978, with that contract signed the day after April 4—why has that contract not been implemented and those employees paid, it now being almost two years since most of them have had an increase in salary and they have been working now without a contract for some 17½ months?

Hon. Mr. Bennett: Most members of the House will realize that CUPE 767 is in two divisions as far as the Ontario Housing Corporation is concerned. The first division is the employees who are gainfully employed here in the metropolitan area and the rest of the province is under a second contract.

Mr. Bounsall: I said across Ontario.

Hon. Mr. Bennett: Very clearly and very carefully, the contract for one CUPE organization has been agreed to under the arbitration agreements and the points that were made by the arbitrator at the time.

On the second contract that went to arbitration the union did not agree, or could not come to a common understanding with the Ontario Housing Corporation, as to the interpretation of the order or report by the arbitrator. At this very moment, Mr. Speaker, that particular recommended settlement is back before the arbitrators for clarification.

[3:30]

Mr. Bounsall: Supplementary: That being the case, would the minister intervene personally, if he hasn't already, to ensure that the long-delayed contract is implemented without further delay so these workers will not continue to feel frustrated or in any way develop disincentive feelings about working at their maximum capability?

Hon. Mr. Bennett: I trust the union and the Ontario Housing Corporation will present their cases before the arbitrator. As minister,

I do not intend to interfere with the regular procedure of negotiating a contract.

Mr. Deans: It is taking a long time.

Hon. Mr. Bennett: That's your union fellows. Don't blame me. Sure, they drag their feet all the time.

SUPPLEMENTARY BUDGET

Mr. Conway: My question is to the Treasurer, Mr. Speaker. It deals with the Treasurer's supplementary budget of April 25, in which the Treasurer indicated very specifically that as part of his permanent reductions in expenditures to refinance the OHIP increase, one item involving a cut would be the Ministry of Northern Affairs' regional priorities program in the extent of \$9 million.

I would like the Treasurer to indicate why it was that in mid-May the Minister of Northern Affairs (Mr. Bernier), who I believe did not at the time provide a full explanation of the situation which indicated that the intention of the supplementary budget was largely altered and that, in fact, the \$9 million was not taken, as he indicated, from the regional priorities program in its entirety, although several millions were taken from other parts—why was that supplementary budget paper of April 25 altered? That is my first question.

Hon. Mr. McKeough: I think that we could probably find several other changes—

Mr. Peterson: It's not very easy running backwards, is it?

Hon. Mr. McKeough:—and I think some changes, perhaps, are still being finalized. Ministries obviously had the option of going over the list. The dollar amounts didn't change; they looked at where best they could take the money from.

Mr. Conway: Well, supplementary to that; surely the Treasurer would appreciate that if the estimates process is going to mean anything—and I am sure there are many on that side of the House who would expect it not to mean very much in terms of financial accountability—it is surely the responsibility of the government, to the best of its ability, to indicate where those changes are going to be made and why. I would ask the Treasurer to indicate to this House, in the light of what he has just said, how much of that supplementary budget is in fact negotiable. How many of the other seven items are not going to be as they were presented to us on that occasion? Because surely if the Minister of Northern Affairs—

Mr. Speaker: The question has been asked.

Mr. Conway:—is free to change as he has, then others can be expected to do likewise.

Hon. Mr. McKeough: I am sure the Minister of Northern Affairs would be delighted to answer the question during the course of his estimates.

Mr. T. P. Reid: Mr. Speaker, I rise on a point of order, if I may, arising out of this situation in regard to the estimates.

Mr. Speaker: There is nothing out of order.

Mr. Ashe: The member is.

Mr. Conway: I rise, Mr. Speaker, on a point of privilege. Surely it affects the privileges of all members of the House when we are presented on April 25 with a supplementary budget paper which we are now led to believe is not going to be proceeded with quite the way suggested at the time. I think the privileges of all members of the House are greatly affected by this haphazard, cavalier dismissal this afternoon by the Treasurer of his supplementary budget paper. I would invite the Treasurer—

Hon. Mr. Davis: Oh Sean, you're being silly.

Mr. Conway: I do not think—

Hon. Mr. Davis: His point is silly.

Mr. Conway:—I do not think that it is a silly matter, though the Premier may not agree with me.

Surely the privileges of all members of this House are directly affected when we are led to believe, as we were on April 25, that there was a supplementary budget which was going to make cuts in seven specific areas, and in fact we have evidence that we continue to vote moneys in ways that are not squared with that supplementary budget. I would ask you, Mr. Speaker, to consider the fact that the budget presented by the Treasurer at that time is not being proceeded with—

Mr. S. Smith: It was a political document.

Mr. Conway:—quite in the way we were led to believe. I would certainly invite the Treasurer to take the opportunity of one of the remaining days in the session to indicate what other changes are going to be made and why.

Mr. Roy: We are being misled around here.

Mr. S. Smith: It was a political document.

Hon. Mr. McKeough: I am sure that at the conclusion of that statement, which I don't have in front of me—I think I brought it with me for some little time. Obviously, nearly two months later we are now getting the first question, which says something about the interest of the Liberal Party in these matters.

Hon. Mr. Davis: A slow day, a slow day.

Mr. Roy: You should talk.

Mr. S. Smith: Specific, and it turns out to be phoney.

Hon. Mr. McKeough: I would simply say that I am sure at the end of that statement I indicated that I would be able to give more precise details as to where the reductions totally had been achieved and would do so, in any case, not later than the first quarterly finances, which I would expect we would be putting in the mail some time in July.

I am quite sure the ministers, as their estimates come up, can give up-to-date figures as to not only what changes might be made on April 25, but perhaps also other changes which might occur during the course of the year, either by way of underspending or overspending, handled by the possibility of supplementary estimates or, if the amount is small enough, by Management Board order.

Finally, addressing the point of privilege raised by the member for Renfrew North, I would just say that in my view it is not a point of privilege and what he needs is a good summer holiday.

Hon. Mr. Grossman: Maybe a day camp.

Mr. Roy: The Treasurer is the one who needs a holiday more than anyone else.

Mr. T. P. Reid: Mr. Speaker, I would like to address myself to that point of privilege, if I might. In regard to the point of privilege raised by the member for Renfrew North, two things occur. First of all, the questions were asked of the Minister of Northern Affairs as to how the budget cuts were going to affect his budget. He was not able to tell us during his estimates what programs were going to be cut down or by how much. I would agree with my friend from Renfrew North that we have been presented with a document by the Treasurer outlining the requirements of the province of Ontario, and at the whim of the various ministers these can be changed, and the document that we and the public at large, are supposed to follow, is nothing but a falsification of the actual requirements of the province of Ontario.

Hon. Mr. McKeough: Oh, get off it!
Interjections.

Hon. Mr. McKeough: Mr. Speaker, on a point of privilege: There is no falsification, and that should be withdrawn.

Mr. T. P. Reid: That was raised with the Minister of Northern Affairs—

Hon. Mr. McKeough: The member stands there trying to defend his inadequacy in the estimates—

Mr. Speaker: Order.

Hon. Mr. McKeough: Nonsense!

Mr. Speaker: Order. I would ask the member for Rainy River to withdraw any intimation that there was a falsification of anything.

Mr. T. P. Reid: I am sorry, Mr. Speaker.

Mr. Hennessy: It is about time.

Mr. T. P. Reid: Certainly the Treasurer and the Minister of Northern Affairs did not mean to mislead the House; it is simply incompetence.

Hon. Mr. McKeough: It's your incompetence that you don't know how to ask questions.

Hon. Mr. Bernier: If I could clarify the point, Mr. Speaker. I regret the memory of the member for Rainy River is that short. This particular point was discussed in detail during the course of the examination of my ministry's estimates when we talked about the \$9-million cut.

Mr. Nixon: You didn't have any answers then either.

Hon. Mr. Bernier: I pointed out to the honourable member that \$5 million was coming out of the community priority budget, \$3 million out of the regional priority budget and \$1 million out of the capital construction program for highways in northern Ontario. He knows that. It's on the record for him to look at.

Mr. T. P. Reid: That's not the point.

Hon. Mr. Bernier: It is on the record and if he checks the record he will find it is correct.

Mr. Speaker: I have come to the conclusion there is no prima facie case for a point of privilege.

Hon. Mr. Davis: Patrick, you must have been away that day.

Mr. Conway: Darcy will float out to the tune of the Hazeldean March.

REPORTS

STANDING SOCIAL DEVELOPMENT COMMITTEE

Mr. Van Horne, on behalf of Mr. Gaunt from the standing social development committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill Pr18, An Act to revise the Hamilton Civic Hospitals Act, 1961-62.

STANDING ADMINISTRATION OF JUSTICE COMMITTEE

Mr. Philip from the standing administration of justice committee presented the com-

mittee's report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill Pr29, An Act to revive Poly Aire International Limited.

NUCLEAR PLANT SAFETY

Hon. Mr. Brunelle: Mr. Speaker, I am tabling a letter today that I have received from Dr. Arthur Porter, chairman of the Royal Commission on Electric Power Planning.

Dr. Porter's letter provides information on matters that were raised in his letter to me of June 9 last that related to the safety of nuclear power stations and to the viability of the Canadian nuclear industry which were subsequently raised in the House last week and again today.

INTRODUCTION OF BILLS

CITY OF HAZELDEAN-MARCH ACT

Hon. Mr. McKeough moved first reading of Bill 131, An Act to establish the City of Hazeldean-March.

Motion agreed to.

HEALTH INSURANCE AMENDMENT ACT

Mr. Peterson moved first reading of Bill 132, An Act to amend the Health Insurance Act, 1972.

Motion agreed to.

Mr. Peterson: The purpose of the bill is to require a medical practitioner and a health facility to inform every patient of the cost of the medical services incurred by the patient and paid by the Ontario Health Insurance Plan.

It seems to me if we are going to provide some kind of "visible link" between the high cost of services and consumption on a patient basis, the first step we have to undertake is to inform the patient of the cost of the services consumed. That is the intention of this bill. I hope it receives a quick passage.

COUNTY OF LENNOX AND ADDINGTON ACT

Mr. Hennessy, on behalf of Mr. J. A. Taylor, moved first reading of Bill Pr27, An Act respecting the County of Lennox and Addington.

Motion agreed to.

MUNICIPAL ELECTIONS AMENDMENT ACT

Mr. Samis moved first reading of Bill 133, An Act to amend the Municipal Elections Act, 1977.

Motion agreed to.

Mr. Samis: The purpose of this bill is to establish limits on the amount of contributions that can be made to the election campaign of municipal candidates. The bill requires that all contributions to a municipal candidate must be made by individual persons only. All contributions of \$100 or greater are to be recorded and subsequently reported. The contributor is limited to a maximum contribution of \$1,100 in an election year and \$550 in any year that is not an election year.

INCOME TAX DISCOUNTERS REPEAL ACT

Mr. Walker moved first reading of Bill 134, An Act to repeal the Income Tax Discounters Act, 1977.

Motion agreed to.

Mr. Walker: The bill repeals the Income Tax Discounters Act, 1977 because the act is no longer necessary by reason of paramount legislation brought in and introduced and passed by the Parliament of Canada.

[3:45]

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Welch: Mr. Speaker, before the orders of the day I wish to table the answers to questions 37, 86, 87, 88, 89, 90, 91, 92, 93 and 97 standing on the notice paper and call the 11th order. (See appendix, page 3721.)

ORDERS OF THE DAY

DISCRIMINATORY BUSINESS PRACTICES ACT

Hon. Mr. Davis moved second reading of Bill 112, An Act to prohibit Discrimination in Business Relationships.

Hon. Mr. Davis: Mr. Speaker, I just have a few brief observations to make. Actually, the intent of the bill, which was modified somewhat from the previous bill that was introduced, was stated upon its introduction.

The basic principle in this bill, I think, is quite clear. It relates to discrimination as it might affect people or citizens of this province in relationship to policy set outside this country. I think it is regrettable, and I've said this before in the House and publicly, that it was necessary for Ontario to bring in

this kind of legislation. It would be far more properly done by the government of Canada.

We were not able to really use any existing legislation in other jurisdictions as the guideline for the bill that is before us, in that we were not able to go the route of economics or trade and commerce which would have been the appropriate approach, we believe, and properly done by the government of this country.

Of necessity and bearing in mind the extent of the constitutional limitations imposed upon us, we have established in this bill the principle of anti-discrimination. I think it's fair to state there are very few similar pieces of legislation, and we are particularly interested in the principle that this bill establishes.

I have received communication from one of the members opposite. I expect perhaps two or three others may, as they study this bill carefully, express certain concerns; although I sense in the letter from the member for Riverdale (Mr. Renwick) his support of the bill in principle, but outlining two or three areas of a technical and legal nature that he would like to raise—

Mr. Samis: Pretty fundamental.

Hon. Mr. Davis:—during the course of the discussion of the bill. I would make it quite clear to the members opposite that I have no objection, and the government has no objection, to consideration of some of the issues raised by the member for Riverdale. It is difficult in drafting legislation of this kind to anticipate the examples that could be developed, and that may be when this bill gets before committee.

My concern is that the principle of the bill remains intact. Certainly as far as I'm personally concerned, we would welcome either from members opposite or those who might appear before the committee any suggestions as to its improvement, or ways and means to see that in the pursuit of this principle and objective we are not contravening the rights of individuals within this province as well.

It is perhaps at first glance not that complicated a bill, but having lived with it now for several months I suggest to the members opposite that there are some implications here that I would hope all members are aware of and that we have an opportunity to discuss when this bill goes before committee. The principle is very simple. It is an expression, hopefully by this Legislature and by all members, of our opposition to a policy or policies created other than in our own country which has an impact of a discriminatory nature on citizens of this prov-

ince. This is the intent and principle of this bill.

If some of the members opposite prior to, I would hope carrying of second reading in the next short period of time, have any basic concerns to which they wish me to reply, I'd be delighted to try but I would think that really detailed discussion would be much better served in the committee. I'm sure there will be ample opportunity for discussion there of some of the questions raised, particularly by the member for Riverdale who has communicated them to me.

Mr. Conway: Daniel Moynihan and Scoop Jackson would be so happy.

Hon. Mr. Davis: Is the member not going to vote for it?

Mr. Breithaupt: Mr. Speaker, the matter of this boycott situation first arose in January, 1977 upon the return of the Premier from a visit to Israel.

The headlines in the Toronto Star of January 22 were: "Firms That Boycott Israel To Lose Ontario Contracts." The body of the comment made there is as follows: "Ontario will refuse to give government business to companies which comply with the Arab boycott against Israel, Premier William Davis said yesterday." The Premier went on to be quoted as follows: "It is my intention to take certain steps to lessen the effect of the boycott in so far as firms over which Ontario has jurisdiction are concerned." That sir, was on January 22, almost exactly 17 months ago.

The next matter that came before the House in a formal way was the bill introduced during the spring session of 1977. This was Bill 39, introduced by the member for St. Andrew-St. Patrick (Mr. Grossman), since which he has joined the ministry. The bill was introduced on April 19, almost exactly 14 months ago. In that bill, the honourable member set out his particular concerns and attempted, through the means of the private members' system, to bring this matter before the House in a form not dissimilar from what we have with us today.

However, two weeks later, a provincial election was called. I recall it had something to do with rent review, that stays in my mind.

Hon. Mr. Davis: That's my recollection.

Mr. Roy: That was the excuse.

Mr. Breithaupt: In the event, of course, the election campaign saw several comments made during its time. One of which I have record, is a comment made by the Premier

during an interview on Radio Noon with respect to the bill which had been introduced by the member for St. Andrew-St. Patrick. The Premier mentioned at that time that this bill was the only representation of any action by anyone in the province and he said, quite properly, that it should be a matter of national concern. My leader was particularly involved in this matter on two occasions during that election campaign; the first in a private way, one might say.

Hon. Mr. Davis: Is he speaking on it today?

Mr. Breithaupt: I expect so. The first, in a private concern, was made by addressing a letter to the Prime Minister of Canada; a letter dated May 31.

Mr. Roy: What is the Premier trying to suggest?

Hon. Mr. Davis: He said it was phoney.

Mr. Roy: He comes in here and speaks up.

Hon. Mr. Grossman: He is meeting with the press right now.

Mr. Roy: Don't be so phoney.

Mr. Breithaupt: My leader at this time commented as follows to the Prime Minister:

"Dear Mr. Prime Minister: In the interest of the civil liberties of all Canadians I am appealing to you for federal government legislation to discourage compliance with the Arab boycott. Experience in our country, the United States and elsewhere has proven that unless the federal government provides to all of its citizens a strong, governmentally-supported base from which to resist application of the boycott, such resistance will never be fully successful.

"The guidelines set up on January 21, 1977, are insufficient. Evidence has been presented by the Commission on Economic Coercion and Discrimination that the business community in Canada has complied with the boycott. This has occurred because the guidelines substantially narrowed the grounds upon which your own policy statement of October 21, 1976, could be applied. The guidelines have failed to combat Canadian corporate compliance with boycott provisions of both a restrictive trade and discriminatory nature.

"The United States experience with compulsory reporting of requests for compliance with the boycott resulted in almost 170,000 requests within the first year, October 1, 1975, to October 1, 1976. This was in connection with over 97,000 transactions involving \$7.7 billion. Compliance with the requests was cited in over 90 per cent of the cases reported. This information indicates

the very serious extent to which the boycott intrudes upon the normal functioning of the American economy.

"The Export Administration Act of 1965 expired on October 1, 1976. This act enunciated the principled opposition of the United States government to restrictive trade practices and boycotts furnished or imposed by foreign countries against other countries friendly to the United States. However, a reporting mechanism and other prohibitions against boycott compliance were maintained in anticipation of a new bill. I understand that anti-boycott legislation is now before the House of Representatives and the Senate and is expected to be signed imminently by President Carter.

"I have been informed by the trade commissioner in Damascus that he no longer requires a negative certificate of origin in all cases because the United States usually refused to meet this requirement in the past. Due to the tough stand that the United States government has taken, the impact of the boycott has been reduced and business in the United States has not suffered.

"I urge you, therefore, to enact legislation for Canada incorporating the following proposals: That the government prohibit itself and its agencies from assisting or supporting the boycott; that the government prohibit Canadian firms from complying with any foreign-imposed boycott directly against a country which is friendly to Canada; that the government prohibit Canadian firms from answering or complying with discriminatory boycott requests regarding the religious or ethnic character of their personnel; that the government prohibit Canadian banks from processing letters of credit containing boycott clauses; that Canadian firms be required to report receipt of boycott requests within 30 days, including an indication of the disposition of each request; and that the government require public disclosure of information concerning boycott activities in Canada.

"The boycott has a discriminatory impact upon Canadian citizens. By creating an invidious distinction between Canadians of different religious origins, it undermines the quality of Canadian citizenship and divides Canadians from other Canadians. It requires Canada to violate its own principle of non-discrimination in international trade. It demands that Canada forego its policy of balance and objectivity in foreign disputes and puts our resources at the disposal of one of the belligerents to the conflict.

"Compliance with the boycott constitutes taking a stand against Israel, which is in

opposition to our stated foreign policy in the Middle East. Non-compliance is a refusal to take sides. The issue is not whether Canada is pro Israel or pro Arab, but is simply one of basic fairness. This is a time for strong nationhood for Canada. The boycott is a threat to our country's sovereignty. I urge you to immediately enact definitive legislation to ensure that the political, economic and moral character of our society is not in danger."

That letter was sent to the Prime Minister of Canada by my leader on May 31. It outlined the position which this party has taken throughout the involvement in this particular situation. The opportunity came forward several days later, on June 3, to re-emphasize our position in a speech which my leader made in north Toronto to a B'nai B'rith meeting.

I would quote just briefly from the comments, which were reinforced publicly at that time. "Specifically, I want to appeal today, in the interests of the civil liberties of all Canadians, for federal government legislation to discourage compliance with the Arab boycott, and to pledge that the Ontario government under my leadership would do everything within its power to encourage resistance of the boycott. Experience in our country, the United States and elsewhere has proven that unless the government provides to all of its citizens a strong, governmentally-supported base from which to resist application of the boycott, such resistance will be never fully successful.

"The guidelines set up by the federal government on January 21, 1977 are insufficient. Evidence has been presented by the Commission on Economic Coercion and Discrimination that the business community in Canada has complied with the boycott. The guidelines have failed to combat Canadian corporate compliance with boycott provisions of both a restrictive trade and discriminatory nature."

Further, my leader said: "The boycott has a discriminatory impact upon Canadian citizens. By creating an invidious distinction between Canadians of different religious origins, it undermines the quality of Canadian citizenship and divides Canadians. It requires Canada to violate its own principle of non-discrimination in international trade. It demands that Canada forego its policy of balance and objectivity in foreign disputes and puts our resources at the disposal of one of the belligerents to the conflict."

Those were two involvements which the leader of this party took during the time of the last general election campaign. Professor Irwin Cotler of Montreal served as chairman

of the Commission of Economic Coercion and Discrimination. The findings, conclusions and recommendations of that commission have been publicized. We, as Liberal members of this Legislature, associate ourselves with them.

[4:00]

The legislation that should be enacted by the federal government had really to be meaningful in order that it might be effective. It should not, for example, simply be a re-statement of the federal guidelines, since those guidelines are deficient. They substantially narrowed the grounds upon which the October 21 policy statement could be applied. They certainly stated that federal government support and facilities would be denied to companies after boycott clauses had been signed; thus government support would be provided up until the actual time when the contracts were signed. Promotional services, market information and all facilities would continue, under the federal government's terms, to be made available for any transaction so long as the boycott clauses, known to be required, were not yet signed.

I believe that the absence of a serious reporting mechanism has been a significant undermining of the federal government's position. The application of the federal government's policy is limited and narrow. It will do nothing to compile general information on the boycott situation in Canada, or to substantially combat Canadian corporate compliance with boycott provision of both a restrictive trade and a discriminatory nature.

Professor Cotler concluded his report of the commission with the following remarks: "The issue at this point goes beyond the question of the protection of Canadian sovereignty, the affirmation of free trade and the protection of the civil liberties of our citizens, though this alone would be enough. The issue, in effect, goes beyond the question of the boycott. What is at stake now is the credibility of our commitments and the integrity of our policies. At some point we must say the sovereignty of this country is not for sale. In defining our policy on the Arab boycott, we are really making a statement of ourselves as a people."

When the Legislature returned in session after the election on June 9 last year, there was nothing further to be said on this subject by the government. On June 30, a question in the House from my leader to the Premier brought the following comments from the Premier: "We are pursuing it. It is a complex matter. It is one, obviously, that would be better dealt with, and more properly dealt with, by the government of Canada. I said

that at the time and I repeat it now because I believe that to be fundamentally correct. However, Mr. Speaker, the matter is under consideration by the government."

Mr. Nixon: That answer was a year ago?

Mr. Breithaupt: Well, almost exactly a year ago as we go through the chronology of this matter.

Mr. Conway: The fullness of time.

Mr. Breithaupt: Finally, on December 16, Bill 129 was introduced. A government bill, at last, was on the order paper, almost a year after that excursion to Israel. It was at the very end of the session, where of course unfortunately it could not be dealt with further in a prompt fashion.

Hon. Mr. Davis: We still had hopes that the member's friends might do something.

Mr. Breithaupt: But Bill 129 was placed on the order paper of the House almost exactly six months ago. There was a general feeling that this was a good bill. Certain sections were worded in a way that might have shown some hasty draftsmanship, but the only fears the Jewish community had within Ontario particularly appeared to be that there might be a strong lobby by businesses which feared a loss of trade from the legislation, and that that would either delay the reintroduction of the bill or cause it to be substantially altered when the matter came before the House again.

Mr. Philip: They wouldn't dare.

Mr. Breithaupt: It should be noted, I would suggest, that the business community, in its response, was aware of the fact that during the time period, according to the findings of that Commission of Economic Coercion and Discrimination, there had been no substantial loss of trade as a result of resistance to the boycott, especially within the United States.

Basically, Bill 129, as it was brought before us six months ago, designated certain business practices as discriminatory and prohibited such practices. It also, of course, provided designated information about other persons, as well as negative certificates of origin, which were both prohibited at the same time.

As I have said, there was a feeling half a year ago that that bill as introduced was the prospect of good legislation. Now we have Bill 112, introduced to this House on June 8, 1978, almost exactly a year since the previous election and almost exactly 17 months since the Premier returned from Israel. It was known at that time that this session of

the House would end just two weeks later, indeed a couple of days from now.

So here we are, in the last few days of this portion of the session before the expected adjournment on Friday of this week, considering the principle of this legislation.

In this overall situation, the federal government has clearly been inadequate in giving the necessary leadership in this matter. We therefore seem forced to follow the approach taken within the United States. After some 10 or more state legislators had introduced bills which were passed by their assemblies on their own, the federal government finally got its act together. We know that in Canada the only effective resolution of this matter will be with the commitment of Parliament to act. The American experience shows that a strong approach, a national approach, is the best policy and that it alone can work.

Yesterday, in the Toronto Star, there appeared an article by Mr. Ron Atkey which I would commend to all members of the House.

Mr. Conway: A fine fellow.

Mr. Breithaupt: I'll quote only a brief portion:

"... the principal fact that can no longer be disguised is that many Canadian firms, particularly large ones, are simply ignoring the policy. The reason for this is that the policy, without legislation, lacks teeth. The only sanction for non-compliance is the possibility of withdrawal of Canadian government services and financial assistance in performing a contract in the boycotting countries. Large Canadian or multinational firms don't usually require governmental assistance, so are free to comply with any boycott demands no matter how much they may discriminate against Canadians on the basis of racial or religious criteria."

Mr. Conway: Did you hear that, Sidney?

Mr. Breithaupt: In supporting this bill in principle, we do so recognizing that there are certain problems of drafting which will have to be considered in committee.

It is the intent of the legislation to avoid having foreign powers impose their views on our business organizations. However, we do have situations where our residents in Ontario may wish to gather together and encourage other residents not to buy certain products. It may be because the products may not have union labels, or they may have come from some nation whose internal social policies are abhorrent to the protesters.

If this legislation is to apply to these cases, then this may go beyond the resolution of the problem as suggested and perceived by

the government and, indeed, I think, by the majority of the members of the House.

The Premier, in his introductory comments, mentioned a letter received from the honourable member for Riverdale (Mr. Renwick), who had shared the correspondence with certain other members of the House. The member is not here but may be attending on the debate, and I dare say he will be able to place on record the comments in his letter, which set out quite explicitly those examples which I have briefly cited for the benefit of all the members of the House. I hope he will have the opportunity of placing the contents of this letter on the record of the House. I would not presume to do so, but if he is not able to speak perhaps one of his colleagues would be prepared to have that information provided to the House.

When this bill was introduced by the Premier on June 8, he mentioned in his statement certain comments which may also cause us concern as we deal with the bill at the committee stage. The comments dealt particularly with some legitimate concerns of the business community that would have to be addressed as the bill was drawn and developed, in order to achieve the attitude that we would wish to have.

As the Premier stated in his comments two weeks ago, the bill was tabled prior to the end of this session, and I quote: "... so as to give members of the business world and others who might be interested ample time to put forward constructive suggestions."

Indeed, we support the principle of this bill. As I have mentioned, the approach of the federal government has been most inadequate on this subject. A strong provincial decision may encourage an effective national approach. The committee hearings which will eventually deal with the particulars of this bill will, no doubt, bring forward other concerns in addition to the ones I've mentioned, raised by the member for Riverdale, and the comments by the Premier with respect to legitimate business concerns.

I commend the legislation, in principle, to the members of the House, and I can assure the members it will be supported on this side.

Mr. Lawlor: My colleague the member for Riverdale has done yeoman service in connection with this particular bill in terms not of its central principle but with respect to certain ramifications or side effects that flow from it, which I am sure weren't in the minds of the government when it was drafted and which require rectification. He cannot be here today and he asked me to say on his behalf that he desires—and I suppose we all desire in this kind of measure—a certain

transcendence of normal political partisanship, a coming to grips on the largest consensus that we can achieve in the House and on all sides with respect to a central matter of this kind.

Therefore, I wouldn't in the least—despite what I am going to say in a few moments—wish to be provocative. My comment on that is that when the Premier says he doesn't wish to be provocative—that is poisoning, usually to be his most provocative. I shall use the word in its proper context and not attempt to do that, to not stimulate any unnecessary adrenalin flow.

Hon. Mr. Grossman: We will watch carefully. We are listening.

Mr. Lawlor: This is extraordinary legislation. We all recognize it. Under our constitution, we are trespassing, in a sense, upon areas where we have no jurisdiction and no particular power, and this explains in part the tortured nature of the legislation as it has emerged, because somehow it has to be fitted in to the Business Practices Act and to civil rights in the province, although it's directed beyond the boundaries of the province. So you get certain anomalies on which I can only commend the legislative draftsmen and Mr. Atkey, who participated in this process, in being able to come up with a bit of a gem, twisted though the pearl may be in some ways.

Secondly, as has been mentioned in this House several times now, Mr. Don Jamieson of the federal Parliament presented some legislation at an earlier time or commended it to the House. Nothing has ever been done about it. They have trod water in this particular area and there is a feeling that some spurring in this particular regard with respect to our self-determination and certain practice which I think we find questionable would be circumvented or eliminated.

Now, the letter from my colleague, which was mentioned, is a letter to Mr. Atkey. I won't read it all. I shall simply comment on it. The second paragraph reads: "I recommend to the caucus that we support the bill in principle, but I have serious concerns about the draftsmanship of the bill and the wide and, I believe, unintended ambit of the bill. While one can think of many examples, I have tried to narrow them down to two or three which directly reflect the concerns which I have." Then he mentions the South African situation, the apartheid policies and our way of expressing our international discontent with that particular policy.

For individuals in this province to consort together or even the single individual to announce publicly that he or she does not wish

to purchase South African wine because of the declared policies of that government might—and I think in the close reading of the bill, almost certainly does—bring that individual within the ambit of this legislation and subject to the very onerous fines and penalties that this bill contains. Surely that wasn't the intent in that particular context.

[4:15]

The second example that was mentioned is, "It would appear to me," says the member for Riverdale, "that if I, Jim Renwick, took part in a boycott, similar to the grape boycott of a few years ago which was in support of the United Farm Workers in California. I would be subject to the enforcement provisions of the bill." That, in a strike way, is perfectly true.

Now I will introduce what I consider one of the complexities of the bill. In that particular kind of context, it seems to me that not necessarily would you be caught within the ambit of the legislation; it would depend upon the reasons that you gave, in the particular context. This applies generally to this bill and it is kind of an interesting point. Under this bill, or the bill as I suppose it is intended to be amended, if the discrimination or the boycott is directed against ideology, there's nothing that I can see under this bill against saying: "This is a Marxist-Leninist product; therefore I won't, and I don't want you, to buy it." Or, "I don't want you to sell that particular product to a Marxist-Leninist outfit" or "a fascist outfit," or—and here's a tricky point—"a Zionist organization."

Whether that's a designation within the ambit of this legislation, with respect to geographical location, race or creed, there are tricky points that will come up in committee on that, as to whether, say, Zionism is credal in nature or not. I personally have some great doubts about that. So by wording the grounds on which you are prepared to discriminate in such a way as to circumvent the legislation, that objective can fairly be achieved.

The Premier said he didn't expect that we would go into detail—nor do I intend to, not in any great depth—but I do think it's helpful in a debate of this kind, in advance of committee hearing, to know where at least some of us feel the areas of discontent or weakness might be in the legislation. I intend to point out only three or four of these major considerations.

My colleague mentioned the native peoples in northwestern Ontario perhaps taking boycotting action against merchants in order to

force the civic fathers to take particular stances with respect to their native rights or their voices being heard in the community. Again, that would fall foul of the legislation.

If one of the members of this House then went to northwestern Ontario and spoke to the Indians, spoke approvingly of what they were seeking to do, trying to aid them, that member—or any citizen of the province for that matter—would possibly be subject to criminal and other penalties in that regard. It would be considered a kind of conspiracy in restraint of trade, or at least as falling within the specific terms of the legislation.

None of this was thought of, because the mind was focusing on a particular objective. It is precisely for that reason this House exists, to cut back into that and to expose ramifications which were not intended and which can certainly be deleterious to civil liberties and to basic benefits.

I would like to refer to whatever committee subsequently meets, an article, which again was dug out by the honourable member, from the Harvard Law Review, volume 91, 1975, page 659: "Political Boycott Activity and the First Amendment." I won't go into it; I leave it for perusal. It analyses the issue in depth and with intensity as to the impact on boycotts generally in the United States, particularly with respect to a certain case called Claiborne Hardware Incorporated versus NAACP, having to do with the town of Port Gibson in Mississippi where certain blacks set up a systematic protest against racial discrimination and began to boycott the merchants of that town.

The court in that instance at the state level held them liable in damages, granted injunctions against them, said they infringed against a whole host of common law remedies and state statutes; for instance, anti-trust legislation in the state which they said had been infringed, the tortious liability with respect to the interference in business relations, restraint of trade conspiracies, all this stuff was brought against them and they suffered very dire consequences.

There are cases going the other way in the American jurisdiction now but the Supreme Court has had the very devil of a time on the issue because of the peculiarities in the United States. The first amendment is deemed by some judges of the Supreme Court to be a plenary right of free speech. Nothing can trespass upon it. To other judges it has enormous flexibility and is highly conditional et cetera. One of the conditions very well could be that the interest

of the state government, in its anti-trust legislation, supersedes the right to free speech.

It also depends upon the mentality and basic temperamental acumen of the judges, as to whether they happen to be a little to the right or a little down the middle or in which direction they proceed early in the morning. This is a peculiar problem that does not apply here. However, it might be a good idea to make some reference to free speech in section 2, I think it is—the protection of free speech within a confined context. This would give recognition to that principle in this legislation and as it will be interpreted by the judiciary.

On the second page of my colleague's letter, he says: "I suppose in legal terms I am saying that the right of peaceful picketing for information purposes through this kind of boycotting activity would be significantly curtailed if not prohibited by the terms of the proposed bill." I would say very true indeed—and not just in picketing either. Just the conveying of information or the business of dealing or not dealing in terms of contracts would be curtailed. It need not necessarily involve the picketing aspect at all, although that should be taken into consideration.

There are three kinds of boycotts. There is a primary boycott—that is one person or country refuses to deal with a second person or country. That is not in question particularly, although it is in terms of this bill. But let us take the case of some of the Arabic nations and Israel. I think they consider it back and forward fair game. I mean to say, "If you don't want to deal, you don't want to deal." That is life in the raw and it is a very difficult situation.

It is the secondary and tertiary boycotting that is really the nub of the issue. Secondary boycotting is when one country or person, as a condition of dealing with it or him or her, requires the other country or person not to deal with a third country or person on certain grounds. That is really the questionable point.

Tertiary boycotting goes even further. It prohibits for instance one Canadian company from doing business with another Canadian company which does business with a designated company. It goes even further than the Arab boycott situation. It also appraises the share ownership or capital holding on a racial basis of individuals within a particular country; say, about 30 per cent is the norm, although there is a very wide variety and spectrum of the terms and conditions of the boycotting imposed.

Each of the 20 countries has its own criteria. There's a certain core of similarity. It

could be 15 per cent or it could be 30 per cent in this particular context. It has to do with shareholders and with who the directors of the company are and the positions they occupy in the business and in the intellectual life of that country. It has to do with the hiring practices of a particular corporation and its source of materials. This office—I think it's in Beirut or Damascus—will send a questionnaire to the company involved. If the company doesn't reply, it is automatically blacklisted. If it replies, disclosure has to be made of the sources of the materials and as to whether particular firms are supplying parts within the country itself that is dealing with the foreign territory.

This is very searching, far-reaching and pretty invidious when you get to that particular point with respect to hiring practices and promotion and the capabilities of individuals who are being placed under a cloud and not being able to advance. On the other hand, it's a highly selective process. As I understand the situation, none of the countries in question excludes the financial institutions of the other countries from participating in such things as bond drives, the raising of capital and in banking concerns. That's a fairly sacred territory for all of us, but it's not impinged upon. It's a preserve that's not touched.

There are a fair number of these; for example, anything to do with arms manufacturing. You get your arms where you can get them, I suppose. You don't ask for colours of skin or eyes or any other colours. You seize upon it. There's a certain cynicism involved in that where these issues begin to touch the bone.

There has come into my hands—and I don't think it's a breach of any confidence—a possible amendment to the legislation to make it more palatable to us to meet the objections raised by the member for Riverdale. This bill must have efficacy and avoid these trespassings upon the liberties of the individuals in this province to a wide diversity of things. Sometimes it even serves the cause of the right. The right has its little boycotts now and then. What's being proposed is not partisan.

I'll read the clause into the record for the purposes of the committee that is coming on and then make a brief comment on it. In section 4, having to do with the refusal to buy or to sell from particular persons for seven specific reasons, having said all that, it says where the refusal or agreement to refuse is at the behest of another party as a condition of engaging in business with that party.

By and large—and until I can speak to the member for Riverdale I wouldn't dare say for sure—that seems to me to fairly satisfy our objective. I've given it some thought and tested it against the various situations that have come to mind. It may very well meet the objection. I leave it for the committee and the record to peruse.

[4:30]

As I said previously—and I don't want in any way to derogate from the legislation as it stands—it may be possible to close some of the loopholes that I propose to bring to your attention. One I've already ventured upon. If I say I will not buy a certain product and encourage others not to do so, too—whether it comes from a foreign country or not—that falls outside the legislation. If you approach it from the point of view of ideology, the same kind of thing happens.

If you say, for instance, "I will not deal, because of the governmental apparatus, with Chile," that falls inside the legislation because it's a mention of a geographical location, and that's taboo. You can't say, "I won't buy South African wines," because, after all, they're talking about South Africa. The legislation says that you cannot do that. But if you say, "I will not buy wine from people who are addicted to apartheid," then I suspect that you're outside the legislation.

We don't want legislation that depends upon sheer cleverness, upon the wording that you impose upon a particular situation. I don't think that was the intent. If it is, then, Lord, there are lawyers enough, and others, but lawyers enough to devise an endless number of ways in which companies and individuals in this province could thumb their noses at the legislation as it exists. That has to be given very careful consideration.

The second thing I would bring to your attention has to do with situs. It seems to me, and I could be wrong, that under this legislation if an Ontario company goes down to Montreal, sits at the Bonaventure, signs a contract there, and designating in the contract the situs of the contract as the province of Quebec, that would fall outside the legislation.

That may not be so, and if it is not, let's take the next step. If a company in Ontario was given so drooling an offer from the Saudi Arabians on a particular type of air conditioning equipment that they just didn't feel they could possibly refuse, they could set up a subsidiary, incorporated company in the province of Quebec and be home free, as I understand it. I'm not counselling, but

I'm saying you don't have to be a Philadelphia lawyer to read it that way.

Part of the problem, I suspect, in the legislation is that in the governing section, section 4, it reads: "A refusal or an agreement to refuse by a person in Ontario." That same formula is repeated in paragraph 2 in connection with the tertiary boycotts. Somehow that has to be refined. When you say "by a person in Ontario," do you mean located when he's doing it in Ontario or don't you really mean an Ontario person, a person or a corporation which has been and is resident in Ontario?

Just what does that mean? Perhaps, I suggest, an unnecessary ambiguity, an escape hatch in the legislation, which might be easily rectified. I would ask that the powers-that-be around here turn their attention to that.

I won't go on beyond this point on these things. We can resume our discussions in a more minute way in the committee. With these various thoughts, I think it'll have to be agreed that the legislation is really symbolic. It is more than a gesture, it's a symbol. For those who depreciate symbols, so be it. They may be reductionists; they may be positivists; they may be scientific-minded individuals; so be it. Symbols, to the rest of us, are enormously important things. They show what the meaning of human relationships and the relationships between countries might be.

To venture upon this particular area requires, and the government should be given it, a certain recognition in my opinion. It requires a certain courage because it would be so easy to refrain. It would be a step back because we are on either virginal ground or trespassing on no man's land in this particular area. The very fact that it's there shows a sense of disapproval; a sense that in certain contexts, this kind of game can't go on.

Hon. Mr. McMurtry: Mr. Speaker, I am, of course, confident that all members would agree that any form of discrimination on the grounds of race, creed, colour, nationality or ancestry, and place of origin is simply intolerable and unacceptable to the people of this province. As a government, we have committed ourselves to fight, and where possible, to eliminate the forms of discrimination which manifest themselves in this province. We have taken and we will continue to take each and every action appropriate in this struggle.

Ontario was the first province to pass human rights legislation in Canada. I believe we were the first province to introduce

a law reform commission in the English-speaking world. The commission, as you know, has dedicated much of its efforts to enhancing individual rights. It appears we will be the first jurisdiction in Canada to pass such legislation. It is before the House in the form of Bill 112; legislation to prohibit discrimination in business relationships.

We have developed multicultural and educational programs to create positive understanding of these problems and the importance of the multicultural mix in our country and the Ontario community. Of course, in the final analysis, the war against discrimination can only be won if we enlist and obtain the efforts of individual members of the community.

Obviously, legislation alone can never eradicate discrimination, prejudice or racism. No matter how much direction is provided by the Legislative Assembly and by community leaders, commitment on the part of each and every member of the community is necessary for any success in the ongoing struggle.

It is a struggle in which the responsibility of the individual citizen is particularly heavy and obviously it can never be won by legislators alone. It is equally clear that the responsibility of legislators is no less important or serious because of the fact that individual initiative in the community is of such great importance. If anything, the responsibility that does exist within each responsible citizen—or should exist—perhaps increases the responsibility of legislators to provide leadership, to lead the public and to attempt to mobilize public and community support wherever possible towards the goal of eradicating the disease of discrimination.

At the same time, we recognize that as legislators surely we have a duty to respond to initiatives that come from the community and, indeed, from other communities and other nations in the struggle in so far as it lies within our power to do so. It is in the context of this duty that I turn to the specific manifestations of discrimination which now command the vigilance of this assembly and the force of our laws.

Many words in the English language have, with usage, changed their meaning from words perhaps formerly commendable, to be words with loathsome connotation. Perhaps no example of this is better or more striking than the word "discrimination" itself. That word, according to general dictionary definition once meant, "to make a distinction, to use good judgement." Unfortunately, it has

now been very much tainted with the pejorative connotation of prejudice.

We, unfortunately, have seen discrimination in this sense in our streets, on our public transportation, and in many other areas of human relations; and wherever it arises, and where we can within our jurisdiction attack it, this government, together, I am sure, with the support of all members of this Legislative Assembly, will attempt to deal with it in a positive manner.

In recent months we have learned that discrimination, of course, is not restricted to our streets, but regrettably is becoming more and more evident in the marketplace, in business and in commerce in the broadest sense. Therefore, it is as an endeavour to cope with this relatively new challenge that the Premier has introduced into this House An Act to prohibit Discrimination in Business Relationships, and which is now, of course, before us for second reading.

From the Premier's statement, on introduction, it must be obvious that one area of concern to the government, and a concern to which this bill addresses itself is the area of the Arab-Israeli boycott. But it should be pointed out, and it should be observed, that the statement of the Premier had much wider connotations than this conflict, this boycott or attempted boycott, as important as it is, because he obviously spoke in very general terms of ethnic or religious background or affiliations.

Therefore, it should be noted and emphasized that this is not an issue, and the principles on which this legislation is based should not simply be considered as a Jewish or as an Israeli issue, for in preparing or in casting our legislation, great care has been taken to bring it within the framework of our constitutional competence. When one reads the legislation, it quite clearly deals with civil rights within our province in a very broad sense. The right of employment, the right to trade and the right to contract are surely all basic rights that must be protected in the best interests of all our citizens.

We know, regrettably, that efforts are continually being made in the context of business relationships to deny certain of our citizens some of these basic rights. If, as a term of contract or as a condition of doing business, it is specified that an Ontario company shall not deal not only with a specific country but with a specific company, whether it be within Ontario, within Canada or within another country, then it must be observed that the scope and opportunity for development, not

only of Ontario companies but of citizens of Ontario, would be severely restricted.

Certainly it is particularly abhorrent to observe the potential for interference with these basic human rights to be accomplished by legislation of nations over which we have no power or control whatsoever. Surely if it is a condition of doing business in Ontario that an employer be restricted from hiring certain individuals at the behest of a foreign country, then such restriction cannot be tolerated, nor can we tolerate restrictions which would endeavour to stop business dealings or transactions between Ontario companies simply because one company may not be able to meet some discriminatory foreign law or policy.

As has been observed, this problem has been faced in the United States by federal legislation which, unfortunately, has not been duplicated or emulated by our own federal government. It has been quite clear from the debate to this moment that all parties represented in this Legislature regret very much the failure of the federal government to initiate legislation in this crucial area. It certainly has been the position of the government of Ontario that it would be more appropriate and more effective to have federal legislation. Quite frankly, it has been our hope and our expectation right up until the present time that the federal government would move in this direction, because obviously the areas of trade and commerce, money and banking can be much more effectively dealt with, and in some circumstances can only be dealt with, by the federal Parliament.

In approving second reading of this bill, in adopting the principles of this legislation, as it would appear the members of the House are prepared to do today, I think it's fair to say that we all join as one in again urging the federal government to demonstrate leadership and introduce legislation in this area. Notwithstanding the failure of the federal government to do so, the province of Ontario recognizes that we have responsibilities as well, as did certain of the United States which enacted certain legislation before, I believe, the legislation was enacted by the federal government.

Mr. Roy: Are you sure?

Hon. Mr. McMurtry: And I think it is important that as a result of the legislative efforts undertaken by the federal government of the United States and certain individual state governments, that it can now be reported in one American business magazine, and I quote:

"Close observers of the US-Arab trade area in the past few months are expressing considerable optimism about the inclination almost every Arab country has to accommodate the needs of the American suppliers and satisfy US anti-boycott legislation regulations."

Again, in the New York Times of June 12, the following is stated:

"Just a year after its enactment, legislation designed to combat the Arab boycott of Israel and companies with business interests in Israel appears to be having effect. A number of Arab countries have relaxed their requirements while American trade in the region has even increased."

One would hope that these developments might have served at least as some spur, as some encouragement, to our own federal government to introduce legislation.

A number of people in Ontario, people in the business community for example, have said to me and others on the government side of the House that at this time, particularly when the economic situation is difficult, that as a province we simply cannot afford to risk alienating wealthy buyers and people who would like to enter into agreements with companies in Ontario. Whether or not that has been the result of the US legislation, and it would appear from the recent press comments I just referred to that it has not been, I want to emphasize, and I know I speak for all of us in this House, the fact must simply remain that human rights cannot be bartered for a few dollars or for many dollars, and it is in this spirit that we are approaching this legislation.

Specific examples can be given of a secondary boycott involving attempts by United States firms and individuals and specific countries to pressure firms in Canada and Ontario to refrain from dealing with Israel as a condition of trade, or of a tertiary boycott which attempts to prevent firms in Canada or Ontario from dealing with firms in their own country because of the relationships of some of these firms with Israel. I'm sure such specifics are well within the knowledge of many members of this Legislature.

In this respect, I commend to all members of the Legislature the report of the Commission on Economic Coercion and Discrimination. The commission was made up of many eminent Canadian scholars, businessmen and politicians.

We recognize that there may well be some further refining to this legislation. We have taken great care in drafting the legislation to date. We have invited comments from many parties and many individuals, both within and without the Legislature, in order to produce

the most effective legislation and legislation which is clearly within the legislative constitutional competence of Ontario, and we will continue to do so.

Mention has already been made of some of the very thoughtful and very relevant comments made by the member for Riverdale (Mr. Renwick). I have read those comments and have considered them. There's no doubt but that he makes some very valid observations which must be taken into account before this legislation is passed.

I look forward to working with the member for Riverdale and interested members from all sides of the House in producing the best possible legislation in the circumstances, because there can be no doubt that this is very important legislation, landmark legislation. From a symbolic standpoint, as stated a few moments ago by the member for Lakeshore, it certainly is a clear indication, not only to the citizens of Ontario but hopefully to the citizens of the world, where we in the Legislature stand when basic human rights are involved.

Mr. Conway: I rise to support the principle of Bill 112 for the reasons which have been so ably put by my friend from Kitchener (Mr. Breithaupt) and, through him, by the Leader of the Opposition (Mr. S. Smith) who has been on record for some months now on this matter.

I do so because I agree entirely with what the Attorney General has said in his agreement with the member for Lakeshore about the importance of symbols within politics and the broader community. I do so because I think that a bill that has as its purpose and intent an action by government against discrimination in Ontario on the ground of race, creed, colour, nationality, ancestry, place of origin or geographic location of persons employed in or engaging in business is a particularly laudable principle.

I agree entirely with what the Attorney General has just said about the importance of this Legislature collectively and its members individually, indicating to the broader community what we think of discrimination on those grounds. I agree entirely with the Attorney General when he says that this must surely be a bill to recommend itself to Ottawa to do things it has chosen not to proceed with, at least at a rate which we would expect acceptable.

But it's sad and it's disappointing for some of us to stand here today and listen to these speeches about the importance of symbols and the importance of the message of symbols to the broader community, par-

ticularly when it relates to matters of race, creed, colour, nationality, et cetera, when some of us remember not so very long ago the intervention of the Premier of this province on a matter which some of us felt very strongly was in principle a matter of symbols in some of those related areas.

I find it very difficult to stand here today and to be told by leading members of that ministry that symbols are important in so far as they deal with our actions on the broad international questions when those symbols were not nearly as important on matters of urgent domestic and local import. I would certainly expect this government and I would certainly expect this Premier to be somewhat more sympathetic to the importance of symbols as they relate to some of our local, provincial and national concerns, some of which are directly related with the principle and the purpose of Bill 112.

[5:00]

The high statesmanship to which the Premier falls heir in Bill 112 is something with which I am happy to join him in support on this occasion because I think and I know he is right. The matters of discrimination on the basis of race, religion, nationality and the like are abhorrent to us all. I must say, though, that I sometimes wonder why, on the basis of the same criteria, more high-profile and punitive action was not taken with respect to certain members of this assembly when they appeared, at least, to go on the record with what appeared to be comments of a racial kind with respect to the native people of this province.

The present member for Timiskaming (Mr. Havrot) may have been misquoted—and I am not here to say that his remarks with respect to native peoples were particularly well-reported at the time—but I expect a consistency from my Premier in the matter of symbols, particularly where they relate to race, religion, nationality and the like.

There were some of us growing up not so very long ago, embroiled in a famous schools question.

Ms. Gigantes: Did you support Dr. Jackson?

Mr. Conway: The member for Carleton East very properly draws attention to the controversial public attitudes of the commissioner on declining enrolments. I know and can sympathize with her opinions in that respect. I would suggest to the Premier, who I am sure needs no such suggestion, that consistency on this principle is at best a difficult, unheroic task.

The history of our politics, and indeed present practice, indicates that western countries—not the least of them the United States, to which the Attorney General made reference—will, when economic imperatives dictate, do business with every tinpot dictator extant anywhere on this globe. Let's understand that. Because the United States' administration has taken high and moralistic positions, certainly with respect to items of this kind, I notice a very interesting debate recently concluded in the Senate with respect to arms agreements with certain countries in the Arab block.

As my colleague from Ottawa East was suggesting to me just a short time ago, the power of oil has indeed had an accommodating influence on certain of our principles. I have been impressed by the necessary accommodation, however repugnant I might find that accommodation. Similarly, I am happy to know that it is only high statesmanship which motivates the Premier in this respect. I am happy to know that there are no domestic political considerations, may I say imperatives, guiding him through the course of this legislation and what it represents. I know that, and I am happy to share in that feeling.

I just want to say, Mr. Speaker, that Bill 112, as the member for Riverdale has pointed out, is something which needs legislative refinement if we are going to avoid encompassing in the bill and in its operation, many groups not intended to be covered by the bill. I found it interesting, in that respect, to note we are not expressing an abhorrence to boycotts per se or to the general principles of other boycotts, because it is clear from section 3(2) that certain boycotts are quite acceptable to us.

I appreciate the Premier's concern in this respect. I will agree with Bill 112 in principle. But I want him to know, as carefully and as forcefully as I can state it, why I agree with Bill 112. I agree with it because I feel strongly that the Attorney General and the member for Lakeshore are right when they say to us and to the people of Ontario that Bill 112 is of fundamental importance and deserving of our support because it stands as a symbol, because it stands as a principle to people to understand our views on these matters.

I only wish the Premier of this province would express a similar concern and a similar approach to symbols with regard to discrimination in matters of language, race, and religion, et cetera, which relate to this province. Matters which have unfortunately not been addressed by him in this session, with

the same degree of high statesmanship as Bill 112 for which I commend him.

Mr. Samis: Let me preface my remarks by stressing—I emphasize that word "stressing"—that I speak as a person who supports the right of the state of Israel to full independence, full territorial security, and integrity.

I speak as a person who is cognizant of the tremendous suffering and injustice that has been perpetrated upon the Jewish people in the history of mankind. I speak as a person strongly opposed to all forms of racial discrimination, racial prejudice, bigotry and any ideology based on any form of racism. I find them all, totally, without exception, abhorrent.

But I also speak as an individual, and as a legislator, who cannot, and does not, support the principle of this bill. Obviously that is a dissenting opinion. Obviously that is a minority opinion in this party and in this House. But I think it is fair to say there is dissent outside this House. There is dissent in this province. There is dissent in this country. There is dissent on this continent. And there is dissent in western society in general, on this whole issue.

I would like to outline four basic reasons why I cannot support this bill:

First of all, I genuinely and sincerely believe this bill should not be before this Legislature in the first place. I understand the sentiments echoed by the Attorney General and the Premier regarding the revisions of the bill to try and focus on civil rights which comes within the purview of provincial jurisdiction, but I can't in my own mind not be aware of the fact that this bill deals with foreign trade, foreign commerce, and a foreign political situation. I sincerely believe that would be far better and more rightly taken care of in the federal Parliament rather than one provincial Parliament, or even all 10 provincial Parliaments.

Secondly, I believe, in the context of the dramatic breakthrough achieved last year by President Sadat of Egypt in his visit to Israel and his direct negotiations with Prime Minister Begin, this sort of bill really is out of keeping with the general spirit of those peace negotiations. I know those negotiations are stalled. I know those negotiations are encountering serious difficulties, but they remain the single greatest source of hope for lasting peace in the Middle East in the 30 years since the foundation of the state of Israel.

To me this bill is sort of a hangover, a reminder, of those days of confrontation, mistrust, and stalemate. As I say, I just don't

think it is in keeping with the temperament and spirit of the times on the international scene.

Thirdly, I believe this bill can interfere with the rights of citizens in this province. The member for Lakeshore has very articulately given examples where someone may want to protest and boycott South African products, Chilean wines, Rhodesian products, California grapes, lettuce, J. P. Stevens' products—you name it. This bill could have implications for people who want to exercise their philosophical or very deep personal moral disgust with the policies or actions of another government and have that right to refuse to purchase products on that basis.

I find the bill very sweeping in its powers and in its wording. I'm afraid it's open to situations where the democratic right to protest economically is either denied or severely infringed upon in this province.

I don't intend to get into any partisan posturing or politicking. But when speaking on this bill I can't help but refer—as alluded to by my colleague from Renfrew North—to the record of this government's treatment of the largest minority in this province. It certainly doesn't inspire confidence in me when he talks about rights in other parts of the world being violated or about rights being violated in this province.

My fourth reason for opposing the bill—and I should say this is probably the most fundamental reason—is that when we have a situation where a country has part of its territory militarily occupied by another power, and that power is clearly militarily superior and refuses in principle to end that occupation, then I believe that a country, a nation, or a people has every right to resort to such economic weapons as boycotts to aid it in its struggle to recover its homeland or any part of its homeland.

I'm referring to the situation in the Middle East today where one country occupies land, clearly recognized as not belonging to it, but belonging to the people of Egypt, Jordan, Syria and Lebanon. Whether you abide by resolution 242 passed by the United Nations, or whether you abide by the statements and declarations made by President Carter of the United States in the last 18 months, or some of the initiatives and statements made by the American State Department, it's almost universally recognized that the key to peace in the Middle East is, and must be, Israeli withdrawal from those occupied lands.

In the absence of the withdrawal sought by the United Nations, sought by President Carter and almost every country in the United Nations and around the world, and in the

context of what any military occupation means inevitably in terms of civil rights and basic human dignity, I cannot support a bill which ignores that fundamental consideration.

Boycotts of an economic nature are not a weapon used only by Arab countries, nor were they inventions of the Arab states. I would call to your attention, Mr. Speaker, some examples prior to the boycott we're considering today.

In 1931, the Republic of China instituted a boycott against Japan to protest Japanese aggression and atrocities.

In 1951, the United States instituted a brief boycott of Czechoslovakia to protest the 10-year imprisonment of journalist William Oger.

In 1962, the United States instituted a boycott against Cuba. I believe that boycott is still in effect notwithstanding the recent attempts at rapprochement between President Carter and Prime Minister Castro.

The Organization of African Unity has instituted and still has a boycott in effect against South Africa to protest the apartheid policies of that country.

I believe there is presently a partial United Nations boycott—or series of sanctions—against Rhodesia to protest that country's treatment of its black population over the past 10 to 15 years under the Smith regime.

It's clear that economic boycotts are not new; nor are they confined to the Arab countries, nor are they an illegitimate weapon to redress an injustice.

There would be no boycott and no need for a boycott if the occupied lands were to be restored to their rightful inhabitants. The goal of peace in the Middle East will only be achieved when all sides respect resolution 242, passed by the United Nations. The very existence of that boycott today is a direct result of that occupation. It's interesting to note that many thousands of Jews in Israel today are protesting the intransigence of the present government and its continuing policy of occupation of Arab lands. In fact, I believe last night that 40 per cent of the members of the Knesset voted against the policy announced yesterday by Prime Minister Begin and Foreign Minister Dayan.

[5:15]

It might be interesting to quote from an article in last week's Time magazine, June 19, entitled, "West Bank: The Cruellest Conflict," because I think Time is rather well known for being sympathetic to the cause of Israel.

Mr. Rotenberg: They're totally pro-Arab.

Mr. Samis: I think if you look back at the history of Time magazine you'll find that the policy is anything but pro-Arab, especially if you qualify it as totally pro-Arab. May I just quote two paragraphs in this article which try to explain what the problem is, which I think is relevant to what we're discussing today.

"Many thoughtful Israelis, hawks and doves alike, are alarmed by the long-term impact of the continued occupation on Israel, as much as on the West Bank. Says Emmanuel Sivan, a professor of Islamic history at Jerusalem's Hebrew University, 'For the generation of Israelis in their twenties, the occupation has been the natural order of things; this is certainly bad. They have learned that the Arabs are at the lower end of the ladder, which creates a vision of each other that is not conducive to coexistence. I'm not worried about whether or not we can hold on to the territories. But the price we pay worries me. Here we are, a democratic society, holding another society hostage.'"

It goes on to quote Uri Avneri, editor of the Tel Aviv weekly magazine—and I apologize for the pronunciation—Ha'olam Haze. The quote is: "The occupation is an unmitigated disaster for Israel. The fact that the Palestinians remain without their dignity poses a greater danger to Israeli security than any long-range benefit Israel could have from the military side of things."

It goes on to quote biblical expert Shemaryahu Talmon of Hebrew University who says, "The occupation goes against the basic attitudes of Zionism. It's clear that we have not been able to turn the situation of ourselves as occupiers into one of co-operation."

Mr. Speaker, it's very clear that there's a serious problem on the West Bank, in Gaza, Golan and southern Lebanon. In the absence of a withdrawal I cannot support a bill that does not recognize the legitimate reasons for such a boycott and ignores the basic injustice that does exist in the Middle East today. I think, **Mr. Speaker,** instead of focusing our attention on a bill like this, our time might be better spent supporting any and all efforts for peace by either side in the Middle East or by our federal government.

In short, in all honesty and in conscience I cannot divorce this bill from the historical and actual situation in the Middle East today. On that basis, I cannot support it.

Hon. Mr. Grossman: I want to address this bill in the context of Ontario, Ontario's citizens, and our record of protecting civil liberties and civil rights, which of course

is what this bill is all about. It is not at all about those things the previous speaker has addressed. We are not here this afternoon, nor have we ever been on this bill, to attempt to resolve things in the Middle East. In fact, the whole reason we're standing here today is to see to it that Canadians, free Ontarians, be they businessmen or otherwise, are not unwillingly and unwittingly enlisted into that war, or dispute.

I did, and still do want, to keep this debate at the level which other speakers have referred to; a nonpartisan debate, one pointed towards restoring, regaining, and respecting those civil liberties and rights that our people here in Ontario have always had and had protected by government of whatever stripe. Therefore, I will not use my few moments to attempt either to educate the previous speaker in the realities of the Middle East situation or to try to explain to him at great length that this debate and this legislation should be taking place, regardless of which external power was involved. Under no circumstances can we tolerate being dictated to by external forces and powers so that one Ontarian is required to discriminate against another.

I urge members to put this in a better perspective. If this were as open and as blatant as some of the other examples that sadly we have seen through the years in North America and other places, then even the last speaker would be falling all over himself to join the rest of the members of this assembly in passing this bill into law.

I urge the members to consider for a moment that if we were talking about legislation emanating out of discrimination between Ontarians which resulted in school doors being locked, people being forced to the back of buses or using separate health, kitchen or restaurant facilities, being denied entrance to arenas and parks, being in fact separated from other Canadians in Ontario, in the absence of those things one can see on the 6 o'clock news, in the absence of some children being bused to another part of town or not being bused, or being put into sub-standard school facilities or other facilities, or being denied entrance to high schools—in the absence of those things some people might believe that things that they can't see and don't deal with every day aren't occurring.

To expect Ontarians to put up with a situation where a businessman can lawfully, if you would, sign a contract agreeing that he would not do business with other residents and citizens of Ontario, simply because that

other person happens to be of the Jewish religion, simply because that other firm happens to deal with Jews—those things are as vicious and as serious and as wrong as the things you can see on the 6 o'clock news when people bar children from entering schools or push people to the back of buses.

It is a rather proud day for me—I say so unabashedly. I had the pleasure of introducing, as a private member, as the member for Kitchener has noted, Bill 39, the predecessor to this bill. I introduced it a little over a year ago—on April 19, 1977. Predictably there has been some opposition. I have heard more of it since I joined the cabinet, obviously from people in the business community who are concerned about the loss of business that the Attorney General and others have spoken about.

I have made this point time and again since I originally introduced my bill and it still stands—if anything it is more valid today than ever—that in this country we have gone to very great lengths to protect those things that are the cornerstone of our democracy: freedom of the press, freedom of expression and freedom of religion. The reason we go to such lengths is because it seems to me that we have always acknowledged that one small foot in the door leads to the second foot in the door and then an army through the door.

I think of the dialogue the Attorney General and others have had, and I certainly have had, with those who from time to time speak of how horrendous it is to publish the names of those who are charged and not yet convicted of offences. The argument there is that although just publishing the fact of the charge often destroys a person's reputation for life, even though he may ultimately be proven to be innocent, that we must suffer that wrong in the name of freedom of the press.

Mr. Deans: That's not true.

Hon. Mr. Grossman: Freedom of the right to know.

Mr. Deans: He is wrong on that one. The minister may be right in what he is saying but he is wrong in that.

Hon. Mr. Grossman: I might say, without debating whether he is right or wrong, that the point is that we in this country and this province have gone to very great lengths—

Mr. Deans: That's fine, but it's a bad example.

Hon. Mr. Grossman: —to make certain tradeoffs; and in each case we have made erroneous tradeoffs in order to prevent, for whatever reasons, that first small toe, let

alone foot, from getting in the door. So we do go to very great lengths, and I agree with going to such great lengths.

Mrs. Campbell: It's a poor example.

Mr. Deans: It is a bad example, right.

Hon. Mr. Grossman: One must think back to the books of the horrendous, the tragic, the awful—there are no words sufficient to describe—tales we have all read of what happened in the late 1930s and early 1940s. We have had those brought to light more graphically and on a larger scale by the Holocaust presentation on television recently.

I raise that at this time because of the number of people who have commented, because of their own personal reading of the history and seeing these matters on television, about how the rest of the world could have stood aside and stood silent. Many people during that period of time begged off. They did not want to get involved. They did not want to get involved because on day one it didn't affect them, and they didn't think it would ever affect them. A lot of people stood by and watched the liberty, freedom, dignity and lives of others stripped away from them while they sat quietly. They did not rise up, in the early days, and say that in the long run this will destroy all of our civilization; and in the short run, in any event, I cannot sit quietly while the freedom of others is encroached upon just one little bit.

Why did so many people say that? As so many people indict the people who did that, they indict them knowing that those people stood by quietly, in many cases in fear for their own lives, in fear for their own families. They didn't want to get involved lest their own lives would be in danger.

Yet we, shockingly, some short years later in terms of history, find ourselves in a time now when others say they do not want to get involved because they may lose some contracts, they may lose some business; and many of these same people are the very ones who have on other occasions indicted those who sat back quietly because they were afraid for their lives and limbs in the 1930s and 1940s. So while they indict those people they are now hesitant about risking a couple of contracts, some money, some dollars; they are prepared to look past the enforced discrimination between Ontarians which is that one small foot in the door.

This assembly has always strongly supported, on all sides, the leadership that has been shown in this province in terms of human rights legislation, the Ontario Human Rights Code, the Ontario Human Rights Commission. Indeed the actions taken by this

government in 1975, when it said to terrorists we don't want you in this province, and if the United Nations is not prepared to keep terrorists out then they better not come—

Mr. Conway: Thanks for Dorothy Crittenden.

Hon. Mr. Grossman: That attitude has always been very crucial to the health of democracy in this province, as well as the freedom so many people feel to come to this province and to live in security and freedom.

[5:30]

I cannot put the case strongly enough that unless we are prepared to run whatever risks there might be in terms of contracts and in terms of business to say to people outside this province, outside this country, "You will not come in and tell one person in this province that he or she must, should or shall discriminate for racial, religious or other reasons against another citizen of this province," we risk a serious inroad on our democracy and our freedom.

We must have the courage now to provide that backup every Ontarian is entitled to; and that backup is to know that the laws of his province—indeed we only wish it were the laws of this country—are such that any citizen can stand up and say, "I am sorry, in this democracy I cannot be asked, nor shall I be permitted to be asked, or forced, to discriminate against any other citizen."

That is what this bill is all about. That is precisely what this bill is all about. It is important that when this small step is being attempted by some they be told here, as they have been told in other places, that that is unacceptable in this bastion of freedom, human dignity and respect.

Mr. Roy: Mr. Speaker, I would like to make a few brief comments on this legislation. My attendance is sometimes criticized, but I always want to participate in a debate where we're dealing with an important principle that rises above partisan differences, as stated in this bill, and where all parties in the House agree that we're against all forms of discrimination based on "race, creed, colour, nationality, ancestry, place of origin or geographical location."

Such a principle gives a certain approach to debates in the Legislature. We can form a common front and send a message concerning what we in the Legislature feel about this principle; and what stand as leaders representing the people of this province, we are prepared to take, and what

leadership we're prepared to give in this area.

I have listened to the comments from my colleagues, the member for Kitchener (Mr. Breithaupt), the member for Lakeshore (Mr. Lawlor), the Attorney General (Mr. McMurry), my colleague from Renfrew and others. They have dealt with various aspects of the bill which I don't intend to deal with. Having read the bill, the principle is an honourable one and worthy of support, but the method or vehicle that we are using here is a difficult one. The bill is fraught with technical difficulties. At times, I suppose, there will be administrative difficulties for this type of legislation.

It's always a difficult matter to put forward legislation upholding a principle as important as this one, and at the same time respecting other important principles we in this province and in this country have and believe in; principles such as freedom of action and freedom of speech. The balancing act becomes extremely difficult. I am hopeful that once the bill is sent into committee we can deal with some of these aspects together.

As the member for Lakeshore has said, and as the member for Riverdale (Mr. Renwick) has communicated to the members of the Legislature and to the Premier (Mr. Davis), there are difficulties which may well impede such things as freedom of action and freedom of speech in this province. I must say that in looking at the legislation, and a principle as important as this, it is very important that the people of this province and this country have a clear message; and that message has far more weight when it is supported by all parties, and it has credibility.

Let me give an example of that. For instance, people like to talk about high principles, about freedom and respect for the individual; of human nature, the right to due process, the rule of common law. If, for instance, one looks at the constitution of the USSR, and the principles as stated there, and then looks at some of the actions of that country and its president who signed the Helsinki agreement to respect minorities, to respect various individuals, there is some hollowness there because we know their actions and sometimes the positions they put forward do not correspond with some of their actions and some of their policies in their own country.

Compare, for instance, the President of the United States, Jimmy Carter, when he talks about human rights and when Brezhnev does

so. One can see the difference in credibility—even though the US at times, for matters of national policy or otherwise, is prepared to deal and to exchange goods with countries we find questionable. But I think there can be no doubt about the sincerity of the President of the US as compared to leaders of other countries when he's talking about respecting human dignity and respecting human rights in this world.

I say to the Premier it is important as well that we recognize, if we're going to give this principle weight, that we have this credibility. I say it objectively and I say it in sadness more than I do in anger, that there must be consistency in our approach.

The previous speaker talked about some of the things that have happened and how we are against some of the things that have happened in the last war.

And on a recent visit to Israel, when talking to the Israelis one could see the difficulty of the situation there and the insolubility of the problem.

But the fact is, Mr. Speaker, that there must be consistency in our approach. I say to the Premier that when I look at some of the things that have happened in the last while—at least since I've been in the Legislature—that just as we like to rise above partisan politics, to give as common front as possible to such an important message, that there must be credibility in our approach. We should be careful when we get into the areas of language, or religion that we are not forced to take partisan approaches in these fields.

I would mention, for instance, was it wise in 1971 during the election to get involved in separate schools in our own province? This is something that has concerned me—

Hon. Mr. Davis: Mr. Speaker, on a point of order, so there is no misunderstanding, our party did not, your party did.

Hon. Mr. McMurtry: That's right.

Hon. Mr. Davis: That is right. That is historically and factually correct, and I think the honourable member should be very careful.

Mr. Cunningham: The only thing that is correct are the results.

Mr. Speaker: Order. That is not a point of order.

Hon. Mr. Davis: Albert, it is true.

Mr. Roy: I should put it on the record, Mr. Speaker, that that is not the way most people in this province viewed the events. The decision, in fact, was made—

Hon. Mr. Davis: Mr. Speaker, on a matter of personal privilege, because I think the

record should show this. The position taken by the member's party—by his party's former leader prior to 1971, Mr. Wintermeyer; and the position put by the New Democratic Party under the leadership of one Donald MacDonald in 1964 or 1965—if memory serves me correctly, was categorically that with the introduction of the Ontario Foundation tax plan—

Mr. Foulds: No, you are wrong.

Hon. Mr. Davis:—which was to resolve the issues of the separate schools in this province, both of those gentlemen said their party would not support the extension of the separate school system. Historically, Mr. Speaker, the member for Ottawa East should know this. It was his party leader. It was the leader of the New Democratic Party who changed their party's policies; and to that extent it was an issue in the 1971 campaign.

Those, Mr. Speaker, happen to be the facts. That's true.

An hon. member: The Premier would like to make them facts.

Interjection.

Mr. Roy: Mr. Speaker, if I may continue, I say to the Premier those may be the facts as he sees them, but the fact is—

Hon. Mr. Davis: Ask your own leader. You ask the member for Brant-Oxford-Norfolk and he will agree.

Mr. Roy: I just raised the matter, Mr. Speaker, because I feel—

Hon. B. Stephenson: Facts are facts.

Mr. Roy: I just feel—and I listened to the Minister of Labour who just said something which I didn't get—

Hon. B. Stephenson: I just said facts are facts.

Mr. Roy:—but who was still practising medicine at that time.

An hon. member: A Liberal then too.

Mr. Roy: Yes, a Liberal then, probably.

An hon. member: Not a very good one.

Mr. Roy: I say to the Premier that the perception and the reason this matter became—

Hon. Mr. Davis: The member's party altered its position.

Mr. Roy:—an issue in 1971 was because the Premier some time before the election made a ringing declaration that there would be no further extension to separate schools and this is how—

Mr. Speaker: That has nothing to do with Bill 112.

Hon. Mr. Davis: On a point of personal privilege: I think the member for Ottawa East should know the truth and the facts. I didn't make a ringing declaration. I had been approached by the bishops of Ontario with a brief asking for the extension of a separate school system.

Mr. Deans: As had we.

Hon. Mr. Davis: I was in a position where, prior to that time, every political party in this province was not in favour of the extension of a separate school system.

Mr. Speaker: Order.

Hon. Mr. Davis: Mr. Speaker, it was the members opposite—

Mr. Speaker: I have ruled that the comments dealing with the separate school system were out of order, so therefore any reaction to those would also be out of order. The member for Ottawa East.

Hon. Mr. Davis: I am out of order. You are quite right. I know the facts and I wouldn't revitalize that issue.

Mr. Roy: I quoted that as an example of something that can be extremely divisive.

Hon. Mr. Davis: But you people made it that way.

Mr. Roy: Well don't say that. You know it's not so.

Hon. Mr. Davis: You did and you paid a price for it.

Mr. Roy: I say that the Premier feels that he can stand here or go around the province and keep saying things that don't meet the facts.

Hon. Mr. Davis: Well it's factually true.

Mr. Roy: Just because you say so it's not so. There is a perception across this province—and it is unfortunately a perception that became an issue. I say that is the type of thing we should avoid. Now, Mr. Speaker, I go one step further.

Hon. Mr. Davis: Speak for yourself. You avoided it. We didn't make it an issue.

Mr. Roy: I go one step further and talk about the credibility in the message. I say to the Premier that the actions for instance that took place on June 1 were not something which—

Hon. Mr. Davis: Be careful.

Mr. Roy: Don't say be careful. I can say what I want here and—

Hon. Mr. Grossman: You are not being careful now.

Mr. Roy: I have not been irresponsible in my statement here.

Hon. Mr. Grossman: You are inaccurate now.

Mr. Roy: I say very simply, Mr. Speaker, that the actions that unfortunately took place on June 1 after all members of the Legislature again rose above partisan politics in an effort to take it away from a partisan issue and the statement and the publication of a press statement by the Premier, has made it a divisive issue. That is the type of thing that we should try to avoid.

Hon. Mr. Davis: We didn't introduce the bill. We didn't make it the issue. You did.

Mr. Speaker: Order. We are dealing with second reading of Bill 112, An Act to prohibit Discrimination in Business Relationships. It has got nothing to do with something that happened in 1964. It has nothing whatsoever to do with something that happened on June 1. If you will stick to the principle of this bill, I think we would get along much more harmoniously.

Mr. Roy: Mr. Speaker, I just gave that as an example. It was the Premier's interjections in fact which caused me to take additional time on this. I just cited those as two examples.

Hon. Mr. Grossman: It's your inaccuracy.

Mr. Speaker: We haven't got back to the bill since.

Mr. Roy: All I am saying is that for the record it was certainly not our attempt to make it partisan. So I say that when we approach problems such as this, it is important that the Premier keep in mind that we are with him, that we support such an important principle as this. But it is important for him as Premier of this province to remember that we take the same approach domestically and provincially that we are prepared to take nationally. I regret that this legislation, even for practical purposes, should be emanating from the federal level. It's obvious that this is a practical approach, and I am saddened that we don't have that initiative, that type of legislation on the books, I am saddened at the same time that, for instance, the federal leader of the Conservative Party did not see fit in the last by-election to renege on one of his candidates who said some derogatory things about a political group on the basis of race and so on.

[5:45]

Hon. Mr. Grossman: But he supports boycott legislation; he supports this legislation.

Mr. Roy: These are some of the things that it is important for those people who ought to give leadership in this field to keep in mind—

Hon. Mr. Davis: I think Mr. Clark supports this approach.

Hon. Mr. Grossman: When he is Prime Minister next year, this will be law.

Mr. Roy:—because their credibility will be enhanced. Members over there should know that we are with them on this type of principle, but again I say it is important that there is some consistency, because it will give much more weight to the message.

Ms. Gigantes: Mr. Speaker, I will lend my support as simply and directly as I can to the principle in this bill which I find supportable; that is, that we in this Legislature should remove those elements of discrimination which seem to be gaining hold in the operations of the Arab boycott within Ontario.

This bill does not deal with the Middle East situation; I think we have to try to remove our discussion of this bill from the Middle East situation as best we can. Nor does this bill attempt to deal with discrimination in all aspects of Ontario affairs. In considering the merits of this bill, we do not have to deal with either the failures or successes of the government or any one of the parties in the past in Ontario.

I think the bill deserves, because of its importance to citizens here in Ontario, to be dealt with on its own merits.

There are parts of the bill to which other speakers have referred and which are troublesome and may be completely objectionable. Those parts relate to the very general prescriptions provided within the bill on the operation of boycotts. The Attorney General has told us we can't eliminate discrimination and racism by legislation. I have a great deal more faith in the potential of legislation than I think the Attorney General does.

I think the bill before us does offer the very negative benefit of eliminating boycotts which may be designed to end discrimination and racism, either domestically or internationally. I think that part of the bill has to be subjected to drastic revision before we can feel satisfied that the bill is achieving the ends for which, in principle, it will have my support.

The bill is called "An Act to Prohibit Discrimination in Business Relationships"; it is meant, as the Attorney General said, "to provide protection against discrimination for Ontario citizens in the areas of trade, contracts and employment." I think we can make this a much better bill; the people of Ontario deserve to have a better bill dealing with this problem.

The principle to which we seek to address ourselves, as we review this legislation, the principle that there shall not be discrimination against citizens of Ontario involved in business here in Ontario, is one that we want to isolate and reinforce, and not confuse with the kind of very wide and worrisome anti-boycott provisions, as they are now proposed to us in the bill.

With those comments, Mr. Speaker, I offer my support in principle for Bill 112.

Mr. Nixon: Mr. Speaker, I will just speak briefly to the principle of the bill and make some comments that might be useful for those in the House who are now coming to the point where we will be asked to express our views by way of our vote.

You have ruled, very properly, that a discussion of who was responsible for the divisions in this province in 1971, having to do with separate school support, is out of order. But in connection with this bill there are perhaps one or two things that might be said.

There are those in the province who consider the Premier's action with regard to the bill before us hypocritical and cynical. I don't believe that's so; but I can tell you, Mr. Speaker, that we followed with a great deal of interest and care his progress with most of the press gallery, and some members of the press who are not even in the gallery, on the much-publicized peregrination through the Mediterranean and to Israel, the Holy Land, and the broad acceptance by all reasonable people of what a remarkably successful journey that was.

By way of his interjections, his reason for delaying the progress of this bill, as I gather, was that he was trying to bring pressure on the government of Canada to take what he considered to be suitable action. I suppose there are those who say the government of Canada has not taken suitable action and others who feel it has. The justification for the whole process, enumerated by my colleague the member for Kitchener (Mr. Breithaupt), has been that the bill has been pending with all the flags of publicity flying around it for so long that there are those who would be very critical of the motivation of the Premier in this regard. We hear he is about to travel to Israel again. There is no doubt he would like to have in his quiver of press releases a reference to the importance of the bill we undoubtedly will support with an almost unanimous vote when this debate is completed.

The argument put forward by the member for Ottawa East is that when we are asked, from a high position of principle, to approve

a bill of this importance we should not be too quick to be critical of those who can't help but question the motive. It even goes back—not to the matter of 1971 although there is a similarity—to the debate in this House on the extension of rights to the French community here, which has already been spoken of by two or three speakers, and not been ruled out of order.

Mr. Speaker: Not while I was in the chair.

Mr. Nixon: I don't know about the consistency of the chairing, but I would certainly respect your rulings and I don't intend to dwell on that.

While the Premier can always justify in his own mind and to those around him—for whom he can do no wrong—the high principled sensitivity, the importance and the moderate justification of his stance in 1971 and last week, his trip to Israel, his forthcoming trip to Israel—all of those are justifiable, they're moderate in his own mind and have nothing to do with the principle of these bills—yet it is difficult sometimes for his political opponents to accept all those justification without at least a tremor.

I don't know what the significance of that is other than to draw to your attention, Mr. Speaker, and to that of the Premier if he is paying attention, that we don't believe his motives in all cases are precisely as he himself has maybe described them. It gives us some concern when his approach in this moderate, sensitive and high position fits in so conveniently with some of his other plans.

As far as this bill is concerned, we believe the community of Ontario wants the Legislature to express as a matter of principle and by statute that it does not believe international arguments and confrontations should be allowed to impose themselves in our community—in the business community or in any other way.

The bill may not be perfect in every respect, but the principle of the bill is that. It's a principle I can support without hesitation and a principle that our party will support.

Mr. Rotenberg: Mr. Speaker, I will be speaking for more than seven minutes so I would move the adjournment of the debate.

Mr. Speaker: We've got seven minutes. We might as well make good use of them.

Mr. Breithaupt: It might be convenient if we were to complete this bill even if it were a few minutes after 6 o'clock.

Mr. Rotenberg: I would like to speak in support of this bill and thank the members

of the House who have expressed their support for the principle of the bill.

First, let us understand what the principle of this bill does not do. It does not intend to legislate against primary boycotts. It does not intend to legislate against those who may say they don't want to buy California grapes, or South African wine, or Rhodesian something else, or Cuban something else. Those who drafted the bill, and those in the community who have given considerable support to the bill do not intend to legislate against a group of Arabs if they got together in Toronto and said, "Do not buy Israeli products." There is no intention whatsoever to discuss primary boycotts. For this reason, I accept in full the letter from the member for Riverdale and the comments of the member for Lakeshore. The amendment he has suggested, as far as I am concerned, is perfectly in order.

What is the boycott? The Manitoba Human Rights Commission commissioned a study and I would like to read from that study very briefly. It says: "The first component of the boycott is primary." Of course, we know that. But "Arab firms applying a secondary boycott against Canadian firms, require proofs that these Canadian firms are not involved commercially with Israel, a friendly country.

They also apply a tertiary boycott, as a condition of trade requiring their Canadian trading partner not be involved commercially with any other Canadian firm which is trading with Israel, a form of restricted trade practices. Canadian trading firms which are recipients of investment money are required to give information regarding the presence of Jews on their boards of management or on the boards of management of other Canadian companies with which they do business. They are also asked to refrain from doing business with companies which are blacklisted by the Arab League."

The investigation of this Manitoba Human Rights Commission committee revealed that "Canadian chartered banks are processing letters of credit with boycott-related provisions. Canadian firms are complying with secondary and tertiary boycott provisions. Canadian insurance companies are insuring contracts with boycott-related clauses. Canadian boards of trade certify boycott compliances" and so on.

That is what is going on in Canada today. As many people have said, it is abhorrent to anyone who believes in civil rights.

What does this Arab boycott do? I would like to read a letter from the League of Arab

States, secretariat general, central office, for the boycott of Israel, to a firm in the United States. This is typical of what firms in Canada have been getting. I will read it:

"We wish to inform you that we have acquired reliable information to the effect that your company has purchased a majority interest in a Maltese firm—I won't read the name—"which is banned in all Arab countries since March 12, 1977, because of the fact it imports from Israel fabrics and textiles and uses the same raw materials for its products of overalls and other work wear. Under the rules in force of Arab countries, it should have been necessary to apply the ban imposed on your said subsidiary, on your own company and all of its subsidiaries. However, in manifestation of the positive nature of the Arab boycott, we are now writing to you in order to give you the chance to arrange for the settlement of the position of your said subsidiary if you have the desire to avoid applying the ban on your company and all of its other subsidiaries."

They ask for a declaration as follows: "Do you or any of your subsidiaries have now, or ever had, a main or branch factory or assembly plant in Israel; have now, or ever had, general offices in Israel for regional or international operations; grant or ever granted the rights of using your name, trademarks, manufacturing licences, patents, et cetera, to Israeli firms or persons; participated or owned shares now, or in the past, in Israeli firms or businesses in or outside Israel?" On it goes.

I would have liked to have read this whole letter into the record, but it asks for names and nationalities of all companies. "It should be noted the above questionnaire represents in a nutshell the basic rules of the Arab boycott of Israel. If your answer to any of the former six and final questions is in the positive, it means that you are violating the rules in force in the Arab countries."

Without going into any other matter, how can anyone support this kind of letter coming to firms in Ontario and saying that firms in Ontario have to sign these kinds of letters? I think it's abhorrent to everyone in this Legislature. The boycott asks Ontarians to violate the human rights code, asks them to practice racial and religious discrimination.

The bill before us, with the amendments I hope as proposed by the member for Lakeshore, constitutes an affirmation of the right of all Ontario residents and businesses to engage in open and unfettered trade with all countries in the Middle East, free from threats of discrimination based on race,

creed, colour, nationality, ancestry, place of origin, or geographic location.

Aside from the member for Cornwall (Mr. Samis)—I'll deal with that in a moment—there are some objections to the principle of this bill. They are really twofold. One is that people say they will lose business; and secondly they say we should not get involved in the conflict.

[6:00]

As far as losing business; many years ago when we brought in a fair employment practices act a number of businessmen said, "Look, I can't be forced to hire Negroes, Jews, Italians, Ukrainians, or what have you because my other workers won't work and I'll lose business." We ignored that argument and we passed fair employment practices. We brought in a fair accommodation practices act, and landlords said, "You can't force me to bring in blacks, Jews, Ukrainians, Italians, et cetera because my other tenants will move out." We ignored that and we passed those two pieces of legislation and we have not had a loss of business because of those kind of anti-discrimination legislation. I submit that the same would apply to this legislation.

The experience in the United States is very interesting. A number of US companies have defied the Arab boycott before the latest legislation and a number of them have not conformed. Three companies in particular get honourable mention: Hilton Hotels, Coca-Cola and Ford, three very well-known companies. These companies defied the Arab boycott in the early days and were black-listed by the Arabs. In a very short period of time, the Arabs decided that business was more important than boycott and all those companies are now doing business in the Arab world.

American Express gave in to the Arab boycott and did not do business in Israel for a number of years. Then they decided to tell the Arabs that they didn't want to go with the blockade any more, went into Israel and opened up offices, and the Arabs have never kicked them out of the Arab countries.

Mr. Speaker: How much longer will the honourable member be with his speech?

Mr. Rotenberg: As I indicated, Mr. Speaker, about another 10 minutes at least.

Mr. Speaker: Shall we continue with this item after 8 o'clock or not?

Hon. Mr. Welch: We have this alternative: if the House would allow another five or six minutes, and then we add it onto the supper hour at the other end; or we would

have to put this over because of some other commitments with respect to our program.

Mr. Peterson: Five minutes maximum.

Mr. Deans: Is that sufficient?

Mrs. Campbell: He said he would be 10 minutes.

Mr. Deans: Is five minutes enough?

Hon. Mr. Welch: Should we take another five minutes and add it to the supper hour?

Mr. Speaker: Agreed.

Mr. Rotenberg: A number of other American companies—Sheraton Hotels, General Dynamics, Lockheed, General Electric—all refused to comply with the boycott, went to Israel and still do business in the Arab states.

The one that probably is the best example of the fact that the Arabs really don't mean it is the Chase Manhattan Bank, which is the agent for Israeli bonds. It is probably the financial institution in the world that participates in the development, growth and economy of Israel more so than any other. Yet the Chase Manhattan Bank has offices throughout the Arab world.

We have consultants who complain they won't get business. One of the main oil drilling consultants to Saudi Arabia is a gentleman from Texas who happens to be Jewish. He flies in and out of Saudi Arabia all the time. When they want to do business, they do business.

We have Bell Telephone, which wanted to comply with the boycott. I think it was abhorrent to us. We have to understand the only other bidder to Saudi Arabia was Western Electric in the United States, which is subject to the American laws and couldn't comply with the boycott, so that business would be there anyway.

There will not be loss of business in Canada, because since these laws were enacted in the United States last year, according to the New York Times, June 12, 1978, I quote: "Just a year after its enactment, legislation designed to combat the Arab boycott of Israel and companies with business interests in Israel appears to be having an effect. A number of Arab countries have relaxed their requirements, while American trade with the region has even increased. Moreover, trade with the three hard-line countries—Iraq, Syria and Libya—has increased at a faster rate than trade with other Arab countries."

It goes on and on. I see a lot of other things that I would like to read into the record. A prominent New York banker, who had earlier believed that the Arabs were not going to budge from the boycott, told the

American Banker magazine April 19, 1978: "We have seen a lot of modification on the part of the Arabs. I have to admit that I was completely wrong on this."

I would submit that those in Ontario who are going to claim that this legislation will cost them business simply have to look over the border. The Arabs are adopting bullying tactics and bullies will always try to get their way; but when someone stands up to them they will back down. This is the experience on the boycott.

The other objection is that we shouldn't take sides in this conflict. I quite agree, but what are the sides? Let me quote to you from a publication in Syria in September 1977. We have to realize that anything printed in Syria is official government policy, because they don't have a free press the way we do. This article states:

"The Arab states regard the boycott as a legitimate form of self-defence against the dangers of Zionism, which threaten Arab civilization no less than the Arab economy. The aim is to force Israel to vacate occupied lands and concede Palestinian rights." This is the key phrase: "The Arab boycott is a national effort, part of the Arab strategy against the existence of Zionism." The Arab strategy against the existence of Zionism is the euphemism for destruction of the state of Israel.

The best chance is for all of us in Canada and other countries to stay out of the conflict. The problem has been that many countries in the world have been getting into the conflict. Mr. Brezhnev with his deliberate trouble making, and Mr. Carter with his clumsy meddling have not helped the situation. They have encouraged the Arabs to be intransigent; and it is the Arabs, Mr. Speaker, who are intransigent.

I wanted to stay out of the Middle East conflict, but unfortunately the member for Cornwall, who was well briefed by someone in the Arab propaganda machine—

Mr. Samis: Point of order, point of privilege.

Mr. Speaker: Order.

Mr. Deans: That is nonsense.

Mr. Samis: That is not true, that is simply not true.

Mr. Speaker: I would ask the honourable member for Wilson Heights to withdraw that comment.

Mr. Rotenberg: Well he said he wasn't well briefed by anyone and he got the facts himself, I apologize. But the member for Cornwall made some very essential mistakes,

and the most essential one, and the key to what he said, is that the boycott was brought in to ask Israel to withdraw from the lands they liberated in 1967. I would point out to him the Arab boycott came into force in 1948. So it has nothing to do with the 1967 territories. For the member for Cornwall, I point out very briefly: one, the West Bank and other territories are not Arab territories, they are part of the original British mandate; they are part of the territory assigned to Israel.

Mr. Roy: Different people have different views on different events.

Mr. Rotenberg: Different people have different views on different events. The UN resolution 242 does not require Israel to withdraw from all the Arab territories. The resolution was specific in leaving out the word "all" and leaving out "the."

Mr. Samis: In 1967!

Mr. Rotenberg: In 1967. I have it here, and it simply says it was brought in because the Arabs, after the 1967 war and their Khartoum conference, issued a statement which still stands in all Arab countries: "No peace with Israel, no negotiation with Israel, no recognition of Israel." That is the Arab stand today.

Mr. Speaker, with all due respect to the member for Cornwall, Mr. Sadat's visit to Israel was a lovely propaganda adventure. Since that time he has totally pulled out of negotiations, and has said, in effect, "Unless you do it my way I will not negotiate; unless you give all the territories to the Arabs, which are not rightfully theirs, as a pre-condition of negotiation, I will not negotiate." That is Mr. Sadat's point of view.

Mr. Conway: Begin is so much more flexible.

Mr. Rotenberg: Mr. Begin has given more concessions to the Arabs than any other Israeli government in the past 30 years.

Mr. Deans: This is really not what this debate is about.

Mr. Rotenberg: And the final point I would like to make to the member for Cornwall—

Mr. Deans: I hope this is not what the debate is about.

Mr. Rotenberg: You should have stopped your member for Cornwall.

Mr. Deans: I just think you are going a little beyond the normal constraints in this kind of a debate.

Mr. Rotenberg: Mr. Speaker, with respect, the member for Cornwall was allowed to go through all of this, and I want to reply very

briefly to him. The last point I want to make to him, he mentions that Israeli public opinion does not totally agree with its Prime Minister. This is, of course, true, because Israel is a democracy. In any of the Arab countries, and there are millions of people in the Arab countries who want peace, if anyone speaks up against the Arab governments, they are put in jail or are dead.

Mr. Samis: It is irrelevant, David.

Mr. Rotenberg: Well then, why did you bring it up? Mr. Speaker, really what I am saying to everyone except the member for Cornwall is I appreciate the support for this bill, because this bill really takes Ontario out of the conflict and off the battleground. As long as those letters come into Ontario, as long as Ontario businessmen are forced to sign those letters, in effect, they are being made soldiers in the economic war of the Arabs against Israel. As was the American experience, most of the people would rather not sign those letters, so if they are precluded by law, then we take Ontario away from the battleground and stay neutral. I, as a Canadian, an Ontarian, as a member of this Legislature say, "Yes, we must stay neutral." Personally, I would rather we were a little more on the other side, but I cannot ask for that at this stage.

Mr. Speaker, hopefully the United States' experience will be repeated in Canada. First New York State passed the legislation; then several other states passed the legislation; when it got up to nine or 10, the American government passed this legislation. Now Ontario will pass it; Manitoba has the bill before the Legislature; hopefully the Canadian government will get the message.

Mr. Speaker, a few years ago the American government asked the Canadian government to boycott Cuba, and we refused. If we as Canadians can refuse our best friend, our best trading partner, and a democracy, if we can refuse to accede to the request of a democracy to boycott a military dictatorship, certainly we can refuse the request of a military dictatorship to boycott a democracy. I hope this bill will pass.

Hon. Mr. Davis: Mr. Speaker, I have a fairly lengthy summary to make, but I will take 30 seconds and just express, having introduced this bill, my appreciation to the members who have spoken in support. I regard it as important, historic legislation, not without its complications.

I understand some of the observations made opposite with respect to motivation. I will ignore those, except to make this casual observation: I guess people in political life

on both sides of the House can have their motives questioned from time to time. At your direction, Mr. Speaker, I will not refer to the observations of the member for Ottawa East (Mr. Roy) about the situation in 1971 as it related to separate schools—

Mr. Roy: Because it was out of order.

Hon. Mr. Davis:—except to say I think I'm right; I know the honourable member is wrong.

Mr. Deans: I think you're both wrong.

Motion agreed to.

Ordered for standing administration of justice committee.

ROYAL ASSENT

Mr. Speaker: I beg to inform the House that in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in her chambers.

Clerk of the House: The following are the titles of the bills to which Her Honour has assented:

Bill 48, An Act respecting Commodity Boards and Marketing Agencies;

Bill 66, An Act to provide for Municipal Hydro-Electric Service in the Regional Municipality of York;

Bill 80; An Act to amend the Municipal Act;

Bill 81, An Act to amend certain Acts respecting Regional Municipalities;

Bill 82, An Act to amend the District Municipality of Muskoka Act;

Bill 83, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 84, An Act to amend the County of Oxford Act, 1974;

Bill 85, An Act to revise the Ministry of Correctional Services Act;

Bill 86, An Act to amend the Coroners Act, 1972;

Bill 90, An Act respecting the Ontario Student Housing Corporation;

Bill 91, An Act to amend the Building Code Act, 1974;

Bill 95, An Act to provide Probation Services to Young Offenders;

Bill 96, An Act to amend the Liquor Licence Act, 1975;

Bill 108, An Act to acquire the Assets of the Muskoka and Parry Sound Telephone Company Limited;

Bill 110, An Act to amend the Education Act, 1974;

Bill 111, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 121, An Act respecting the Township of Pelee.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, I have two quick announcements. I just want to draw the members' attention to the fact that the standing resources development committee will be meeting at 7:30 tonight, a little earlier than usual, and that at whatever time we resume, we will start with the 13th order.

Mr. Speaker: We will resume at 8:15 p.m.

The House recessed at 6:15 p.m.

ERRATUM

No.	Page	Column	Line	Should read
89	3577	1	30	Bill 124, An Act to amend the Residential

APPENDIX

(See page 3696)

ANSWERS TO QUESTIONS
ON NOTICE PAPER

GUN SAFETY

37. **Mr. R. McClellan** (Bellwoods): Pursuant to the Ministry of Community and Social Services gun safety memo of February 28, will the ministry advise the House: (1) Which residential treatment centres under the Children's Mental Health Centres Act, and which group homes under the Children's Institutions Act or under the Children's Boarding Homes Act possess firearms; and (2) in each instance of possession identify each fire-

arm by type and calibre and explain its use? [Tabled April 23, 1978. Interim Answer tabled May 4, 1978.]

Hon. K. Norton (Minister of Community and Social Services): I am pleased to provide the following information regarding firearms in ministry residences for children in response to Mr. McClellan's question on the order paper tabled April 24, 1978. You will recall that we provided an interim answer which was tabled May 4, 1978, requesting additional time to conduct the survey, the results of which are attached.

Children's Boarding Homes Act	Children's Institutions Act	Type	Use	
Anson Group Home, Minden	x	1 .17 Calibre Rifle	Target Practice	
Ausable Springs Ranch Ranch No. 2, Parkhill	x	Ithaca Long Range Shot Gun Remington 12 Gauge Shot Gun Manton Double Barrel Gun (Antique) Moore Flint Lock Shot Gun (Antique)	Hunting & Sporting Use After questionnaire was received, a letter was sent to all Ausable Springs Ranch Homes to remove guns.	
Group Home No. 2, Sylvan		Marlin 22 Rifle Armenius Revolver—22 Calibre 22 Rifle		
Group Home No. 3, Parkhill Ausable Springs Ranch Extension Homes		Pellet Gun		
Home No. 1, Petersburg		Pellet Guns (2)		
Home No. 2, Petersburg		Over and under 12 Gauge Shotgun 410 Shot Gun		
Home No. 3, Petersburg		12 Gauge Shot Gun (2) 303 High Calibre 22 Calibre Rifle B.B. Air Pistol (2) B.B. Shot Gun		
Home No. 4, Petersburg		1 Single Shot 22 Calibre Rifle		
Fairview Home, Cannington	x	1 22 Rifle		Killing groundhogs, skunks, etc.
Sacred Heart House, Ingersoll	x	1 22 Rifle		Hunting Purposes
Trojan House, Janetville	x	1 Single Shot 22 Calibre 1 Repeater 22 Calibre		Pest control on the farm

	Children's Boarding Homes Act	Children's Institutions Act	Type	Use
Wandering Trails, Coboconk	x		1 22 Rifle	Target Practice
			1 Shot Gun	Hunting purposes
			1 Large 3-06 Gun	
Willowgrove, Markham	x		1 Shotgun—Cooney 12 Gauge	Seldom used—inherited from brother
			1 22 Calibre—Cooney	Hunting groundhogs
Opportunity Children's Home, Dunnville	x		1 8 mm German Mauser	Hunting big game
			2 Pellet Guns	Target shooting
			1 Antique Gun	Ornamentation
Circle R. Boys Ranch, Cookstown	x		1 Remington Special 30 Gauge	Hunting purposes
			1 Remington Special 32 Gauge	
			1 Greener 12 Gauge	Collector's item

CHILDREN'S MENTAL HEALTH CENTRES
FIREARMS

Centre	Yes	No	Type	Use
Beechgrove		x		
Chedoke		x		
Humber Bay Child and Family Clinic		x		
Lakehead Psychiatric Hospital, Thunder Bay		x		
Mercury Residences		x		
Royal Ottawa Hospital		x		
Sudbury--Algoma Sanatorium		x		
Thistletown Regional Centre		x		
White Oaks		x		
Windsor Western Hospital Centre	x		One Starter Pistol, Model 1960S	Used for Recreation Department for Outdoor Field Games Only.
Blue Hills		x		
Browndale (Ontario)—All Regions		x		
C. M. Hincks Treatment Centre		x		
Centre for Educative Growth		x		
Child Study Centre—Ottawa		x		
Chimo		x		
Craigwood		x		
Creative Centre for Learning Disabilities	x		One Starter's Pistol	Track and field day
Durham House		x		
Earls court		x		
Huntley Youth Services		x		
Kerry's Place		x		
Lutherwood		x		
Madame Vanier		x		
Maryvale		x		
Oolagen		x		
Ottawa-Carleton Regional Residential Trt. Ctr.		x		
Sacred Heart		x		
Sunnyside		x		
Tamarac		x		
Windsor Group Therapy		x		

CONFEDERATION '78 CONFERENCE

86. **Mr. S. Conway** (Renfrew North): Will the Council for Canadian Unity be reimbursed for organizing the Confederation '78 conference at Glendon College on June 28-30, 1978? What amount of money will they receive for their organizational efforts? [Tabled June 6, 1978.]

Hon. W. D. McKeough (Treasurer): The Council for Canadian Unity has requested funds from sources within the Ontario government to help defray the costs of Confederation '78. The amounts are indicated in the budget which has been submitted in response to question No. 91 on the order paper.

87. **Mr. S. Conway** (Renfrew North): Will the government provide a detailed list of the approximately 150 participants who are expected to attend the Confederation '78 conference? Will the conference's session be open to the public? Will the papers presented at the conference be available to the public? Will the views of the conference on the Advisory Committee on Confederation's First Report be made available to the public? [Tabled June 6, 1978.]

Hon. W. D. McKeough (Treasurer): The Council for Canadian Unity has informed us that the following groups of people have been invited to attend and participate in Confederation '78: (a) those who presented oral briefs to the Task Force on Canadian Unity at its Ontario hearings; (b) the Ontario directors of the Council for Canadian Unity; (c) representatives of Ontario unity groups; (d) the workshop leaders from Destiny Canada; (e) other special guests including: all provincial premiers or their representatives, the Prime Minister or his representative, the federal-provincial affairs critics of each of the four federal political parties, the Task Force on Canadian Unity, the Leaders of the Opposition parties in Ontario or their representatives, the cabinet committee on Confederation, the Advisory Committee on Confederation.

It is difficult to say at this stage how many of those invited will actually attend; however, a complete delegate list will be available to the public at the time of the colloquium.

The colloquium plenary sessions will be open to the public only as space permits. It is anticipated that these sessions will receive ample media coverage.

The papers presented at the colloquium and its conclusions will be made available to the public.

91. **Mr. S. Conway** (Renfrew North): What is the detailed budget for the Confederation '78 conference to be held at Glendon

College on June 28-30, 1978? [Tabled June 6, 1978.]

Hon. W. D. McKeough (Treasurer): The following is the budget which the Council for Canadian Unity is following in planning the conference:

EXPENDITURES

Accommodation and meals: 100 participants @ \$40 room and board, \$4,000; 100 meals, \$2,000; sit-down luncheon 200 @ \$15, \$3,000.

Transportation: 50 Ontario outside Toronto @ \$150, \$7,500; 100 Ontario inside Toronto @ \$30, \$3,000; 20 outside Ontario @ \$250, \$5,000.

Translation: \$5,414.

Administration: staffing, \$6,000; photocopying, \$2,000; supplies, \$300; equipment rental, \$2,000; mailings (distribution of material), \$1,000; phones, \$600; printing, \$6,000; operating supplies, \$1,000.

Media: \$4,600.

Room Rental: Glendon, \$600; meeting room 8 x \$50, \$400.

Contingency: \$5,400.

Total: \$59,814.

REVENUES

Private sources in kind, \$10,637; private source in cash (Council) \$13,963; Federal government (translation), \$3,614; Ontario government, \$31,600.

Total: \$59,814.

**ADVISORY COMMITTEE
ON CONFEDERATION**

88. **Mr. S. Conway** (Renfrew North): Who are the experts in federalism who have been invited to attend a forthcoming meeting of the advisory committee and comment on its first report? Will their comments be made public? When will the meeting take place? [Tabled June 6, 1978.]

Hon. W. D. McKeough (Treasurer): On May 30, 1978, the Advisory Committee on Confederation met with the following people, all of whom were workshop leaders at Destiny Canada last June: S. Duncan, Ottawa Bureau Chief, the Financial Post; W. Kilbourn, Professor of Humanities, York University; R. Kymlicka, Dean of Social Science, University of Western Ontario; M. Lanphier, Professor of Sociology, York University; D. McQueen, Principal, Glendon College; K. McRoberts, Professor of Political Science, York University; J. Trent, Professor of Political Science, University of Ottawa; R. Watts, Principal, Queen's University.

This informal meeting was called to discuss the advisory committee's first report. Comments made at the meeting will be taken into serious consideration in the preparation of the committee's subsequent reports.

89. Mr. S. Conway (Renfrew North): What was the salary paid to each member of the Advisory Committee on Confederation from the time the committee was established to the tabling in the Legislature of the committee's first report? How many meetings did the committee have prior to the publication of the first report and who attended each meeting? [Tabled June 6, 1978.]

Hon. W. D. McKeough (Treasurer): As indicated in order in council No. 1218/77, which established the Advisory Committee on Confederation, the members are entitled to receive payment at the rate of \$85 per diem for each day they are engaged upon the duties of the committee. The following is a list of those members who have received the honoraria and the amount they received prior to the release of the first report: L.-G. Bordeleau, \$1,105; R. R. Duffy, \$2,210; E. Heakes, \$1,785; G. Korey, \$765; H. I. Macdonald, \$3,145; R. Simeon, \$1,530.

The advisory committee held 23 meetings prior to the release of its first report. Here are the dates of the meetings and the names of each member who attended: Preliminary meeting, March 22, 1977: H. I. Macdonald (Chairman), R. Abella, L.-G. Bordeleau, W. Daniel, R. Duffy, R. R. de Cotret, E. Heakes, Hon. R. Michener, R. Simeon. First meeting, April 6, 1977: H. I. Macdonald, R. Abella, L.-G. Bordeleau, W. Daniel, R. R. de Cotret, R. Duffy, E. Heakes, G. Korey, D. McDermott, Hon. R. Michener, R. Simeon. April 20, 1977: H. I. Macdonald, R. Abella, W. Daniel, R. R. de Cotret, R. Duffy, G. Korey, Hon. R. Michener, R. Simeon. May 4, 1977: H. I. Macdonald, R. Abella, L.-G. Bordeleau, W. Daniel, R. Duffy, E. Heakes, G. Korey, H. Macaulay, Hon. R. Michener, R. R. de Cotret. May 18, 1977: H. I. Macdonald, R. Abella, R. J. Bilodeau, K. Dryden, R. Duffy, E. Heakes, G. Korey, Hon. R. Michener. June 1st, 1977: H. I. Macdonald, R. J. Bilodeau, L.-G. Bordeleau, R. Duffy, E. Heakes, Hon. R. Michener, R. Simeon. June 13, 1977: H. I. Macdonald, R. Duffy, E. Heakes, Hon. R. Michener, R. R. de Cotret, R. Simeon. August 17, 1977: H. I. Macdonald, R. Abella, L.-G. Bordeleau, K. Dryden, R. Duffy, E. Heakes, Hon. R. Michener, R. R. de Cotret. August 31, 1977: H. I. Macdonald, R. Abella, R. R. de Cotret, W. Daniel, K. Dryden, E. Heakes, G. Korey, Hon. R. Michener, R. Simeon. September 14, 1977: H. I. Mac-

donald, R. J. Bilodeau, K. Dryden, G. Korey, Hon. R. Michener. October 5, 1977: H. I. Macdonald, R. J. Bilodeau, L.-G. Bordeleau, W. Daniel, R. Duffy, Hon. R. Michener. October 19, 1977: H. I. Macdonald, R. R. de Cotret, R. Simeon, W. Daniel, L.-G. Bordeleau, R. Duffy, E. Heakes, Hon. R. Michener. November 2, 1977: H. I. Macdonald, R. Abella, R. J. Bilodeau, W. Daniel, R. Duffy, E. Heakes, Hon. R. Michener, G. Korey, R. Simeon. November 9, 1977: H. I. Macdonald, R. Duffy, Hon. R. Michener, R. R. de Cotret, R. Simeon. November 30, 1977: H. I. Macdonald, R. Abella, L.-G. Bordeleau, W. Daniel, R. Duffy, E. Heakes, G. Korey, Hon. R. Michener, R. R. de Cotret, R. Simeon. December 14, 1977: H. I. Macdonald, R. Abella, R. Duffy, R. R. de Cotret, R. Simeon. December 21, 1977: H. I. Macdonald, R. J. Bilodeau, W. Daniel, R. Duffy, E. Heakes. January 6-8, 1978: H. I. Macdonald, R. Abella, R. J. Bilodeau, R. Duffy, E. Heakes, G. Korey, Hon. R. Michener, R. Simeon. January 25, 1978: H. I. Macdonald, R. Abella, L.-G. Bordeleau, W. Daniel, R. Duffy, G. Korey, Hon. R. Michener, R. R. de Cotret, H. Segal, R. Simeon. February 22, 1978: H. I. Macdonald, L.-G. Bordeleau, R. Duffy, E. Heakes, G. Korey, R. Simeon. March 1st, 1978: H. I. Macdonald, R. Abella, R. Duffy, E. Heakes, R. Simeon, G. Korey. March 15, 1978: H. I. Macdonald, R. Abella, R. J. Bilodeau, L.-G. Bordeleau, W. Daniel, R. Duffy, E. Heakes, G. Korey, H. Segal, Hon. R. Michener, R. R. de Cotret. April 4, 1978: H. I. Macdonald, W. Daniel, Hon. R. Michener, R. Abella, R. Simeon, R. Duffy.

Several of the above meetings were held jointly with the Cabinet Committee on Confederation. Also in attendance at meetings were the secretary and from time to time, other civil servants.

90. Mr. S. Conway (Renfrew North): What were the "most recent proposals put forward by individuals, groups or governments in the field of constitutional reform" that the Advisory Committee on Confederation considered prior to the drafting of its first report? How were the members of the advisory committee kept informed of these proposals? [Tabled June 6, 1978.]

Hon. W. D. McKeough (Treasurer): The Advisory Committee on Confederation is kept informed of the latest developments in constitutional reform and other Confederation issues by means of a list of background material. This list is prepared regularly by committee staff and circulated to both the advisory and cabinet committees on Confederation. The list includes articles, speeches,

papers, conference proceedings and other items pertinent to the work of the committee. Although certain documents are automatically distributed to all advisory committee members, individual members may order any document which interests them.

TAX EXEMPTIONS

92. Mr. E. Ziemba (High Park-Swansea): Further to my original inquiry of April 18, 1978, will the minister list the realty transactions receiving exemptions by way of application directly to the Ministry of Revenue itself, indicating the purchase price, date, lo-

cation and value of exemption with respect to the Ontario Non-Resident Land Transfer and or Speculation Tax in Metropolitan Toronto and Mississauga? [Tabled June 6, 1978.]

Hon. L. Maeck (Minister of Revenue): The attached schedules A, B and C provide the additional information requested concerning exemptions from or deferrals of, tax under The Land Transfer Tax Act, 1974, as a result of direct application to the ministry.

Section 18 of the Land Speculation Tax Act, 1974 forbids giving the information requested with respect to transactions under that statute.

SCHEDULE A

EXEMPTIONS BY REGULATION—SECTION 18(2)(f)
THE LAND TRANSFER TAX ACT, 1974

Taxpayer	Land Location	Date	Purchase Price	Value of Exemption
BDH Chemicals (Can.) Ltd.	Metro Toronto	Nov. 6, 1974	\$ 595,000	\$ 115,505
CEB Ltd.	Metro Toronto	Sept. 19, 1974	552,000	107,193
Control Dтата (Can.) Ltd.	Mississauga	June 11, 1975	118,500	23,094
Melford Develop- ments Ltd.	Metro Toronto	April 27, 1976	69,240	13,538
Monarch Fine Foods Ltd.	Mississauga	July 18, 1975	83,000	16,207
Trefann Homes Corp.	Metro Toronto	March 11, 1977	520,000	3,015

SCHEDULE B

CONDITIONAL EXEMPTIONS BY MINISTER'S GRANT UNDER GENERAL
AUTHORITY OF ONTARIO REGULATION 250/76, GAZETTED APRIL 3, 1976,
IN LIEU OF ORDERS-IN-COUNCIL UNDER SECTION 16(1) OF THE LAND
TRANSFER TAX ACT, 1974, AND ON THE BASIS OF THE PROVISIONS
OF THAT SECTION.

Taxpayer	Land Location	Date	Purchase Price	Value of Conditional Exemption
Salameh Asusa	Metro Toronto	May 21, 1976	\$ 75,500	\$ 14,752
Joan Illig	Metro Toronto	July 14, 1976	46,095	9,219
Ally Wong	Metro Toronto	July 19, 1976	73,000	14,267
Chiu Kwok	Metro Toronto	July 20, 1976	98,000	19,117
Wai & Lai Lam	Metro Toronto	July 30, 1976	45,000	8,835
Marie Dakessian	Metro Toronto	Aug. 17, 1976	63,650	12,453
Costain Estates Ltd.	Mississauga	Sept. 28, 1976	1,931,500	374,816
Siu Lam	Metro Toronto	Sept. 10, 1976	47,000	9,223
Charles & Patricia O'Neal	Metro Toronto	Sept. 14, 1976	112,000	21,833
Soraya Amid	Metro Toronto	Oct. 8, 1976	48,300	9,660
Costain Estates Ltd.	Metro Toronto	Oct. 8, 1976	398,650	77,654
Mavis Developmens	Mississauga	Nov. 19, 1976	31,490	6,204
Waddy & Norma Astaphan	Metro Toronto	Nov. 5, 1976	44,800	8,932
Pronto Investments Ltd.	Mississauga	Dec. 7, 1976	165,000	32,505
Victoria Wood Development Corp.	Metro Toronto	Dec. 16, 1976	375,000	72,855
Pronto Investments Ltd.	Mississauga	Jan. 19, 1977	110,000	21,670
Costain Estates Ltd.	Metro Toronto	Jan. 27, 1977	2,872,500	564,825
Norman & Marie Matheson	Metro Toronto	Jan. 12, 1977	132,000	25,713
Peter Linnett	Metro Toronto	Jan. 19, 1977	110,000	21,145
Stephen Wynn	Metro Toronto	Jan. 19, 1977	105,000	20,475
Roger & Therese Sicco	Metro Toronto	Jan. 20, 1977	129,651	25,257
George Wimpey Canada Ltd.	Metro Toronto	March 2, 1977	2,456,500	476,666

Taxpayer	Land Location	Date	Purchase Price	Value of Conditional Exemption
Wimpey Homes Ltd.	Mississauga	April 6, 1977	\$ 14,500	\$ 2,856
Victoria Wood Development Corp.	Mississauga	March 24, 1977	1,794,000	348,141
Emily French Kingaleven Ltd.	Metro Toronto	April 29, 1977	80,000	15,625
Pronto Investments Ltd.	Mississauga	May 12, 1977	110,700	21,581
R. Durnnell & Sons Ltd.	Metro Toronto	June 17, 1977	763,750	149,292
Costain Estates Ltd.	Metro Toronto	July 14, 1977	275,000	53,455
Robert Smith Wimpey Developments Ltd.	Mississauga	July 21, 1977	1,598,000	310,117
	Metro Toronto	July 14, 1977	80,000	15,625
	Metro Toronto	Nov. 16, 1977	778,350	151,105

SCHEDULE C

CONDITIONAL DEFERRALS GRANTED BY ORDER-IN-COUNCIL
UNDER SECTION 16(1) OF THE LAND TRANSFER TAX ACT

Taxpayer	Land Location	Date	Purchase Price	Value of Conditional Deferral
Battenfeld Grease (Canada) Ltd.	Metro Toronto	Dec. 23, 1975	\$435,000	\$ 84,495
Canada Private Properties Ltd.	Metro Toronto	July 28, 1976	349,000	67,811
Canba Investments Co. Ltd.	Mississauga & Metro Toronto	Oct. 29, 1975	5,935,000	1,151,600
Joseph & Meredith Carter	Metro Toronto	Dec. 10, 1975	116,000	22,609
Shu Chan	Metro Toronto	Dec. 10, 1975	99,000	19,311
Laraine Chaplin	Metro Toronto	June 25, 1975	92,500	18,050
Costain Estates Ltd.	Mississauga	Sept. 18, 1974	2,394,000	464,541
Costain Estates Ltd.	Mississauga	Feb. 4, 1976	1,984,500	385,098
Doverhold Investments Ltd.	Metro Toronto	Nov. 24, 1976	605,000	117,475
Frank & Jane Flynn	Metro Toronto	Dec. 10, 1975	46,000	9,029
Homeco Investments Ltd.	Metro Toronto	Nov. 19, 1975	1,937,500	375,980
Vera Lam	Metro Toronto	Oct. 29, 1975	115,000	22,415
Giovanni & Anna LoSchiavo	Metro Toronto	Nov. 19, 1975	63,000	12,327
Manbro Investments (Spadina) Ltd.	Metro Toronto	April 7, 1976	500,000	97,105
McNamara Corp. Ltd.	Metro Toronto	Oct. 23, 1974	611,000	118,639
MEPC Canadian Properties Ltd.	Metro Toronto	April 28, 1976	500,000	97,105
MEPC Canadian Properties Ltd.	Metro Toronto	May 26, 1976	860,000	166,945
Vittoria Nava	Metro Toronto	July 9, 1975	150,000	29,205
Pronto Investments Ltd.	Mississauga	Dec. 30, 1975	150,000	29,415

Taxpayer	Land Location	Date	Purchase Price	Value of Conditional Deferral
Helen Schmidt	Metro Toronto	July 9, 1975	157,000	30,563
Solomon Serbanescu	Metro Toronto	Oct. 29, 1975	39,000	7,671
Shell Canada Ltd.	Mississauga	July 7, 1976	100,000	19,505
337035 Ontario Ltd.	Metro Toronto	Oct. 20, 1976	315,000	56,365
Lawrence Wallrich	Metro Toronto	June 18, 1975	76,000	14,849
Wimpey Developments Ltd.	Metro Toronto	July 9, 1975	50,000	9,807
George Wimpey Canada Ltd.	Metro Toronto	Jan. 7, 1976	139,080	28,086

INQUESTS ON WCB FATALITIES

93. **Mr. E. J. Bounsall** (Windsor-Sandwich): Of the 282 accidental deaths in 1977 in which there was a coroner's inquest, will the Solicitor General (Mr. Kerr) indicate how many of these deaths were from the 226 Workmen's Compensation Board reported fatalities? [Tabled June 6, 1978.]

Hon. G. A. Kerr (Solicitor General): Figures which the ministry has received from the Workmen's Compensation Board indicate that there were 246 claims relating to deaths which occurred in 1977. Of these, 212 were investigated by a coroner. 51 were the subject of a coroner's inquest. Four inquests are pending as charges relating to them are still outstanding.

METRO SCHOOL BOARD

67. **Mr. D. Warner** (Scarborough-Ellesmere): Would the ministry please calculate

for 1977 and 1978 the financial impact on the six area boards (on both general legislative grants and mill rates) of the elimination of the Metro Toronto School Board; and provide the information in a format similar to Tables 17.1 and 17.2 of the Report of the Royal Commission on Metropolitan Toronto, volume 2, pages 326 and 327? [Tabled June 6, 1978.]

Hon. T. L. Wells (Minister of Education): The information in the accompanying table provides data as requested for 1977. The data necessary to prepare similar tables for 1978 are not available to the ministry at the present time. Additional information is therefore being sought from the Metropolitan Toronto School Board and will be available in early July.

Estimated Impact of the Abolition of the Metropolitan Toronto School Board on the Allocation of 1977 Provincial Education Grants (1977 data in format of Table 17.1—Report of the Royal Commission on Metropolitan Toronto)

Municipality	As allocated by Metro Board			As allocated by provincial formula			Gain (or loss) if allocated by provincial formula		
	Gross	Per Pupil	Gross	Per Pupil	Gross	Per Pupil	Gross	Per Cent	Per Pupil
ELEMENTARY									
Toronto	(3,730,735)	(70.57)	1,858,739	35.16	5,589,474	N/A	105.73		
North York	30,364,698	564.66	31,049,828	577.40	685,130	2.26	12.74		
Scarborough	44,252,055	889.04	42,852,297	860.92	(1,399,758)	(3.16)	(28.12)		
Etobicoke	7,866,579	277.71	9,171,076	323.76	1,304,497	16.58	46.05		
York	12,385,517	997.79	10,594,145	853.47	(1,791,372)	(14.46)	(144.31)		
East York	4,835,343	528.34	4,377,719	478.83	(457,625)	(9.46)	(50.00)		
TOTAL	95,973,457	465.20	99,903,804	484.25	3,930,347	4.09	19.05		
SECONDARY									
Toronto	1,754,804	46.13	4,453,893	117.07	2,699,089	153.81	70.95		
North York	22,818,546	624.40	24,725,174	676.57	1,906,628	8.36	52.17		
Scarborough	42,733,410	1,323.42	38,161,270	1,181.83	(4,572,140)	(10.70)	(141.60)		
Etobicoke	13,494,867	612.56	14,047,027	637.62	552,160	4.09	25.06		
York	10,715,819	1,231.82	9,168,525	1,053.95	(1,547,294)	(14.44)	(177.87)		
East York	1,506,863	304.72	2,393,240	483.97	886,377	58.82	179.25		
TOTAL	93,024,309	652.56	92,949,129	652.03	(75,180)	(.08)	(.53)		

Estimated Impact of the Abolition of the Metropolitan Toronto School Board on 1977 Educational Mill Rates (1977 data in format of Table 17.2—Report of the Royal Commission on Metropolitan Toronto)

Municipality	Mill Rates under Metro Board			Mill Rates without Metro Board			Total Mills	Per cent
	Elementary	Secondary	Total	Elementary	Secondary	Total		
Toronto	43.85	35.79	79.14	41.24	34.86	76.10	(3.04)	(4)
North York	44.08	36.50	80.58	43.64	35.43	79.07	(1.51)	(2)
Scarborough	44.67	36.83	81.50	46.19	41.30	87.49	5.99	7
Etobicoke	44.41	36.65	81.06	43.11	36.17	79.28	(1.78)	(2)
York	44.10	36.46	80.56	50.86	41.20	92.06	11.50	14
East York	44.15	36.45	80.60	45.86	33.45	79.31	(1.29)	(2)
Metro-Wide basis	43.92	36.29	80.21	43.34	36.30	79.64	(0.57)	(1)

Tax increases
(decrease) without
Metro Board

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SPEAKERS IN THIS ISSUE

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 Baetz, Hon. R. C.; Minister of Energy (Ottawa West PC)
 Bennett, Hon. C.; Minister of Housing (Ottawa South PC)
 Bernier, Hon. L.; Minister of Northern Affairs (Kenora PC)
 Bolan, M. (Nipissing L)
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 Bradley, J. (St. Catharines L)
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 Campbell, M. (St. George L)
 Conway, S. (Renfrew North L)
 Cooke, D. (Windsor-Riverside NDP)
 Cunningham, E. (Wentworth North L)
 Davidson, M. (Cambridge NDP)
 Davis, Hon. W. G.; Premier (Brampton PC)
 Deans, I. (Wentworth NDP)
 Drea, Hon. F.; Minister of Correctional Services (Scarborough Centre PC)
 Eakins, J. (Victoria-Haliburton L)
 Foulds, J. F. (Port Arthur NDP)
 Gigantes, E. (Carleton East NDP)
 Grossman, Hon. L.; Minister of Consumer and Commercial Relations
 (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Hennessy, M. (Fort William PC)
 Kerrio, V. (Niagara Falls L)
 Laughren, F. (Nickel Belt NDP)
 Lawlor, P. D. (Lakeshore NDP)
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 Makarchuk, M. (Brantford NDP)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
 McCague, Hon. G.; Minister of the Environment (Dufferin-Simcoe PC)
 McClellan, R. (Bellwoods NDP)
 McKeough, Hon. W. D.; Treasurer, Minister of Economics and Intergovernmental Affairs
 (Chatham-Kent PC)
 McMurtry, Hon. R.; Attorney General (Eglinton PC)
 Newman, Hon. W.; Minister of Agriculture and Food (Durham-York PC)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
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 Philip, E. (Etobicoke NDP)
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 Ruston, R. F. (Essex North L)
 Samis, G. (Cornwall NDP)
 Sargent, E. (Grey-Bruce L)
 Smith, S.; Leader of the Opposition (Hamilton West L)
 Stephenson, Hon. B.; Minister of Labour (York Mills PC)

Stokes, Hon. J. E.; Speaker (Lake Nipigon NDP)

Van Horne, R. (London North L)

Walker, G. (London South PC)

Welch, Hon. R.; Minister of Culture and Recreation, Deputy Premier (Brock PC)

Yakabuski, P. J. (Renfrew South PC)



No. 93

Legislature of Ontario Debates

Official Report (Hansard)
Daily Edition

Second Session, 31st Parliament

Tuesday, June 20, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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A list of the speakers taking part in the debates in this issue of Hansard appears, in alphabetical order, at the back of this issue.

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LEGISLATURE OF ONTARIO

TUESDAY, JUNE 20, 1978

The House resumed at 8:15 p.m.

CHILDREN'S INSTITUTIONS ACT

(concluded)

Resuming the adjourned debate on the motion for second reading of Bill 117, An Act to revise the Children's Institutions Act.

Mr. Deputy Speaker: The honourable member for Bellwoods.

Hon. Mr. Norton: The member got back from the garden party.

Mr. McClellan: I got back from my party; and if we can dispose of the rest of the legislation I can return to the garden party.

Mr. Makarchuk: Are you out of your mind?

Mr. McClellan: It is my intention to do so.

The act before us, Bill 117, is one which we are prepared to support. The legislation is of a piece with the Children's Residential Services Act. The intention of the two pieces of legislation, as I understand it, is to introduce for the first time the notion of appropriate standards to children's residential services in Ontario. How could one possibly object to that?

In the absence of any kind of explanatory statement from the minister, I quote from page 45 of the summary of the children's services legislation: "This bill is the re-enactment of the existing Children's Institutions Act. However, the main objective of the changes is to enable the implementation of appropriate standards as they are developed."

It's curious legislation, because it is legislation which, as it says, enables the implementation of standards if, as and when they become available. As yet there are no standards. I suppose there are thoughts about standards; there are people who are thinking deeply about standards, there are people who are prepared to issue policy documents at some point distant in the future telling us what those standards may be; but even if we pass the legislation tonight, which we will, there still won't be any standards. This is a very bizarre performance.

I hope the minister will tell us when he makes the statement on this bill and on the

Children's Residential Services Act, which is the licensing statute, when, if ever, he intends to provide these standards to us. It really is a mind-boggling exercise. To illustrate how desperately standards are needed, we've had a history of discussion in this House about the inadequacy of standards with respect to the Children's Institutions Act, and more particularly the Children's Boarding Homes Act, and facilities licensed or authorized under most of those statutes. All of that discussion is on the record. We had another illustration this afternoon of just how bizarre is the lack of supervision and the lack of accountability between this ministry and residential facilities under those two statutes in this province when the minister tabled the answer to my question, number 37, on the order paper.

The question was tabled in April and it asked the minister to advise us further to a gun safety memo which the ministry had sent around in February to children's aid societies and directors of group homes established under the Children's Boarding Homes Act, the Children's Institutions Act and the Children's Mental Health Centres Act. I had asked the minister to identify which residential facilities had firearms and for what purpose group homes which were established to provide treatment service to disturbed children would have firearms.

Today, we were given the answer. In 16 homes authorized under the Children's Boarding Homes Act, there were a total of 33 firearms. The uses are bizarre. I wonder why a children's boarding home would have one large .306 gun. I am wondering why a group home, a residential treatment facility, would have an eight-millimetre German Mauser. The eight-millimetre German Mauser is described as being used for hunting big game.

Mr. Makarchuk: Oh, no! Is the minister out of his mind?

Mr. McClellan: The residential facility in question is located in Markham, one of the more fabulous big-game hunting sites in the world I am sure. I wonder if the minister would lead us on a safari through Markham.

Mr. Makarchuk: Markham Serengeti it's known as, isn't it?

Mr. McClellan: The minister could distribute surplus firearms from his residential treatment facilities to the members of the House and we could proceed through Markham or whatever other fabulous hunting ground he would care to identify.

Hon. Mr. Norton: You would have a coup d'état. You know that's what you are after.

Mr. Foulds: It may come to that if you keep up with this kind of stuff.

Mr. McClellan: Why do children's treatment facilities in Ontario have guns? What kind of madness is this? What kind of a ministry is he running over there? What kind of incompetence does this manifest that there are 33 dangerous firearms in 16 residential treatment facilities for children? It's absolutely loony.

Mr. Foulds: That's being kind too.

Mrs. Campbell: That is not parliamentary, however.

Mr. Makarchuk: Anybody that's got a Mauser in a children's home—

Mrs. Campbell: Stupid.

Mr. McClellan: "Stupid" is a good word. It has been suggested by the member for St. George that "stupid" is perhaps a more apt characterization.

Mr. Blundy: She was referring to your remarks, not the bill.

Mr. McClellan: As I said, I hope this statute will bring about the licensing of residential group homes in this province for the first time on an adequate basis, on the basis of some standards. That would be nice. It would be even nicer if we had the standards. It would be nice to know what those standards are. It would be nice to know whether the standards include equipping group homes with eight-millimetre German Mausers or not.

Mr. Blundy: Mr. Speaker, when one looks over this bill that the minister has presented to us this evening, there are all kinds of things about the approvals of bricks and mortar; there are all kinds of clauses about the financing, the capital costs, et cetera.

This is all very important, of course, I realize that; but we are talking about a children's institution, and we should be talking about the provision of the services that are going to be provided to the children in the institution. My friend the member for Bellwoods has made a very interesting observation about some of the guns and ammunition and so forth. But we in this

Legislature, who are really interested in the services that are to be provided to the children who are going to be in these homes, want to know what is going to be done for the children.

It is necessary, of course, to know that an institution will be provided, that it will be financed and so forth; but I will tell the minister before we approve this bill on third reading we are going to have to have a heck of a lot more information in committee than we have in this House tonight. I naturally am going to stand up and say we approve of second reading of the bill. We expect it will go to committee, and we will be provided with a great deal more information as to what the children of this province are going to have and how the children will profit by this bill. We are giving notice to the minister that before it receives third reading we are going to have to have a great deal more detailed information on the bill and on the services provided to children by the facilities provided by the bill. I endorse, therefore, second reading of the bill and the sending of the bill to committee.

Mrs. Campbell: I will be brief, Mr. Speaker. I think my colleague has expressed very succinctly and usefully the feeling of this caucus with reference to the bill. I would just add one point: I am concerned that the approval mechanism is now buried with the minister. One of the problems we in the opposition have had, both with this ministry and with the Health ministry as it pertained to children's services in the past, has been the aura of secrecy surrounding the information about these institutions.

The minister has called upon us to rise and support, as a matter of high principle, what he has brought before us. I want more than just the caution to the minister; I want his commitment that from here on in we will be able to obtain the information pertaining to the operation of these institutions which has been denied us in the past. I don't like to see so much in the hands of the ministry, because I guess it is only a fool who doesn't learn from experience.

[8:30]

I have had the experience of two ministries which have deliberately refused information to the opposition. If this is to be a tripartite attempt to act together for the betterment of the welfare of the children of this province then it can stop with the passing of the legislation, and I would like to see somewhere some assurance that the spirit of co-operation which the minister is seeking

will not be a one-way street once the legislation passes.

Mr. Deputy Speaker: Is there any other honourable member wishing to participate in the debate? If not, the honourable minister.

Mr. Makarchuk: No, we want to hear the minister; not for too long though.

Hon. Mr. Norton: Mr. Speaker, I can appreciate the concerns that have been raised by the honourable members opposite with respect to some of their comments. I am not sure that I would agree with the honourable member for Bellwoods that this is entirely a mind-boggling process. I would suggest that the process which we have undertaken is a very complex one, one in which it is not possible, however much we might wish that it might be, to ensure that all things mesh at one particular time.

Mr. McClellan: Or even if anything meshes.

Hon. Mr. Norton: I hope that not all complex things are mind-boggling for my friend opposite, but I can assure him that I will do my level best to help to unoggle the mind in so far as that is within my power.

Mr. Foulds: So far you are not doing very well.

Hon. Mr. Norton: Just give me an opportunity.

On the question of the standards, which he has raised as a matter of concern, I assure him they are well on their way to preparation. We are aiming for the end of July or the first of August for having the proposals with respect to standards completed, to be consistent with the process that we have undertaken. At that time we intend to discuss those with the members opposite and some of the agencies that are involved, and certainly I would be terribly disappointed if they were not available for members before the committee begins consideration of the legislation. That, of course, may depend in part upon the schedule of the committee which is as yet not familiar to me.

Mr. McClellan: September.

Hon. Mr. Norton: I won't respond to the honourable member's language, be it parliamentary or unparliamentary. I suppose one of the things in this House or in the tasks we have undertaken that we have to deal with is the use of that particular kind of language from time to time, however enlightening it might be.

Mr. Makarchuk: Just respond to the issues.

Hon. Mr. Norton: Well, I am sure that the language of the honourable member is not all that enlightening. If, in fact, I am stupid,

I am sure that it has been something which all of the members are aware of without any need for him to enlighten us of it tonight.

I also will not respond, although I would invite the honourable member to raise his concerns about the firearms in question period, suffice it at this point to say that I can assure him—

Mr. McClellan: I raised it. Why should I raise it again?

Hon. Mr. Norton: This is not question period and I suggest to the honourable member that we do in fact—

Mr. Foulds: This is a period for information. What kind of a schoolboy answer is that.

Hon. Mr. Norton: I did not say information period. Stop trying to twist things around. The member knows better than that.

Mr. Foulds: This is a point where you are accountable.

Mr. Makarchuk: Are Mausers in your nursery schools?

Hon. Mr. Norton: I suggest that part of the reason one would find firearms in those homes is that many of them—I don't know the specific location of the one to which he referred, and I suspect that it is not—

Mrs. Campbell: You should.

Hon. Mr. Norton: Come on, let's be realistic. It is not possible to know specific locations of hundreds of such facilities across the province, but I am sure it is not in big game country. I will assure him that those firearms, wherever they are to be found, are being stored in accordance with the requirements of the ministry and that that particular firearm is under lock and key and unloaded.

Mr. Makarchuk: Wherever they are, they are unnecessary.

Mr. Deputy Speaker: Order.

Hon. Mr. Norton: It's all right for the member for Brantford to try to sensationalize these things.

Mr. Makarchuk: If they want to get them out, they will.

Hon. Mr. Norton: Even though I personally have very strong feelings on the subject, the fact of the matter is that there are hundreds of homes in this province, especially in rural areas, where firearms are to be found safely stored in households. There is nothing unusual about that kind of arrangement. To try to portray it as being otherwise—

Mr. Makarchuk: We are not discussing your average gasoline station or your average home.

Hon. Mr. Norton:—when one considers the fact that this is providing a reasonably normalized—

Mr. Makarchuk: I'm sure you can understand the character of the storekeeper.

Hon. Mr. Norton:—setting for children—certainly one can sensationalize it, sure one can distort it.

Mr. Makarchuk: You do reasonably well about it as well.

Hon. Mr. Norton: Let's just be reasonable about it. The important thing is the issue of safety.

Mr. Makarchuk: That's right, and the people surrounding that firearm.

Hon. Mr. Norton: That is fundamentally important.

The member for Sarnia (Mr. Blundy) did raise some concern about the reference in this act to funding. I would point out again that these are interim amendments. I would see this as an interim step to do two things in conjunction with the Children's Residential Services Act, which we will be dealing with next on the order paper.

If we are to fund any kind of program or facility, it is necessary to have the legislative authority to do that. This is the act under which we would provide the funding for the residential accommodation for children. The other act, the Children's Residential Services Act, which we will be dealing with next, is part of the rationalization process, the process of bringing together and establishing consistent standards for children's residential accommodation across this province to include consistent licensing and residential standards. We must have those two authorities.

I certainly hope—and it's my intention—that in the evolution of the process we've undertaken we will see a consolidation.

Mr. McClellan: The process of the evolution of the process. You are talking about a closed circle.

Ms. Gigantes: Is that like a wheel within a wheel?

Hon. Mr. Norton: We will see in the omnibus legislation a further rationalization of this process. I do want to emphasize this as being interim. The program concerns that the honourable member expresses will be matters that will be addressed in the standards to which I referred earlier and which I hope will be available to the House and the committee, although the House won't be sitting prior to the sitting of the committee dealing with this legislation.

Mrs. Campbell: It has to be.

Hon. Mr. Norton: Our estimates will begin tomorrow but I'm not sure we will get that far.

On the question of the concern expressed by the member for St. George, I trust she appreciates that had circumstances been otherwise and had courts not been involved in relationship to a particular residential facility for children, I would have been quite willing to share information with her.

It is not my intention to treat with secrecy any of these matters, such as the handling of public funds, as they apply to children's residential services or any other program of my ministry. It's my hope and intention to be able tomorrow to indicate to the committee in estimates that we have reached a significant stage in terms of the particular agency—I can mention it, Browndale. I will address myself to that in my opening statement in estimates. I can assure members if there is specific information they wish to have that I am free to reveal, pending the resolution of other matters before the courts, that they will have it.

I don't know whether her shaking of the head indicates scepticism or not, but she herself ought very well to know the kinds of concerns that I would have in terms of possibly prejudicing any case which might be before the courts. I say that because of her experience as a judicial officer, a member of the bench herself.

I do wish to confirm now that it is not my intention that any of the activities in my ministry, funding or otherwise, will be secret. I think that touches upon the major concerns that have been raised by the honourable members opposite, and I'm sure we will have an opportunity to deal with this matter further in committee.

Motion agreed to.

Ordered for standing social development committee.

CHILDREN'S RESIDENTIAL SERVICES ACT

Hon. Mr. Norton moved second reading of Bill 118, An Act to revise the Children's Boarding Homes Act.

Hon. Mr. Norton: My opening statement will be very brief. Effectively, the explanation of the principle involved in this bill is included in information which has already been shared with the members of the opposition. Basically, the explanation is simply that this bill will provide for the bringing together of the licensing and standards setting as it relates to children's residential services in the province of Ontario.

As I indicated in my earlier remarks, this bill dovetails with Bill 117, the funding bill which provides the authority to fund such agencies.

Mr. Blundy: I rise to support Bill 118 on its second reading, with of course the ultimate reference to committee for detailed study. I don't know whether the minister fully realizes how much the people of Ontario are waiting to hear the details of all these bills dealing with children's services.

I believe that most of the people who are involved in the delivery of and the control of children's services in the province feel that the amalgamation of children's services is a step in the right direction, but I want to tell the minister that many of the people with whom I have talked are, one might say sitting on the edges of their chairs waiting to find out exactly what is involved and how much better the needs of the children of the province of Ontario will be served.

I'm very interested in the children's services review board, and I certainly hope that when we do study these bills in committee we are going to have a good deal more information in that regard. What could be more important than the children's services review board, which is going to have so much to say about the residential services of children in this province? There is provision for the appointment of the board and the function of the board in the bill, which is necessary. There is, of course, the licensing of the homes under this act and the Day Nurseries Act and the Child Welfare Act, which is necessary.

I just hope that when next we look at the provisions of this bill in committee the minister and his staff will be able to provide us with a great deal more details to reassure the people of Ontario, particularly those who are so dedicated in their involvement in the delivery of children's services in the province. I believe that this bill, along with its companion bills, is a step in the right direction and I would be very happy to see the second reading of the bill and the approval to go to committee.

[8:45]

Mr. McClellan: I'm drowning in bills here.

We intend to support Bill 118 on second reading, secure in the promise of salvation to come.

Before getting into the bill, it is useful to quote from the interministry committee on residential services from 1975, which puts this whole discussion and the discussion of the previous bill into a context. Quoting from

the section on page 111: "Non-residential alternative." "It is generally believed," said the senior officials of the ministry in 1975, "better services for children in their own homes and foster homes would reduce the need for placement in residential facilities." How true that was then, and how true it still is today.

We have the replacement to the Children's Boarding Homes Act, which like the previous statute does not have the slightest glimmer of a clue about what the standards will be. But we are assured in the summary of legislation that proposed standards relating to residential services are being developed and soon will be released for consultation. The minister put a date on that today, which is nice. You will have to have those standards by the time we want to start the hearings if you want this legislation to proceed. It's as simple as that.

I hope that, if nothing else, the minister gets that through his head tonight, that we are not so irresponsible on this side of the House as to pass legislation setting standards without the slightest idea of what it is you are intending to do, that would be genuinely irresponsible.

Mr. Cunningham: As opposed to being just irresponsible.

Mr. McClellan: As opposed to being plainly irresponsible.

The interministry report had the following laconic comment on children's boarding homes, which this act repeals and replaces, under the heading "Supervision and Standards"—and what a joke that is—"Perhaps because of the proprietary nature of these services and the somewhat lower standard required by the act, compared to funded children's and youths' residences, they have been more vulnerable to public criticism." It is both laconic and an enormous understatement. All of the facilities that had the guns were Children's Boarding Homes Act facilities; all 16 of them. I think that your response to the gun issue is very irresponsible and totally unsatisfactory. We'll come back to that again and again until you take guns out of children's residential facilities.

The legislation, as I said, is supportable, conditional on an understanding of what the standards, in fact, will be. I have a couple of questions that I will state now and will want to put during the hearings.

Firstly, I am concerned that homes for special care are specifically excluded from the licensing and standards set in the statute. We had been promised from the time before I was elected to this House that action would

be taken with respect to homes for special care. Yet they still languish in a Never-Never Land, in a no man's land, under the jurisdiction of the Ministry of Health, with inadequate supervision, inadequate standards and inadequate funding. There are retarded people in homes for special care, there are elderly people in homes for special care, and there are kids in homes for special care. The minister is going to have to deal with that. He can't just pretend there isn't a problem there, because everybody knows there is a very serious problem there of institutional and governmental neglect that has to be dealt with, and we will be going into that when the hearings commence.

The second point I want to make has to do with something that was proposed in the original consultation paper and I thought was a very useful measure, but it has disappeared; that is, the children's rights amendment—even a limited children's rights amendment—setting out the rights of children in residential care.

I think it would be useful to include in the licensing and standard-setting statute, the Children's Residential Services Act, a minimal set of children's rights; for example, and most notably, the freedom from the imposition of certain kinds of punitive actions against children; most notably the use of corporal punishment; the use of certain kinds of so-called isolation therapy; the prohibition of laying criminal charges against children who are in the care of a residential treatment facility.

Without reading the very excellent, I thought, presentation of children's rights on page 95 of the green consultation paper, I would like the ministry to give some serious thought to the possibility of an amendment incorporating at least some of the more important children's rights—important in the sense of having been before us in this Legislature through cases in which those rights were violated and in which the violations led in a number of instances to tragic consequences.

As I said before, we support the legislation in a very conditional kind of way, and the condition is that the minister tell us what he is going to do. He can plead whatever excuses he wants—and this afternoon he pleaded a number of what I thought were very silly excuses with respect to his inability to provide standards and guidelines for children's aid societies in child abuse cases. The minister is simply going to have to realize that he and his ministry are under the gun to produce, and the deadline is the hearings that are starting in September; so he

might as well reconcile himself to that fact and just work a little harder. I know the minister is working very hard, but let him work a little harder and get something before us—

Mr. Makarchuk: He might have to have a few words with the Treasurer (Mr. McKeough) on those things.

Mr. McClellan:—because he is not going to get our co-operation without giving us the goods.

Mr. Hodgson: We'll do it with or without.

Mr. McClellan: They'll have a little trouble passing that stuff on their own.

Mrs. Campbell: Mr. Speaker, I look at this particular bill and I think it disturbs me probably more than any other, because truly, if you read it, you might just as well be talking about licensing the horse-drawn carts that are going around the city in the summertime. There is very little meat in this statute, which to a great extent is the governing statute for so many of the others.

I look at the minister's definition of children's residence. Again we go to the fact that we are dealing with bricks and mortar; we are dealing with a whole building or a part of a building; and at no time is there any infusion of the spirit of what we're talking about—our concern for children.

I don't want to be critical of this minister because I really believe he wishes to reform the situation.

Mr. McClellan: If he would only listen.

Hon. Mr. Norton: I'm listening.

Mrs. Campbell: I hope perhaps some wisdom came out of that exchange.

Hon. Mr. Norton: It certainly did; there is no wiser person.

Mr. Hodgson: Always, Margaret, always.

Mrs. Campbell: I look at the provisions for the appointment of children's services review board. Yes; a member may be appointed for a term not exceeding three years, three members of the board constitute a quorum—so it goes. What is the essential function of these people? There is very little; we have the bare bones.

The minister addressed himself to my remarks about the last bill. I wasn't speaking about any one institution. I was speaking about the difficulty of getting information, so far as I personally was concerned, back to 1973. At that time I knew of no action pending anywhere which could have precluded my right to have the information I sought, either from the Ministry of Health or the Ministry of Community and Social Services. One of the things that distresses me is that I

see constantly around this chamber the one person who went out of his way to ensure that no information would be given to the opposition. He seems very apparent, very alive and well, in this community. This gives me a great sense of unease.

Ms. Gigantes: Name names.

Mrs. Campbell: I would really like to be assured that we do not have actively engaged, as a consultant or in some other capacity, people who have made a practice of precluding the opposition from receiving information which they ought rightfully to have had.

If the minister cares to answer, I know he knows of whom I speak.

Mr. Worton: Tell us, Margaret.

Mr. McClellan: He doesn't know, he says he doesn't know.

Ms. Gigantes: Name names.

Mrs. Campbell: You don't know? I thought you knew.

Hon. Mr. Norton: I don't know.

Mr. McClellan: His staff knows.

Mr. Blundy: Let us in on it, Margaret.

Mrs. Campbell: Perhaps we could find out from him what the future for that individual is in the freedom of information within his ministry. I suppose that's what we're talking about.

Mr. McClellan: Name names.

Mr. Blundy: Come on, tell us who it is.

Mrs. Campbell: Again we have a licensing bill, dry as dust, with no standards; no way of really identifying the performance of the children's services review board, no way of making any kind of a judgement.

[9:00]

I think it speaks well for the opposition in this House, and for our commitment to the welfare of children, that we have been willing to go so far with this minister, with this package, which up until now has been pretty much garbage, but which we hope will permit us to have input in committee. What a tragedy it is, that with all of the speakers, with all of the criticisms levelled at this ministry otherwise constituted over the years, we are still going into a committee with almost no real vital information.

I hope the minister is well prepared for what may happen if he is not duly prepared for those committee hearings. It's not going to be easy. In fact, it isn't going to happen without far more meat on these bones at that time.

Mr. Deputy Speaker: Are there any other honourable members wishing to participate

in this debate? If not, the honourable minister.

Hon. Mr. Norton: After all the—and I say this with great respect—sabre-rattling that has gone on tonight, I'm not sure whether I should be trembling or not.

Mr. McClellan: Just do your work and you will have nothing to worry about.

Mrs. Campbell: It is not sabre-rattling, it is the truth.

Hon. Mr. Norton: As I said earlier, I ask the honourable members only to understand the complexity of the task and to accept my assurance that, unless some great tragedy intervenes, the standards, which basically embody what the honourable member for St. George has referred to as the meat under this particular legislation, will be available.

I must say there is some uncertainty in my mind as to whom the honourable member was referring to—

Mrs. Campbell: You are not serious.

Hon. Mr. Norton: —but to the best of my knowledge, there has been no request for information from her to me since I have been minister in this particular ministry, with the exception of the one case to which I referred earlier, where there has been difficulty in transmitting information.

If there has been, then I wish she would bring it to my attention personally. I will reiterate I obviously cannot, although I must be responsible for what has gone on, I am not familiar—

Mrs. Campbell: We're still waiting for information you promised months ago.

Hon. Mr. Norton: —with the earlier incidents to which she refers.

Mr. Blundy: Just don't let it happen to you.

Hon. Mr. Norton: I must say, though, I am somewhat disappointed that she would choose a word like garbage to describe what I think has been, and what I believe she understands to be, the product of a lot of hard work by a lot of very able people, both within the civil service and the province of Ontario, to achieve what we have accomplished up to this point.

Mr. McClellan: Would you prefer stupid?

Mr. Roy: It is you who are being attacked, not your ministry.

Hon. Mr. Norton: No, it's not I who is being attacked when that kind of language is being used, it's a much broader sweep. I can take it, but don't deny me the opportunity to stand up and defend the dedi-

cated people who are working in this province—

Mr. McClellan: Those fine, hardworking people.

Hon. Mr. Norton:—simply on the premise, “Oh no, we’re not talking about them we’re talking about you.” There are a lot of people working very hard in order that this legislation in its present form would be available to members and for this House to meet the commitments that we’ve made earlier this spring or last year.

Mr. McClellan: They’re trying to prop you up. Trying to make you look good.

Mr. Roy: Ah come on. Don’t deflect the arrow on your ministry.

Mrs. Campbell: Or the year before.

Hon. Mr. Norton: We had people who quite literally worked all night long in order to meet deadlines. These are people who only a few short months ago we’re being hailed by some of the honourable members opposite as some of the leading people in the field. Their reputation has not diminished in a matter of a few months. I really don’t think that kind of language is justified in describing the product of their labours.

Mr. Roy: Don’t deflect the arrows from yourself.

Mr. Deputy Speaker: Order.

Hon. Mr. Norton: If it is a policy you want to attack, then fine. But don’t refer to as garbage the product of a lot of work by a lot of dedicated and knowledgeable people.

Mr. Roy: When we attack the ministry it’s you.

Hon. Mr. Norton: They’re more knowledgeable in some respect, in perhaps more specific areas, than some of us in this House.

Mr. Roy: Certainly more than you.

Mrs. Campbell: All the more reason we should have the benefit of their wisdom.

Hon. Mr. Norton: And you shall.

Mrs. Campbell: In the future.

Mr. McClellan: In the fullness of time.

Hon. Mr. Norton: No, in the immediate future.

Mr. McClellan: In five years, the five-year plan.

Hon. Mr. Norton: Regarding the citation of the member for Bellwoods, his concern about better services for children in their home, again I just ask let’s not confuse two issues. That is not being dealt with in this legislation but I can assure him, as I have before, that our objectives are in that direction. We

have made a lot of headway and we will continue to make headway. In one specific area you will see results once we are able to proceed further down the line with respect to changing our programs relating to training schools and so on.

Mr. McClellan: The process of the evolution of the process.

Hon. Mr. Norton: It certainly is, and if members feel these things can happen overnight, then they are only revealing their own naivety; and I must say that naivety is more complimentary than stupid, silly or irresponsible, which seems to be the extent of their vocabulary tonight.

Mr. McClellan: No, I believe in the process.

Mrs. Campbell: Overnight and over a year are two different things.

Mr. McClellan: It is being enlarged by the word process.

Hon. Mr. Norton: I think, Mr. Speaker, that the only other remaining concern that has been expressed was that raised by the member for Sarnia. It was touched upon as well by the member for St. George and it relates to the establishment of the board. As the hon. members are probably aware, we have more than one board dealing with services which previously existed in different ministries.

In moving in the direction of consolidation, co-ordination and consistency in terms of services—and also I suppose in terms of trying to meet the objectives in which the honourable members have been expressing interest in terms of reducing the numbers of agencies, boards and commissions—we are reducing the number of agencies, boards and commissions because it certainly does meet our objective in this ministry, and particularly this division, of providing that kind of consistency. There will be one board which will be referred to as the Children’s Services Review Board to supplant or replace the more numerous boards which have existed in serving the function of reviewing licensing appeals and dealing with matters of standards.

Motion agreed to.

Ordered for standing social development committee.

PROVINCIAL COURTS AMENDMENT ACT

Hon. Mr. Norton moved second reading of Bill 119, An Act to amend the Provincial Courts Act.

Mr. Blundy: I realize this bill is a companion bill of all the other bills which we are discussing tonight for the amalgamation of children's services, but when you see a bill entitled An Act to amend the Provincial Courts Act, Mr. Speaker, it gives you a little time to think and wonder about it. When you read some of the titles down the side of the bill—"observation and detention homes", is one that I have underlined; "superintendent to have care and custody and control"; and further on down "warrant to apprehend child"—it all sounds pretty desperate. It almost sounds like occupation of some power in the services of children. I know that I am being facetious; I know these things are all necessary. I also know they are very serious matters.

This bill doesn't give very much information about how it fits into all the other bills that are going with the amalgamated services, we are going to have to just put our trust and our hope in the ministry. Sometimes we wonder about the wisdom of doing that, but we are going to have to put our trust and our hope in the minister and his officials that when we are studying all of this conglomeration of bills we will have a great deal more information as to the effect of the bill, the regulations of the bill and the standards thereunder.

With those few short observations I suggest that we do give approval on second reading of the bill, with the view to further consideration in committee.

Mr. McClellan: I am happy to support Bill 119 without really any comment. I have some apprehension, which I raised during the discussion of the Child Welfare Act, over whether observation and detention homes ought to be used as the place of safety under protection and apprehension. I will want to pursue that.

I am not sure about the relationship, really. This is a question that needs to get sorted out, for me at least; whether there ought to be any place that is an observation and detention home apart from by route of judicial order.

My inclination is—and I have had some discussion with the member for St. George, who has compelling arguments on the other side—that observation and detention homes should only admit or discharge children by judicial order and that we should not confuse criminal procedures with the dictates of treatment.

Mrs. Campbell: All I want, with reference to this bill, is to seek a clarification from the minister on the relationship of this bill, as an amendment to the Provincial Courts Act, in-

so far as the appearance of the child before the court is concerned. I take it that notwithstanding the changeover of responsibility to him for the observation and detention centre, the Provincial Courts Act itself will still govern the appearance of the child to ensure that no child is held in detention without the usual practice of immediate appearances before the court. That is all I wanted to ask on this particular bill.

Hon. Mr. Norton: My responses will be equally brief; but I shall try to address the concerns that were raised by the honourable members opposite.

First of all, the overall intent here is to deal only with the control of the observation and detention home itself. As members may understand, previously most of the observation and detention homes were under the observation of the court. The problem we were faced with in many instances was that there was a lack of consistency across the province, there was not a centrally required standard and the standards varied quite dramatically across the province.

It is with a view to providing those kinds of standards for all observations and detention homes under a co-ordinated approach from the ministry that we are proposing to take over the operation of the observation and detention homes.

[9:15]

I would assure the honourable members, whoever expressed the concern about the admission of young people to observation and detention homes, that section 21(a) relating to the admission to and discharge from observation and detention homes quite clearly indicates that no child shall be admitted to or discharged from an observation and detention home except by order of the judge of a provincial court.

Mr. McClellan: Doesn't that conflict with the Child Welfare Act?

Mr. T. P. Reid: They also have to have those facilities available.

Hon. Mr. Norton: Perhaps that requires some further clarification, but clearly the intention of the Child Welfare Act is not to incarcerate or to detain children in a closed, locked facility. In some communities, as a matter of fact, there has been a shortage of places of safety. It came to my attention shortly after coming to this ministry, and shortly after having responsibility for training schools, that on a few rare occasions, in one particular community, a judge had ordered a child placed in a training school as a place of safety. We immediately put a stop to that.

There are observation and detention homes which are not closed, locked facilities. In fact, in one community where there was a lack of such a facility, we have recently entered into a contractual arrangement with a well established and reputable group home setting, part of which we have contracted for use as an observation and detention home.

I don't want members to get the impression that, because there is some reference under the Child Welfare Act, it is the equivalent of placing a child under lock and key, although under the proposals which we will have an opportunity to discuss more fully in committee, in terms of level of care and for levels of security that might be necessary, given the specific needs of a child in a given period of time, there will be different levels of security initially in those communities where it is possible to offer that standard of service.

Mr. Blundy: There are some communities there are no levels of security.

Mr. Deputy Speaker: Order.

Hon. Mr. Norton: That is correct, and that is one of the things we are trying to address in our priorities as established and announced in this House earlier this year. One of the areas where the greatest deficiencies exist at the present time, of course, is northern Ontario; and that can be broken down in subgroups, if you wish, in that there are certain groups of our population, particularly native and francophone children, who in some areas have been underserved in terms of services available.

We are trying to address that matter in terms of our priorities that I established in terms of allocating additional funds. I don't pretend it is something that is going to be redressed completely during this fiscal year, but we have made a start and substantial sums of money, which were not available previously, have been allocated towards that end during this fiscal year.

Mrs. Campbell: Mr. Speaker, it was important, to me at least, that I got an answer to my question as to the appearance of the child before the court if the child has been picked up in an emergency situation and taken to a detention home. As it stood, that child had to be before a judge at least the following morning. I do not see, with this kind of reference, that protection. I just wanted to be assured that, because the detention facility now comes under ComSoc, that child's right to be before the court immediately would not be denied.

Hon. Mr. Norton: It is certainly not the intention that this would be denied, and I

think at this point I am able to assure the honourable member there is nothing changed in the act that should have any impact on that. But I will double-check, because the last thing I would want to do is to deny that right to a child under those circumstances.

Motion agreed to.

Ordered for standing social development committee.

DAY NURSERIES ACT

Hon. Mr. Norton moved second reading of Bill 120, An Act to revise the Day Nurseries Act.

Mr. McClellan: This is the bill I am most anxious to have before us in committee so we can have a full discussion and good hearings. I hope very much we can amend the Day Nurseries Act to eliminate some of the more obvious problems confronting the daycare movement in this province.

I've spoken many times on day care since I was elected. I feel more strongly about day care, I think, than about any other social service. I welcome the opportunity to say some of those things again here tonight.

I think day care in Ontario is facing the worst time it has faced since the now infamous Birch attack on quality day care in this province in 1974. I think the cumulative effect of this government's social services restraint program has been focused, whether deliberately as part of an unemployment strategy or whether just through sheer clumsiness, on daycare services. There is no doubt at all that day care in this province is suffering, and is suffering very badly.

The ministry, the government and more particularly the Provincial Secretary for Social Development (Mrs. Birch), and the previous incumbent of the present minister's portfolio (Mr. J. A. Taylor), have expressed on numerous occasions an attitude toward day care which betrays a basic hostility to the very notion. The member for Prince Edward-Lennox, in his social philosophy was a simple Neanderthal; a kind of latterday purveyor of chicken soup and dusting off your neighbours by way of being helpful.

The Provincial Secretary for Social Development is a lot more sophisticated. She basically has the same chicken-soup-dusting-the-neighbours approach to social development policy, but if we're sophisticated in 1978, we call that radical non-intervention. Lots of people write learned tomes about radical non-intervention. As far as one can tell, it still is the basic social philosophy underlying this government's attitude to the

provision of social services. Nowhere is that clearer than in the daycare field.

It is absolutely intolerable that applicants for day care subsidy in this province are forced to go, in Metropolitan Toronto and in many other municipalities, to the welfare office to fill out the minister's form seven, which is the most, as I have said before, degrading and humiliating means test still in use in this jurisdiction. It is degrading to have to go to the George Street welfare office and stand or wait in line for hours and then be subjected to the prying, snooping—and very often arrogant prying—of some public servant, and to bare one's entire private business to get a daycare subsidy.

That is a simple deterrent; that's all that is. It's a deterrent to the utilization of day care. A lot of people simply will not put themselves through that kind of humiliation. As a result, they forgo getting a daycare subsidy. I know that's a reality. It's particularly a reality in a community like mine where there are many thousands of new Canadians who will not go to a welfare office under any circumstances. They just simply won't go there, let alone for a daycare subsidy.

The ministry has always said there is adequate day care in this province, that there is no need for additional day care and that the majority of families in Ontario make their own private arrangements. The ministry had always said up until this year that it was absolutely convinced that the majority of people were quite satisfied to make their own private arrangements.

We have, fortunately, had a series of reports by Project Child Care, the social planning council's day-care study, which has put the lie to that mythology. The reality is that the majority of families who are using — what would you call it? — informal home daycare arrangements, by leaving their kids with a neighbour up the street or a relative, and who make their own informal arrangements for child care would prefer to have group care. That's the simple reality.

When we look at the folks who are providing unsupervised private child care in Metropolitan Toronto, we find some enormous problems, as the study did in the report, Taking Care. Twenty-two per cent of the private child care givers had major health problems. There's an enormous problem of the simple quality of the arrangements. I quote from the report: "Like the pre-packaged instant macaroni and cheese dinners that so many of the care-givers reported serving to their charges, their program seems to lack enrichment and variety.

Some of the children in these programs spend up to 25 per cent of their time being cared for by the television set."

This is what the government has been passing off to us for the last decade or so as quality day care in Ontario. This is what the government has been telling us the people of Ontario want. We're going to pay the price for that. There's no way that one can abandon children to inadequate child care provisions and not pay the price. We will pay the price as a community and as a society in the damage that is done to children and to families because we were so concerned about constraints and restraints and because we were so concerned about making political capital out of outmoded social philosophies and out of outmoded ideologies.

The reality is that the family in our society is under a kind of siege and pressure that is unparalleled in human history. It really is. It does nobody any good for the government spokesman to go through an exercise, such as we witnessed last month with Family Unity Month, in which the government piously beats its breast and says, "We must all cherish and respect and embrace the family" and then leaves it to its own devices, to sink or swim on its own.

[9:30]

The reality is that the modern nuclear family is isolated and vulnerable. In some respects if one looks at the incidence of family breakdown, if one looks at the growth of single-parent families on social assistance rolls, one is justified in having great alarm and concern about the stability of the family; one is justified in coming to the conclusion that extraordinary support is needed to nurture the family in the kind of society we live in. One of the ways of saying we are serious about supporting the family, about helping mothers and fathers to stay together and to raise their children successfully is to provide adequate child care services and among those pre-eminently is quality day care.

Day care has a twofold significance for us. It is as I have said, first of all, the preventive social service par excellence. It is the service that can serve to alleviate an enormous amount of stress, both on single-parent mothers and on two-parent families.

Secondly, it is the only instrument of social policy that is available to ensure equal participation of women in the work force. That is the simple reality for us to accept. We don't have a choice about that. It's a reality that has to be accepted.

The government can make nostalgic statements about a different age and a different era, but those times are not with us. A refusal to come to terms with the reality of the aspiration of women for equal participation and equal opportunity in the work force is a recipe for social tragedy. And yet that is a course that the government continues to pursue.

Rather than expanding the base of quality group day care in Ontario, the government in the last two or three years has chosen to do what I have called "welfarize" the daycare programs. We can read about this in the program and resource summary of the 1978-79 estimates where the policy is stated very clearly. The daycare expansion and service is seen as something that is provided for specific groups of disadvantaged people.

This is a terrible mistake. If the government provides day care as a welfare service it is going to stigmatize it. That is a reality that has been borne out in innumerable programs in jurisdictions all over the world. If it provides service for people who are already damaged, who are already suffering and who already have problems, it becomes a kind of ghettoized service. People who are not poor are not eligible for subsidization. That's the reality in Ontario today. You have to be virtually impoverished to get a subsidy. The priority goes to people who have problems.

Normal, working, two-parent families of low and moderate incomes are excluded from the subsidization process, so day care in this province is increasingly becoming welfarized and stigmatized and ghettoized.

I have talked to a number of day-care facilities across the province. The reality is that normal, two-parent, working families are withdrawn from day-care programs for two reasons. They are increasingly ineligible for subsidization and there is a bias in the program towards serving populations with special needs. If we have learned anything in the last 20 years in social developments it is that is not the way to provide social service. It is certainly not the way to go about organizing and providing day-care services. There is a necessity to provide special services for special need groups, for example, for the developmentally handicapped. But they don't need to be segregated in all instances from the normal population. The poor do not need to be separated from low-income and average working families. Single-parent families do not need to be singled out from two-parent families. We

don't need to set up these kinds of distinctions and discriminations in this province in any sector, especially not in child care or day care.

What good does it serve to do this? The only rationale is the dollar and cents rationale. The only rationale is to save funds. The only rationale is the refusal to accept responsibility for providing adequate child care. As I said, we will pay and we will pay dearly for the money that this government is saving today in child care costs.

I am more anxious to have the hearings on this legislation than on any of the bills that are before us. What I hope we can achieve—and I say this to my colleague from Sarnia and his colleagues in the Liberal Party—is some amendments that will do at least a couple of things. One is that we move the child-staff ratio standards from the regulations to the act, so that never again will we experience the threat that was posed by this government in 1974 to raise the staff-child ratio to a level that would have destroyed quality day care in this province.

We have only to look at the province of Alberta which has done precisely what the Provincial Secretary for Social Development (Mrs. Birch) and Mini-Skools wanted us to do in Ontario in 1974. They did it just last month. The danger remains and the pressures are there. The pressures have surfaced, in this city and the Metro social services committee, to destroy adequate child-staff ratios.

Regardless of the intentions of the present minister, we need to try to change the legislation so that kind of thing can't happen again. We need to try to change the legislation so that provisions are moved again from the regulations to the act so the kind of degrading and humiliating means testing that takes place under form seven and which requires applicants for day-care subsidy to go to the welfare office is abolished. I believe we can do that through amendments, by putting the subsidization process clearly into the act and by setting out specifically what kind of procedure we wish to use for the determination of eligibility for day-care subsidization.

We have learned over the years, and most successfully in the GAINS program, that we don't have to subject people to humiliation in order to determine their eligibility for social service support. In the GAINS program we have a self-declaration which elderly people administer themselves; that is to say, they have a form which they fill out and put in the mailbox. The ministry processes it and determines whether they are eligible or not for GAINS. There is no

reason why daycare subsidization should not be provided on exactly the same basis. It is simply intolerable that, despite the fact that we raise this year after year, the minister refuses to act on this and continues to force women and families to choose between a subsidy and humiliation.

I have one other concern that I want to raise briefly, if the minister is paying attention. I realize it is taxing for him to try to pay attention.

There are provisions in the legislation which would authorize private home day care agencies to operate and which would license private home day-care agencies in this province. I'm supportive of the expansion of private home day care, but I have enormous concern about the measure that the minister is introducing here. The minister is not talking about private home day care as a satellite of a group day-care centre. The minister seems to be talking about private, entrepreneurial home day-care operations which, I assume, would be operated on a business basis.

Mr. Blundy: What's wrong with that?

Mr. McClellan: I refer to the 1975 report of the advisory council on day care which discussed private home day care and made recommendations to the ministry at that time. Their recommendation on page 41 of their final report, was that private home day care should be encouraged as a satellite program to group day care. They suggested further that some pilot projects should be undertaken to demonstrate private home day care as a satellite program to parent co-ops. They repeated that recommendation again in 1976.

We will have some discussion during the hearings, I know, on private home day care. But I'm not prepared to support that section of the legislation which provides that private home day-care agencies can be established without any reference to existing or new group day-care facilities. That would be enormously dangerous. I know of a certainty that we'll get good representation from the day-care community and I hope we can amend the legislation to make the provision of private home day care more possible, but on the basis of a link with group day-care centres so that the full resources of the day-care centre and day-care staff can be made available to those who are providing day care in their own homes.

I thank the Speaker and the House for their indulgence. I've gone on at some length.

Mr. Conway: It has been considerable.

Mr. McClellan: I'm sorry if it has. I hadn't thought you were listening too carefully, Sean.

Mr. Conway: I've listened to your every word.

Mr. McClellan: Good.

As I said, I feel very deeply about this subject. I hope very sincerely that on this issue, and particularly on the issue of the Child Welfare Act, the New Democratic Party and the Liberal Party can work very closely and amend the legislation so we can turn around what this government has been doing and, in fact, undo some of the damage that has been done to child care services by this government over the last three and a half years.

Mr. Blundy: Mr. Speaker, I rise to support on second reading Bill 120, An Act to revise the Day Nurseries Act. There is really a great deal of interest being expressed in the amendments to the Day Nurseries Act. I have had a lot of comments and questions on it.

[9:45]

In today's society day care is so essential. In the economic conditions where both parents are working and where we have many single-parent families, the provision of adequate and good day care is very essential.

I would like to mention a couple of situations. When I was mayor of Sarnia, we had occasion to take advantage of the rather generous grants. I would like to let the present Minister of Community and Social Services know how generous his former colleagues were in the matter of day care.

Mr. McClellan: By comparison?

Mr. Blundy: Yes, by comparison this minister is a real piker. When I was mayor, the city of Sarnia took advantage of the day-care grants at that time and established a municipal day-care centre which is actually an example for people to see.

Mr. McClellan: That is true; he is cheap.

Hon. Mr. Norton: Times are changing.

Mr. Blundy: I would like the minister to come and see it. I think it's a great program. It's a great building and it has a wonderful staff. The parents are involved and volunteers are involved. It is caring for upwards of 60 children in a very well organized group day-care centre.

That was back in the days when the provincial government was living high, spending like a drunken sailor and not worrying about deficits or anything else. It was just spending money. That's what they did and, thank God,

we took advantage of it, profited by it and got something for the city of Sarnia in that regard.

Mr. McClellan: Bring back Rene Brunelle.

Mr. Blundy: The present minister is a real piker when it comes to providing these services for the various areas of the province of Ontario. We have now recently established in our municipality a private group daycare centre known as St. Bartholomew's Centre. It is patterned very much after the municipal daycare centre of which I've just spoken. It is providing wonderful care for about 50 children of working parents or single parents in our community on a daily pay basis.

We have to come down to the fact that everybody is not able to afford private group daycare services. I would like to exhort the minister to try to rustle up more funds for the provision of daycare centre activities for those who are not able to pay the going rate in private group daycare centres.

Mr. Foulds: Don't nickel and dime next time.

Mr. McClellan: Spend the \$44 million you were given.

Hon. Mr. Norton: You can't believe everything you say, surely.

Mr. Blundy: As I said before when I was speaking on these bills, there isn't anybody in this House who has expressed the view more often than I have that we've got to cut down on expenses, but when you're talking about children and day care and the provision of services to these needy people, it's pretty hard to talk about trying to meet restraints and trying to live with cutbacks and so forth.

I wanted to say that I can see the value of well-operated day-care facilities for the people of our municipalities. I want to exhort the minister to look at it in a very generous sense.

When we come to the study in committee of this bill, along with the other children's bills, I'm certainly going to spend some time in discussing the possibilities that are available in the provision of daycare services for the children in Ontario. With those few words I wish to give my support to this bill on second reading and I look forward to being able to make further observations and suggestions in committee.

Mrs. Campbell: Mr. Speaker, earlier this evening I referred to the package and used the word "garbage," and I think this particular bill indicates what I was talking about. I go back to the days of the discussions with the Provincial Secretary for Social Develop-

ment and the attitude towards day care, and I had hoped that this would be a great opportunity for this minister to at least indicate some new philosophy in this area.

The secretary has consistently taken the position that day care could be safely relegated to grandparents who had nothing better to do. If one talks to grandparents, I think there aren't too many of them who would feel qualified to deal with children on a day-to-day basis for any great period of time. There are undoubtedly some who are exceptional grandparents, but the whole concept of day care and the need of the child, particularly in a situation as complex as our society, is one which merits something more than is contained in this piece of legislation.

The whole concept for at least group day care of an early learning process is one which I think has to be examined. I want to warn the minister that when this matter goes to the committee, we will expect that philosophy, or at least a philosophy, to be presented and that we are not dealing with some revamped stuff that has all the appearance of all that which has gone before.

We have had so much discussion recently about discrimination, but I can only think it has to be a male logic that looks at the day-care situation from the point of view of eligibility. Let me just draw this example: Everyone in our society is concerned with people finding opportunities for employment; I don't think one can deny this is government policy. Everyone is concerned about making it possible for people to move out into the employment market. Yet, under our present standards and our present terms of eligibility, the people who are on unemployment insurance benefits are required to pay the full cost of placing a child in day care. Of course, since they can't afford it, one wonders what we are trying to achieve if at the same time another level of government is telling them that to be eligible for unemployment insurance benefits they have to go out and find a job.

I don't think anyone other than some of the males in our society would find that had any logic at all; and I say that with the greatest degree of concern, since most of the women with whom I have discussed it find no logic in it at all. I have to say neither do I.

We really don't look at day care either from the point of view of the needs of the child or of the needs of those who are seeking employment. We tend to look at it as though it were some kind of a begrudging

privilege that we accord to those who can't really afford the full benefit of the program.

I would have to say that from my point of view, this particular bill is one of the most important of the whole package, and that I regret exceedingly the fact that again we are dealing with legalities, we are dealing with some legal semantics, but we are not dealing in any way, shape or form with a new look or a new philosophy.

I personally hate to pass this bill for committee because I do think it needs a greater debate on second reading, but I recognize that this government always functions on the basis of bringing in its important legislation at the 11th hour so it can't have ample debate in principle.

In any event I trust that the minister is warned that we will expect a statement of principle and policy to accompany this particular bill as it goes to committee.

Hon. Mr. Norton: Touching upon a couple of the latter points first, I must again remind the honourable member that we are looking at interim and short-term amendments. She can look as sceptical as she is able to—and I am sure this does sound repetitious—but I am working with senior advisers in this area on the development of a new statement or philosophy relating to day care. Whether or not that will be available and have received policy approval and so on by the time the committee sits, I don't know.

If the member had paused for a moment to be realistic and had shown some appreciation for the myriad threads of activity and progress that are going on in my ministry at the present time—

Mr. McClellan: You've turned it into a sink.

Hon. Mr. Norton: —and trying to bring these together in a co-ordinated fashion, then she really should—

Mrs. Campbell: Show us.

Hon. Mr. Norton: All right, the member will see it.

The thing is it is not going to be possible always to please the member at every point with precisely what it is she wants to see in terms of the philosophy and so on. I cannot assure her at this point that the timing will be such as to coincide with the sitting of the committee. If that is possible, I certainly will strive to meet that objective.

Referring to the 11th hour allegation, however that may be perceived by the honourable member as having been a pattern or not, I can assure her—and I think she appreciates that as well—that to get this

legislation before the House during this sitting as I made a commitment to the House to do, required an extraordinary effort on the part of the staff of the ministry. Given the consultation process that we have been through, having processed over 126 submissions, many of them very substantial, it has not been a hasty process.

[10:00]

It would have been very easy for me to abdicate the commitment and say we'll do it in the fall when we have more time before the rising of the House, although I felt that the commitment I had made took precedence over that alternative decision.

I am not sure that some of the comments relate particularly to the principle of this bill but I find it difficult to resist commenting upon some of them. The member for Bellwoods speaks of the lack of commitment to day care in the province of Ontario.

Mr. Foulds: He is absolutely right.

Hon. Mr. Norton: I would remind him, although it may not coincide with his expectations, that it would be well to bear in mind that at a time when federal statistics recently published in the newspapers indicated that across the whole of this country there has been an average decline in the number of spaces in day care, including the situation in the province of Ontario; Ontario continues annually to increase. It may not be at the rate that he would say would be necessary.

Mr. McClellan: The minister should be ashamed and humiliated by those kinds of figures.

Hon. Mr. Norton: I look at some of the data that periodically appears in reports in the press. I try to confirm it to the best of my ability. Recently there was a suggestion of in excess of 600 people on waiting lists. I have attempted to confirm that to the best of our ability at this point. It is not complete and I am not suggesting that this is a final tally, but to the best of our ability at this point we have been able to confirm 49. It may well be larger than that. This was with respect to a specific geographical area and not the whole province.

Mr. McClellan: That speaks to the minister's incompetence.

Hon. Mr. Norton: This was related to the Toronto situation. The problem we will always have as legislators is determining what the most equitable way is to deal, not only with services like day care but services generally, which require extraordinary commitments in some instances of funds from taxpayers of the province in order to provide

needed and necessary subsidies to service to other individuals.

The absence of some reasonable mechanism for testing the need, it seems to me, could potentially create an inequity the other way. We have to bear in mind that there are people almost equally in need as families in this province to make the services possible. There has to be some mechanism—

Mr. McClellan: Then why shouldn't they be eligible for subsidy? Who can afford the full cost of day care?

Hon. Mr. Norton: Come on now; that is nonsense to say why not give them a subsidy. Why don't you give everybody a subsidy?

Mr. Foulds: Why not?

Hon. Mr. Norton: If we could tax some of the member's expenditures, then maybe we would be able to create some revenues here.

Mr. Foulds: Don't be so silly. The government hasn't raised the tax from the Crown Timber Act since 1968. Don't talk such frivolous nonsense.

Mr. Acting Speaker: Order.

Hon. Mr. Norton: Coming back to the issue at hand, it is important if we are to be responsible to all of the people of the province of Ontario that we not abdicate completely the recognition of the need to test the need for a subsidy.

Mr. McClellan: Nobody denies that.

Hon. Mr. Norton: If there are ways in which it can be more equitable or reasonable or simply administered, certainly we are prepared to consider that but I am not prepared to abdicate that principle of assuring those people who are—

Mr. McClellan: Nobody suggested that. Don't be stupid.

Hon. Mr. Norton: If the member has changed his position, I welcome that because his party's position has consistently been for free universal day care. He knows that, so he should not try denying it.

Mr. McClellan: I haven't changed my position. It is the same as it was in 1975 and it is on the record.

Hon. Mr. Norton: He has stood and his party stood in principle for free and universal day care. Do not deny it. All I am saying is that I think that although we have to ensure a degree of accessibility, we have to recognize degrees of need, with the recognition that there are not unlimited resources.

Ms. Gigantes: You are borrowing on kids' lives. That is what you are doing and you are going to have to pay for it.

Hon. Mr. Norton: We must try to meet the need of those in greatest need first.

Mr. McClellan: You make Margaret Birch look progressive.

Hon. Mr. Norton: That may be so. I'm saying that—

Mr. Foulds: Do you know the play, *Joan of Arc*? The last line of that play is, "How long do we have to wait, Lord, how long?"

Hon. Mr. Norton:—there is not the philosophical and moral bankruptcy as there is in some of the opinions that have been expressed from time to time, not necessarily tonight, in the area of social services.

Ms. Gigantes: That is a kind of meaningful statement, isn't it? A timely statement.

Hon. Mr. Norton: Yes. I would point out to the honourable member that if she cares—

Ms. Gigantes: I wonder if I could rise on a point of personal privilege?

Hon. Mr. Norton:—to once more accuse me of lying in public and have it published—I have already a legal opinion with respect to the liability she incurred the last time—in the Ottawa publication. Please bear that in mind. I don't take it lightly. I also have transcripts of the tapes.

Mr. Acting Speaker: The member for Carleton East on a point of privilege.

Ms. Gigantes: The minister has referred to a question of my personal liability. I'm interested to know exactly what he means by that and what tapes he is referring to.

Hon. Mr. Norton: I'm quite happy to respond to that. It's not particularly relevant to the conversation. I apologize for the suggestion. But I would point out I have seen a publication in which the honourable member purported to quote me on a matter relating to day care, then make the statement she knew that to be a lie. That was a day-care publication in Ottawa. I've forgotten the name of it. I have a copy of it.

I would also point out I have seen what purports to be a transcript—

Mr. Acting Speaker: Order. Does the member for Carleton East have a further point of privilege?

Ms. Gigantes: Mr. Speaker, I wonder if you would consider it a matter of unparliamentary procedure for the minister in effect to accuse me of lying by the words he has spoken right now.

Mr. Foulds: He has to withdraw that remark.

Hon. Mr. Norton: The point of the matter is that the honourable member accused me—

and was quoted in a public publication—of lying. That's the point to which I was referring.

If she wishes to pursue the matter further I invite her to do so. I suggest we might carry on with this legislation this evening and we can deal with that at another point, if she wishes.

Ms. Gigantes: Mr. Speaker, I would like a ruling on this. It seems to me quite intolerable that the minister should introduce an interjection of this kind in a debate on this bill and that he should be suggesting I have incurred a personal liability to him; that he has tapes; that he has information that somehow makes me vulnerable to a lawsuit, I presume. What is this and what is your opinion of it?

Mr. Acting Speaker: What the minister referred to did not take place in this House. The minister did not accuse the honourable member of lying. The minister indicated he saw a publication in which the honourable member accused him of lying. I believe the minister did indicate there might be some liability on the part of the member and then the minister withdrew that statement. I would now ask the minister to proceed to discuss the bill before us.

Hon. Mr. Norton: I didn't accuse anyone of lying. There perhaps ought to be some further clarification. I did not retract, sir, the suggestion that I had sought legal opinion on the matter and received such opinion.

Mr. Acting Speaker: I believe, Mr. Minister, you did retract—

Mr. Foulds: What the heck is going on here?

Mr. Acting Speaker: Order. Mr. Minister, I believe you did retract the statement that there may be some liability on the part of the honourable member for the moment. I think you did retract that statement.

Mrs. Campbell: He said he didn't.

Hon. Mr. Norton: Mr. Speaker, I—

Some hon. members: Retract.

Hon. Mr. Norton: I can't—

Mr. Acting Speaker: Any statement you made as far as seeking legal opinion goes is perfectly in order. As for saying there is liability on the part of the member, did you or did you not withdraw that statement?

Hon. Mr. Norton: I will withdraw any reference to that, but I did receive such an opinion and I will make no references as to what that opinion informed me of.

Mr. Martel: A point of privilege: If the minister is making some reference that there

is a possibility, I think he should have to either substantiate or withdraw totally. He cannot say he's got something that might indicate what he's saying. He's either going to produce it or he's going to withdraw totally.

Mr. Acting Speaker: Order. I would point out to the member for Sudbury East that not in any way have his privileges been abused.

Mr. Martel: I'm not suggesting that my privileges have been, my colleague is.

Mr. Acting Speaker: Very well.

Mr. Martel: The minister will withdraw the suggestion totally or he will produce the evidence. He'll do one of the two.

An hon. member: Let her speak for herself.

Mr. Acting Speaker: Would you please take your seat?

Mr. Martel: No, Mr. Speaker, with the greatest respect, I cannot leave that inuendo about a member of this Legislature.

Mr. Acting Speaker: Order, order. The honourable minister, I will repeat again, has referred to matters which did not take place in this House. The honourable minister has indicated he has received some legal opinions and there is no breach of privilege in that.

The honourable minister mentioned that in a publication the member for Carleton East has said that the minister had lied. That could be a point of privilege on behalf of the minister, but certainly not for the member for Carleton East unless she says that statement is incorrect.

Mr. Breithaupt: Mr. Speaker, with respect to the point of privilege, it would appear to me that the minister, through the allegations he has made—

Mr. Foulds: He threatened her.

Mr. Breithaupt: —is in some way perhaps compromising the abilities of the member for Carleton East to make certain comments on certain items before the House because of presumed other matters which are hanging over her head in that sense. It would seem to me that our privileges are all somewhat coloured in this matter if, in fact, the minister is using some comments—

Mr. Mackenzie: That's a cheap slur that you used. It's about the worst I've heard in this House.

Hon. Mr. Norton: I am accused of lying and that is a cheap slur?

Mr. Breithaupt: —on some other matter to interfere perhaps with a free exchange of opinions and perhaps to compromise the member for Carleton East—

Mr. McClellan: He is not the first one who has done that.

Mr. Breithaupt:—in her ability to bring forward points of view of criticisms or whatever that may be in order. It just seems to me a most curious exchange which the minister began. I don't understand the background because I'm not familiar with the article that was raised.

Mr. Lane: No, you were here.

Mr. Ashe: Sit down.

Mr. Acting Speaker: Order.

Mr. Breithaupt: But I'm quite sure that the member for Durham West knows even less about it than I do.

Mr. Acting Speaker: Order, please. I would point out again to the House—

Mr. Roy: He knows nothing about nothing.

Mr. Acting Speaker:—that the matter referred to was not a matter which took place in this House.

An hon. member: He still threatened her.

Mr. Acting Speaker: Just a moment. And therefore, in no way would it inhibit any member of this House from participating in their duties in this House.

Secondly, the only matter which may be considered to be a matter which is privileged and should be withdrawn was the allegation by the minister that there might be some liability on the part of the member for Carleton East. My understanding was that the minister did withdraw that reference in this House this evening.

Mr. Breithaupt: No, he didn't. He said he didn't.

Mrs. Campbell: No, he didn't.

Mr. Martel: Would you ask him to withdraw it clearly?

Mr. Acting Speaker: I understand the minister did withdraw the reference to liability on the part of the member, and if he's done that, then I think the matter is concluded.

Hon. Mr. Norton: I didn't, Mr. Speaker. I simply said that I have received a legal opinion.

Mr. Martel: No, but you in fact have not withdrawn it.

Mr. Acting Speaker: I think we should continue with the debate.

Mr. Foulds: On a point of order: I draw to your attention rule 16, subsection 8; which says that "In a debate, a member will be called to order by the Speaker if he makes allegations against another member." That is what that member has done

against the member for Carleton East. He should have been called to order and he should withdraw the remark.

Mr. Martel: Totally.

Hon. Mr. Drea: He withdrew it.

Mr. Acting Speaker: On the point of order, I will say again—the only allegation, and the member for Carleton East has not claimed this to be a false allegation—the only thing the minister said that could be considered to be an allegation was that she said somewhere in print that the honourable minister's statement was a lie. If she wishes to contest that statement, that's an allegation, that can be contested. But she did not contest that statement.

Mr. Foulds: The rule is "makes allegations" of any kind. The member cannot do that.

Mr. Acting Speaker: I will hear only the member for Carleton East if she wishes to rise on a point of privilege—only.

Ms. Gigantes: I am sure that any comment that I made about the behaviour or a statement of the minister was an accurate description of his behaviour or his statements.

An hon. member: You're evading.

Ms. Gigantes: Whether he considers that to be something over which he goes to a lawyer is of course his business. But when he makes an allegation in this House that I have somehow committed some kind of civil crime against his person—

Hon. Mr. Norton: I didn't suggest that.

[10:15]

Ms. Gigantes: Yes, you did suggest that, excuse me, Mr. Minister. Mr. Speaker, that's exactly what he suggested when he suggested he had sought legal advice as to what I am alleged to have said. I will have to check the record very carefully. I think the onus rests with him to bring proof of anything.

Mr. G. Taylor: Prove your privilege now; don't bother checking.

Ms. Gigantes: He is suggesting that I engaged in some kind of actionable civil crime. I think that allegation should be withdrawn.

Mr. Martel: That's right.

Mr. Acting Speaker: I think we have had enough on this—

Mr. Martel: Make him withdraw; we've had enough.

Mr. Acting Speaker: Order. The member for Carleton East has not in any way denied anything that the minister said as far as her statements are concerned.

Mr. Martel: Why should she?

Mr. Mackenzie: Come off it. She's not on trial here.

Mr. Acting Speaker: There is no point of privilege on that at the moment.

Mr. Foulds: You won't get another piece of legislation through if you keep up this stuff.

Mr. Ashe: What's new?

Mr. Acting Speaker: Order. Would you please take your seat?

Mr. Mackenzie: We haven't dealt with slurs before, and that was a cheap slur on the member.

Mr. Acting Speaker: Order. The honourable minister has withdrawn the allegation that there may be liability on the part of the member for Carleton East. That ends the matter. I would ask the honourable minister to continue on the debate on the bill.

Mr. Martel: We will challenge your ruling, I am telling you.

An hon. member: He hasn't withdrawn it.

Ms. Gigantes: Mr. Speaker, on a point of privilege again: What your ruling is suggesting is that, unless I challenge the minister's imputation that I have slandered him, I am somehow agreeing to the fact that I have slandered him.

Mr. Martel: That's nonsense.

Mr. Acting Speaker: The honourable minister has withdrawn that part of his remarks.

Mr. Martel: He has not.

Mr. Cooke: He did not withdraw it.

Mr. Acting Speaker: If there is a dispute, I will ask the honourable minister again if he has withdrawn that part of his remarks about the liability of the member for Carleton East.

Hon. Mr. Norton: Mr. Speaker, if it would be more appropriate to pursue in another place, I will withdraw the entire thing in order that the business of the House may continue.

Mr. Acting Speaker: Will the honourable minister continue with his summary of Bill 120?

Mr. Blundy: Make it brief.

Hon. Mr. Norton: I will try to make my remaining remarks very brief.

I was making reference, I believe, to the question of testing; and I will pass on now to some of the statements that have been made with respect to group day care as opposed to private home day care. I think that some of our assumptions—and I say "our assumptions," because I think we have all made them, those of us who have been

involved in the provision of day care; I do include myself in that group, having been involved for a number of years in a charitable group that was providing day care on a non-profit basis.

Some of our assumptions may well be being challenged. If we are going to make some of the sweeping statements about the value of group day care, we might make sure that we are aware of at least some of the current literature in other jurisdictions relating to an evaluation of some of the effects of group day care. I am not undermining that; I am just saying there is some new literature that I think we should all be aware of. Pardon?

Ms. Gigantes: You are quite deliberately undermining it.

Mr. Acting Speaker: If the minister will ignore the interjections, I think we will not get into any more trouble.

Hon. Mr. Norton: It is not an attempt to deliberately undermine it at all. As a matter of fact, it is simply an effort on my part, and I hope an effort on the part of the members opposite, to make oneself as fully aware as possible.

Mr. McClellan: Identify the studies.

Hon. Mr. Norton: I will advise the members; I cannot tell them off the top of my head, but I will let them know if they are interested in pursuing that. This may explain some of the problems that the members opposite have about me—

Mr. McClellan: Your programs are what's wrong with you.

Hon. Mr. Norton:—in terms of the study that was done in Toronto, expressing concern about health problems but to the best of knowledge not stipulating what the nature of those were on the part of persons providing home day care. I might also add that one of the other concerns that was expressed was the level of education of the persons, I presume almost entirely women, involved in the provision of home day care. One of the observations was that they have—

Mr. McClellan: This is in the report.

Hon. Mr. Norton: This is just picking up on the member's comments on the report. One of the concerns expressed was that a number of them—I have forgotten the percentage—had grade eight education or less. Presumably that means that creates some risk for the child. That may be what happened to me. I can tell the members that I happen to have been raised by two parents, neither of whom had grade eight education. I realize

that standards of education have changed over the years, but I am not sure those kinds of considerations in themselves mean that kind of delivery of day care is bad per se. I think it takes a more complete and detailed analysis than I have seen to this date.

Mr. Conway: Come on, you are being foolish.

Hon. Mr. Norton: The allegation that our interest in recognizing the need for permitting individual families to make individual decisions, wherever possible, for the provision of care for their children, be it in their own home or elsewhere—

Mr. McClellan: You must have been listening to some very strange people.

Hon. Mr. Norton: —is not a matter of restraint. The allegation that that is a matter related to restraint is fallacious.

Ms. Gigantes: Freedom of non-choice.

Hon. Mr. Norton: We must recognize that to whatever extent we are able to provide day care within this province, be it in a private home setting or in a group setting, we must always allow the opportunity for individuals to make private arrangements.

Ms. Gigantes: Oh no, we would send them in at gunpoint.

Hon. Mr. Norton: No, but this relates to one of the other concerns the member for Bellwoods expressed, and that was relating to the licensing of—

Mr. McClellan: Why don't you talk about the communist manifesto just to round out your speech.

Mr. Deputy Speaker: Order.

Mr. McClellan: Socialization of children.

Hon. Mr. Norton: Listen, I am simply trying to give you some correct information.

Mr. Deputy Speaker: Order.

Hon. Mr. Norton: You expressed concern about private-home day-care agencies being licensed.

Mr. McClellan: This is a very high-level debate.

Hon. Mr. Norton: You expressed concern about private-home day-care agencies being licensed. That is not indicating a new thrust.

Mr. McClellan: It's your trend of thought.

Hon. Mr. Norton: The fact of the matter is there are agencies at the present time, engaged in arranging private-home day-care for individuals, on a private nonsubsidized basis, through private contractual arrangements with families.

The provision to license is simply a means of trying to ensure good standards in that

kind of operation. That should not be interpreted as a major new thrust to get away from the public provision of day care. At the same time I want to reiterate, I am not disposed to try to eliminate private involvement, provided it meets high standards, in the delivery of day care.

Mr. McClellan: Like Mini-Skools.

Hon. Mr. Norton: Well, there is some misinformation on that as well.

Mr. McClellan: Could we have a little bit more information coming down the pipe?

Hon. Mr. Norton: That covers most of the concerns that have been raised, and with that I will terminate my remarks on this legislation.

Mr. McClellan: Thank God.

Motion agreed to.

Ordered for standing social development committee.

CHILDREN'S MENTAL HEALTH CENTRES ACT (concluded)

Mr. Deputy Speaker: According to the provisions of provisional order 37 I would remind the members that there will be a bell for up to 30 minutes.

Mr. Breithaupt: Could we agree that it would be a five-minute bell? Is that possible at this point?

Some hon. members: Agreed.

[10:30]

The House divided on the motion by Hon. Mr. Norton for second reading of Bill 115, which was approved on the following vote:

AYES	NAYS
Ashe	Bounsaal
Auld	Breaugh
Belanger	Bryden
Bernier	Cooke
Birch	Davidson, M.
Blundy	Foulds
Breithaupt	Gigantes
Brunelle	Grande
Campbell	Laughren
Conway	Lupusella
Cunningham	MacDonald
Cureatz	Mackenzie
Drea	Makarchuk
Eakins	Martel
Eaton	McClellan
Epp	Swart—16.
Gregory	
Grossman	
Haggerty	
Hall	

AYES

Havrot
 Henderson
 Hennessy
 Hodgson
 Johnson
 Kerr
 Lane
 MacBeth
 Maeck
 Mancini
 McCaffrey
 McCague
 McGuigan
 McKeough
 McNeil
 Miller, F. S.
 Miller, G. I.
 Newman, B.
 Newman, W.
 Nixon
 Norton
 Parrott
 Peterson
 Rhodes
 Roy
 Ruston
 Scrivener
 Smith, S.
 Stephenson
 Sterling
 Taylor, G.
 Timbrell
 Van Home
 Villeneuve
 Walker
 Welch

AYES

Williams
 Worton
 Yakabuski—59.

Ayes 59; nays 16.

Ordered for standing social development committee.

Hon. Mr. Welch: Mr. Speaker, I wonder if I might have the concurrence of the House to revert to motions.

Some hon. members: Agreed.

MOTION

BUSINESS OF THE HOUSE

Hon. Mr. Welch moved that the House meet at 10 a.m. on Thursday, June 22, with the routine proceedings to be called at 2 o'clock.

Motion agreed to.

Hon. Mr. Welch: Mr. Speaker, on Thursday, starting at 10, we will do Bills 124, 131, 126 and 35 and then, one would hope, vote interim supply.

There has been some question about the committees. I would assume that the committees, could meet concurrent with the House. In fact, would there be any question about that? The House could agree that the committees that are scheduled for Thursday morning would be allowed to meet concurrent with the House.

Mr. Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

On motion by **Hon. Mr. Welch**, the House adjourned at 10:38 p.m.

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 Campbell, M. (St. George L)
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 Cooke, D. (Windsor-Riverside NDP)
 Cunningham, E. (Wentworth North L)
 Drea, Hon. F.; Minister of Correctional Services (Scarborough Centre PC)
 Edighoffer, H.; Deputy Speaker (Perth L)
 Foulds, J. F. (Port Arthur NDP)
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 Hodgson, W. (York North PC)
 Lane, J. (Algoma-Manitoulin PC)
 Mackenzie, R. (Hamilton East NDP)
 Makarchuk, M. (Brantford NDP)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. (Bellwoods NDP)
 Norton, Hon. K.; Minister of Community and Social Services (Kingston and the Islands PC)
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 Rotenberg D.; Acting Speaker (Wilson Heights PC)
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No. 94

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Daily Edition

Second Session, 31st Parliament

Thursday, June 22, 1978

Afternoon Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 22, 1978

The House met at 10 a.m.

Prayers.

Hon. Mr. Welch: Mr. Speaker, perhaps by way of some explanation, I thought we might start with Bill 124. The parliamentary assistant to the Treasurer (Mr. McKeough) can't be here this morning, but will be here later on today, so we would then go to Bill 126, and hopefully find some way to accommodate Bill 35 of the Minister of Natural Resources (Mr. F. S. Miller) before noon hour, because he has to be away this afternoon.

Mr. Nixon: Busy fellow.

Hon. Mr. Welch: With some discussion with the other two House leaders, we would add Bill 19 for some consideration as well.

Mr. Nixon: Where in the list?

Hon. Mr. Welch: I think we will just put it in committee of the whole and do it at the end of all the other legislation.

RESIDENTIAL PREMISES RENT REVIEW AMENDMENT ACT

Hon. Mr. Grossman moved second reading of Bill 124, An Act to amend the Residential Premises Rent Review Act, 1975 (2nd Session).

Mr. Nixon: Mr. Speaker, the bill extends the application of the rent review legislation for two months. This is something that was brought forward, not only by my colleagues in the caucus of the Liberal Party, but also from other members in the House since, because of the notice requirements in the legislation, if we did not give it this extension, there would not be adequate time in the fall, when the Legislature resumes, for us to deal with the matter without there being some dislocation and maybe even a hiatus in the application of the regulation.

We believe that the bill is necessary. The standing committee has reviewed the alternatives in rent review very thoroughly and the House has now accepted their report which, we are told by the minister, will be acted upon with dispatch and without delay and effectively when the Legislature resumes in the autumn.

Therefore this bill, being simply a stopgap measure, has our support.

Mr. Makarchuk: We will be supporting this bill as well. We recognize that it is a stop-gap measure that the minister has introduced until we can overcome the difficulties inherent in the other bill.

I would like to point out to the Legislature that this party supports rent controls and this party recognizes the fact that when the report recommends that rent controls should expire in 1980 it is really looking at a dream world. We said that when the report was being presented. We should recognize that there is no way that this province at this time is going to end rent controls. Rent controls are here to stay. The reason is that there are absolutely no initiatives on the part of that government over there to provide affordable housing for people in this province.

Mr. Havrot: Oh, come on.

Mr. Nixon: That's decided by the Legislature, not by the NDP.

Mr. Makarchuk: Until such time as we have affordable housing, we will have rent controls. It's just like market value assessment which the government keeps saying it will bring in and which it keeps putting off; it's not going to bring that in.

Hon. Mr. Grossman: Of which you're in favour, of course.

Mr. Makarchuk: There is no way the government is going to cancel rent controls. I wish the minister would try to get away from this dream-world existence.

Mr. Havrot: You're living in a dream world, a fairy-tale world.

Mr. Makarchuk: We don't want to be in an "I told you so" position next year or a year and a half hence, but it appears to me that in a year and a half hence we will be going through the same exercise again. We will be coming in with another ad hoc bill extending rent controls to try to resolve the problem.

Mr. Nixon: You want it built into the constitution.

Mr. Foulds: Right. Why not?

Mr. Makarchuk: Why not? Absolutely.

Mr. McClellan: Which constitution?

Mr. Makarchuk: The new one or the old one?

We have to recognize that rent controls are here to stay and we have to try to make them work and make them work properly.

The committee's report comes to a great extent from the hearings that were held and the number of people who came to the hearings. The report does reflect some of the concerns raised in the hearings.

This party wishes to be on record that it would like to have seen the new buildings included under rent controls as well. It seems to us that under the proposals in the report, people who put up new buildings will have an opportunity to charge economic rents. Also, the tribunals—and this was part of the report—would take into account the additional costs, et cetera, that perhaps would be faced by new builders and, therefore, the builders would be entitled to charge the economic rents to ensure that they have a normal return on their costs as well as a profit. It seems to us in this party that leaving new buildings without coverage under rent controls was an unnecessary suggestion, and they should be covered.

The idea of establishing a tribunal is an excellent one. It seems to me, again, that this came out of the presentations made at the hearings. It will bring a sense of informality. The rent hearings will become open, uncomplicated. Perhaps the hearings will be held at times when people can attend them. Perhaps the legalistic complexity that surrounds the hearings at this time will be removed and we will have a much fairer operation.

We in the NDP are concerned about the fact that the tribunal will consist of only one person, as suggested by the ministry staff. It seems to us that if you have three people, one representing the tenant, one representing the landlord and a neutral party—if there is such a person—it would be a lot fairer, again, in comparison to what it is now. We had complaints from tenants in their presentations to the effect that some of the rent control officers were really defeated Tory hacks and they did not know what they were doing, they did not give reasons for their decisions and they did not take into consideration—

Mr. Speaker: I must remind the honourable member that the only thing contained in this bill is to extend the provisions of the act for a further two months.

Mr. Makarchuk: Right, Mr. Speaker, I quite agree with you. I will not discuss Tory hacks any more.

The bill arises out of the report that was provided by the committee. It is a report as

a result of the green paper on rent control and, therefore, it seems to me there should be some allowance or some recognition, some discussion on where it stems from. The bill is part of the recommendations that rent controls be extended at this time, so until such time—

Mr. Speaker: But not contained in the bill.

Mr. Makarchuk: No, not contained, but implied, Mr. Speaker.

Mr. McClellan: There were Tory hacks on the committee too.

Hon. Mr. Grossman: Don't provoke me this morning. Let's get it over with.

Mr. Deans: The thought that you might be provoked strikes terror into our hearts.

Mr. Makarchuk: When the minister is dealing with the new legislation, and I presume he will be drafting the new legislation some time this fall, I hope the minister takes into account some of the problems that were raised at the hearings regarding the operation of rent review and the suggestion that rent controls, rent review, tenant protection and everything else be combined under one tribunal, which I think is an excellent suggestion.

I hope the minister, when he brings in this legislation, takes these matters into account. I hope he also takes into account the suggestions that the matter of arrears in rent, collection of rent, et cetera, is also to be handled by the tribunal so that the people, the landlords, particularly the small ones, do not have to go—

Mr. Speaker: The member insists on referring to something that is not in the bill so, therefore, is not a principle and not debatable.

Mr. Makarchuk: Mr. Speaker, you are quite right.

Mr. Nixon: Why don't you sit down?

Mr. Makarchuk: However, I hope the minister takes those matters into consideration.

Mr. Nixon: "However" is not in the bill either.

Mr. Makarchuk: I wish to conclude that the government has to recognize the fact that the problem is not the lack of housing, the problem is the affordability of housing and until such time as we get down to the sort of nitty-gritty—

Mr. Speaker: Order. The availability of housing is not in the bill. The member knows that. I am going to have to ask him to take his seat unless he refers to the principle

of the bill, and that is the extension of the provisions of the act for a further two months.

Mr. Makarchuk: Mr. Speaker, thank you very much.

Hon. Mr. Grossman: However.

Mr. Makarchuk: However, Mr. Speaker, the bill does apply to rent control and the rent control legislation is related directly to housing, to the lack of housing, housing costs—

Mr. Nixon: Housing is related to the provincial budget, the provincial budget is related to the constitution—

Hon. Mr. Grossman: Hit the gong, Mr. Speaker.

Mr. Makarchuk: What I am trying to point out to the minister is that if we are going to deal with this problem adequately in the future—

Mr. Nixon: We have got that now, that is the reason the bill is here.

Mr. Makarchuk: —we will have to start looking very seriously at construction costs, we will have to start looking at things like land banking and so on, and we will be able to—

Mr. Speaker: Order, order. The honourable member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I just briefly want to comment upon the situation which allows an extension of the present legislation for two months. In the report given to the House, there was, of course, a most important comment—

Mr. Deans: Which is not before the Legislature.

Mr. Breithaupt: —which called for ensuring that there would be no interruption in tenant operations. I recall only the first resolution, which was that a revised rent review program replace without interruption the current Residential Premises Rent Review Act. It was, of course, most important to those of us in committee to ensure that there would be no difficulty in the giving of notice or in the dealings between either landlords or tenants with each other so that there would be no problem ensuring that the will of the Legislature was not subverted by any uncertainty within the market for rental accommodation.

[10:15]

The minister has said he will clearly bring forward the view he will show in his legislation by early September, and that we will have ample time to debate the legislation, which means it will be before us, immediately upon our return, in mid-October. I

would think that between mid-October and the end of November, there will be sufficient time to debate the bill. And the legislation will be in place well before the three-month notice period which would end on February 28.

I believe this is a practical way of dealing with the problem and I commend the minister for setting out a timetable that assures us that difficulties which could otherwise occur will be avoided.

Hon. Mr. Grossman: I wish to reply at length to the comments made by the member for Brantford.

Mr. Kennedy: They are not in the bill.

Hon. Mr. Grossman: However, I will do it when it's in order.

Mr. T. P. Reid: Tell us about beer in the ball park instead.

Hon. Mr. Grossman: You'll have to stick to the press for that.

Mr. Kerrio: There is a connection.

Hon. Mr. Grossman: I want to confirm what the member for Kitchener has said. I think it's important that the House be in a position to deal with this matter early next fall so the bill can be passed in November in order to meet the 90-day notice period for the February 28 deadline.

The date admittedly was picked partly because we feel it is within our capability, at least in the government, to produce a comprehensive piece of legislation by September, and in order that we may indicate to the public what that piece of legislation will be. We hope and expect that all members of the assembly will work as hard as necessary in the early weeks of the new session, next fall, in order that, in fairness to all landlords and tenants, we may have as early passage of that new legislation as possible, but doing so with every bit of deliberation and public input that will be necessary at that time. It is a difficult piece of legislation.

Mr. Nixon: In whose judgement?

Hon. Mr. Grossman: One of the motivating factors behind today's small amending bill is, the bill which will succeed the current legislation will have many of the same elements as the existing legislation. Therefore, it becomes fairer to simply extend the current program than to ask landlords and tenants to guess what is going to happen.

We did not and still do not anticipate an enormous problem developing if nothing were done, but the two schemes coincide so much—

Mr. Nixon: That guessing business was plan one, was it?

Hon. Mr. Grossman:—it would be appropriate to provide some consistency and reliability to the future for everyone involved. Hence, this piece of legislation. We do look forward to some hard work in the early days of the session next fall in order to make the February 28 date practical, reasonable and effective.

Motion agreed to.

Third reading also agreed to on motion.

House in committee of the whole.

CROWN TIMBER AMENDMENT ACT

Consideration of Bill 35, An Act to amend the Crown Timber Act.

Section 1 agreed to.

On section 2:

Hon. F. S. Miller: I have a motion on section 2 of the bill. It was circulated to the critics.

Mr. Nixon: It must have taken a lot of printing.

Hon. F. S. Miller: Yes.

Mr. Chairman: Hon. F. S. Miller moves that sections 2 to 5 of the bill be renumbered as sections 3 to 6 and that the bill be amended by adding thereto the following section:

2. Subsection 4 of section 25 of the said act is repealed and the following substituted therefor:

(4) The minister may enter into an agreement with a licensee for the promotion and maintenance of the productivity of the licensed area by establishing, regenerating and tending forests and employing silvicultural cutting systems to regenerate forests.

Mr. T. P. Reid: We discussed this matter during second reading of the bill in regard to the principle the minister is establishing hereby. We indicated at that time we were in favour and we applaud the minister's initiative in this regard.

There is one matter that does disturb me, however. I'm making an amendment to a further section, but I would also like to make an amendment to section 4 that would require the minister to table any agreements with the licensees in regard to the agreement he has for regeneration, and that these should be tabled in the Legislature during the session within 15 days of the agreement being signed or within 15 days of the new session.

I think it's important that the Legislature and the public of Ontario have access to these agreements because it's very important, as

we've said for years, that forest regeneration increase and improve in Ontario. Without such an amendment and without a commitment from the minister that these agreements will be made public, it would be extremely difficult for us to know exactly what the extent of reforestation and regeneration in the province is.

We would also like to know what the format is for agreements between the minister and the various companies and whether or not the ministry itself will also continue to provide some of the regeneration in some of the licensed areas. The bottom line of all this is we want to be assured there is a higher level of regeneration going on; that the agreement between the province and the company is fair and equitable to both sides and, particularly, that we will be assured of a continuing allowable cut in the province to keep employment in the mills growing.

I think it's very important that this be done. I would like to hear from the minister whether he intends to pursue this in this way.

Hon. F. S. Miller: The willingness to produce any of the material on our part is there. My problem in giving you a carte blanche agreement that all agreements between all companies and government will be produced in public may be that some of those are of use to competitors in certain circumstances. There's always a degree of confidentiality in some kinds of agreements with private organizations. That would bother me.

We don't see any real problem with the regeneration agreements being made public. I don't foresee us not being able to make them public. I just have to put in one rider: there may be times when types of agreements we enter into may have confidential or classified information, specific to an industry, of use to its competitor. I think we have to be very cautious to maintain that trust in government that a company needs to have vis-à-vis its competitors. That is the only reason. I am satisfied anything else should be public information.

Mr. T. P. Reid: I appreciate what the minister has said, but my concern really is that everybody be given a fair shake in these matters. Quite frankly, I am a little loath to allow the minister or his predecessors—I have no problem with the present minister's honesty and integrity, but there have been some in the past and may be some in the future whose integrity and honesty we might not be quite as fully prepared to accept as the present minister's.

Hon. F. S. Miller: You might be there.

Mr. T. P. Reid: That certainly strengthens my argument, I might say.

Mr. Foulds: We certainly would have severe reservations about that.

Mr. T. P. Reid: That makes the argument right there. It seems to me that we have to guarantee to everyone who is involved in the forest industry—and basically we are talking about the 10, 11 or 12 largest companies which are going to enter into these agreements; basically those are the people we are talking about—it seems to me that while there may be odd circumstances in which special arrangements can and perhaps should be made for regeneration agreements, that in fact the agreements with each company as to the cost that is going to be paid back to the company, or the subsidy that the ministry is going to pay, or whatever range of negotiations takes place, those should as closely as possible be equal and the same for each and every company.

I would say to the minister that we are going on faith greatly already, and we indicated, both ourselves and the third party, in the principle of section 2 that we were willing to give the minister the authority to do that, but I think we would like some assurance—you haven't given us any idea of how you are going to do it—that this information, at least, is going to be available so that we can review it and discuss it in a rational manner.

Hon. F. S. Miller: Mr. Chairman, I am willing to table regeneration agreements.

Mr. T. P. Reid: Thank you.

Mr. Foulds: Mr. Chairman, first of all, I would simply like to congratulate the minister for that particular willingness because I think that is an important step forward in making things public in Ontario, and I would support the thrust of the remarks made by my colleague and friend, the member for Rainy River. He will deny that, and actually I went too far; it is just this early morning sitting.

Mr. T. P. Reid: It was a slip of the tongue.

Mr. Foulds: I think it would also be useful, not only if the agreements were tabled, but also if we had reported formally, either to the Legislature or to the committee hearing the estimates of the ministry, on an annual basis, the progress that we are making with regard to this new thrust in regeneration. After all, it will be with one or two or three companies initially, and we would like, in Ontario and in this Legislature, to monitor the progress, whether it has been successful or unsuccessful, the comparison between the

success in this method and in those limits where the ministry retains responsibility. I wonder if the minister would be willing to make that formal commitment, not only on his behalf as the present minister, but also on behalf of the ministry as a matter of policy.

Hon. F. S. Miller: I am delighted to have our progress on regeneration subject to the scrutiny of this House, or of the process in the estimates. This year, as you know, we had the regeneration conference.

Mr. T. P. Reid: You haven't been too fussy about it during the estimates.

Hon. F. S. Miller: I can't guarantee that we will always have an annual regeneration conference. I can guarantee that there will be one next year. That is also a convenient forum, if it continues, for the members of the opposition to assess in a less controversial and perhaps more technical atmosphere, the progress that is really being made. I, for one, would like to make sure that both parties—
[10:30]

Mr. Nixon: You won't even take us up to the north to look at it.

Hon. F. S. Miller: Yes, that's exactly what I'm saying.

Mr. Nixon: Promises, promises.

Hon. F. S. Miller: I would like to make sure now that both parties understand they are welcome at that conference next year as participants and observers. I don't care how many members come from the respective caucuses. If, in fact, there are a number interested, I hope they come.

Mr. Nixon: What about the Brampton commitment?

Hon. F. S. Miller: In all honesty, the member will find I am not doing too badly on that.

Mr. Nixon: I hope not. It certainly—

Hon. F. S. Miller: It must be nice for the member to be able to lift his head from reading the Globe and Mail and sound so full of intelligence.

Mr. Samis: It's hard to take, eh, Mickey?

Mr. Hennessy: That's right.

Mr. Nixon: A big sigh.

Mr. Hennessy: Stand up.

Mr. Chairman Order. Is there anything further on this amendment?

Mr. Nixon: I was not reading.

Mr. T. P. Reid: Just in the spirit of the minister's remarks, has he not had a somewhat informal agreement with a timber company in northwestern Ontario along the lines he has outlined in the bill? Could he give

us some indication of how he has done with that?

Hon. F. S. Miller: The kind of agreement we foresee resulting from this amended clause would be more comprehensive than anything we have done in the past. I believe the kind of "regeneration agreements" the ministry has been allowed to enter into, in the past, have generally been very restricted and narrow in scope. My staff are assuring me I'm correct in that.

Mr. T. P. Reid: No, they're not; they're talking to each other.

Hon. F. S. Miller: We are looking forward to a much broader assumption of responsibility, in effect, of those responsibilities currently held by the crown and by the crown only. As you know, we needed this to permit us to sign agreements in the interval between now and the next sitting of this House. Otherwise there would be no statutory authority for us to conclude the negotiations currently under way. I hope they result in signed agreements. They are the first of a kind and we may yet find real difficulties; but progress is good.

Mr. T. P. Reid: I have one further question, if I may, Mr. Chairman. I'm presuming the minister is considering that the province will subsidize, or pay, so much per acre to the companies for these regeneration agreements. The minister is nodding his head that this is correct.

I also presume the companies will be after the minister to provide a longer land tenure commitment so they can plan their capital budget and expansion based on that. I presume that will be part of the agreement. He nods yes to that as well.

Hon. F. S. Miller: I should qualify that. As I understand the agreements, they will be subject to the companies' adequately regenerating the areas for which they are responsible and their licence renewals would be dependent upon an audit performed by us.

Mr. Foulds: The second last remark of the minister prompts this question. He indicated that previous agreements had been rather limited. As I read the previous clause, and as I read the present clause, the real difference in technical terms that I notice is that the terms "regeneration," "tending" and "silviculture" are used. Did your legal branch indicate to you or to previous ministers that under the present phrasing, "the promotion and maintenance of the productivity of the licenced area," these specific references could not be carried out? What really puzzles me,

in legal terms, is why the vague phrasing which would seem to give the authority in the previous clause was not sufficient and why you had to introduce this clause, which is, as we mentioned earlier, a new bill?

Hon. F. S. Miller: I may have a note here in a second helping me with the technical phraseology. It says here that the old agreements would not allow modified cutting. The amendment will—if I can read the handwriting—potentially allow us to have 50,000 acres of spruce covered by it.

Mr. Foulds: I'm sorry, what was that?

Mr. T. P. Reid: Whatever that means.

Hon. F. S. Miller: Okay. I know when we discussed this in my office at the time it was required, the people working on the new agreements had been in consultation with our legal staff to see whether the authority was in section 25 of the old act and they felt it was not, that some of the agreements to pay the money referred to by the member for Rainy River would not necessarily pass the scrutiny of the provincial auditor without a clarification of this section.

Mr. Foulds: Does this imply that the mechanism that you are going to be using is a direct payment back to companies with which you have agreements rather than a lessening of the dues that are established under further clauses in the bill, or is it that you could not reduce the costs, the area charges or the stumpage dues in further clauses without this section?

Hon. F. S. Miller: If you recall in the estimates debates, at least one member, or maybe more, referred to the fact that the costs of regeneration and protection in the forests often exceeded the total revenues the Crown received. Therefore, it was obvious that offset would not necessarily cover the costs incurred by companies. They will have other benefits besides the reduction of Crown dues, but reduction may not cover the total costs of the program we currently are doing. Therefore, there will be need for direct payment in a number of areas and, therefore there will be a need for authority to pay that money.

Mr. Foulds: That, of course, raises this very interesting philosophical problem between us and that is, are you saying—and I want to have this clear—that we, in fact, will be paying out of the general revenues of the province funds exceeding the revenues that we gain from individual companies, or is that a very real possibility?

Hon. F. S. Miller: Mr. Chairman, the timber revenue dues and the area charges that are

collected as a result of this particular statute and the regulations under it are only a small part of the total revenues gained by governments from the forest products industry. They are an easily identifiable part, but I think one has to remember that there is a \$300 million payroll in this industry, 28,000 direct jobs, plus corporate taxes, all of which flow from essentially the health of the forest.

These charges have always been exceeded. In other words, we are not intending to do something that is not currently happening. The government does spend more money directly on forests than area charges and Crown dues produce. They are, I am told, six to eight per cent of the costs of wood currently in the industry. They are deemed to be a fair raw material charge for the value of wood; that wood is processed and we also participate in the profits of processing.

Mr. Foulds: I don't want to belabour the point, and I certainly want the amendment to pass, but as I recall, however, the area charges and the revenue that we gained from the stumpage dues and so on did not pretty well match the silvicultural costs within the ministry. You are now talking about the total management costs, am I correct in that?

Hon. F. S. Miller: Yes.

Mr. Foulds: Thank you very much.

Motion agreed to.

Section 2, as amended, agreed to.

Section 3, as renumbered, agreed to.

On section 4, as renumbered:

Mr. T. P. Reid: I just have a couple of points I want to make. On section 49 of the act, under section 4, it just seems to me that there might be something somewhat unfair in these two clauses, in that people, who have been operating on the basis of what their costs were, projected and budgeted on the basis of that response. These two sections now allow the minister to change those crown dues and area charges, as of April 1 even on timber that has already been cut under previous legislation and agreement. That seems to be somewhat unfair to some of the people involved in the forest industry. Can the minister comment on that?

Hon. F. S. Miller: We gave a great deal of notice to the industry about this proposed change. In fact, the change is lower than they anticipated. They expected a 70 per cent increase in charges, and we have reduced it to 50 per cent.

Mr. T. P. Reid: So they're happy as heck.

Hon. F. S. Miller: I think they're satisfied—let's put it that way—that the charges they are currently paying, under these new regu-

lations \$41.20 per square mile retroactive to the first of April of this year, are fair.

We had a chance to discuss it through the Ontario Forest Industries Association meetings with my ministry. Of course, it is natural for industry to resent any increase in charges but when they look back across the time since the last charge was made—I don't know, 10 years or thereabouts—they realize that in fact it is not an annual increment that is excessive. Our purpose in increasing the area charge is simply to give some penalty to companies who hold excessive crown timber areas without using them.

Mr. Foulds: The minister has rightly pointed out that the increase, a 50 per cent increase over the last 10 years which really amounts to five per cent per year, is not horrendous. He also made a commitment that over the next four years they were going to be increased by approximately 10 per cent per year.

Could he tell us what reaction he has had from the companies involved since his statement; whether his commitment is the same on that, does it seem to make sense, and what variations may occur in that over the next four years?

Hon. F. S. Miller: We have discussed with the industry that there should be an annual increment of about 10 per cent. Again, naturally their response would be that no increase could be afforded. But, having said that, I think they have accepted it and we intend to apply it.

Mr. T. P. Reid: I would like to make a comment on that. It seems to me that the minister is getting educated in his ministry and has gone some way to improving the economics of the resource industries.

The minister has introduced a bill and indicated in many of his speeches that he understands the cyclical nature, particularly of the mining industry but maybe the area dues is not the appropriate place to also apply the philosophy of cyclical nature. We are in somewhat of a strained situation in regard to our forest industries and while I am not making any brief for the forest industries per se, it seems that the minister might want to apply his philosophy of cyclical nature to the forest industry as well. It doesn't seem to me that you are doing that, particularly if you are going to increase the area dues 10 per cent willy-nilly regardless of the economic situation in the country.

Hon. F. S. Miller: I think we have to take into perspective the total revenue generated by area dues versus the total revenue

generated by the crown timber dues themselves.

If I am not wrong, out of \$32 million in round figures to be collected this year, some \$2 million will be from the area costs. Next year it will be \$3 million, so the charge for the area dues is not currently 10 per cent of the total amount the government is taking from the forest industry. The cyclical part is accounted for by the other 90 per cent. The very purpose of this bill is to index it to the selling price to allow it to fluctuate as the prices go up and down.

[10:45]

Mr. Foulds: I would just like to support the minister on this particular point, because the area charge does not seem to me to be the appropriate area to apply a cyclical tax, if that is what it is. I think the minister made the point earlier that it would, in fact, encourage those companies that are holding excessive area limits to give those up if they found the cost burdensome, and that they would then be free for the use of other perhaps smaller and independent entrepreneurs who might want to take advantage of a smaller section of limits that are not now accessible or worthwhile to them. This seems to me to be an area where the—I hate to use the term—flat rate charge is an appropriate charge.

Mr. T. P. Reid: I agree with that.

Section 4, as renumbered, agreed to.

On section 5, as renumbered:

Mr. T. P. Reid: Mr. Chairman, we were just getting into this. When we look at clause (d) we are talking about the cyclical nature of the forest industry. We can certainly agree with this, although again the whole matter seems somewhat vague, and I would have preferred to see a little more background information on just how you were going to implement this indexing situation. I do have a particular concern about section (d) in regard to the Crown dues. It seems to me that this information should be made public at some point in the operation of the Ministry of Natural Resources and of this Legislature.

I wonder if the minister could indicate if he has given any consideration to making these agreements public; and secondly, if he can maybe put on the record exactly how he foresees this indexing working, and really what index it is going to be tied to.

Mr. F. S. Miller: Yes, I can explain that, and explain also that all this information, in so far as I can tell, is public. There should

be no hidden information of the type that relates to Crown dues.

First, you are giving me the authority in this act to create regulations which, in effect, will set the Crown dues every quarter, based upon the price indices of certain of the wood products and pulp and paper products in Ontario and Canada, as produced by StatsCan or by the information sources we use. I think we use a six-month running average, so that every time we would change the crown dues it wouldn't be just for the three-month period preceding the change, but for the six-month period preceding the change. So if there were sudden changes in any one month they would be dampened by the six-month average.

Therefore, the regulation would set a base for the crown dues at a certain point in time—I think it was April 1, 1978—and we would have an historic average for the last three years that would form that base. In other words, we would dampen it by averaging for three years to that point, and we would say that is the base to which the current crown dues, as set in the regulations, start. We are not really trying to generate more cash by doing so, we are simply trying to get a base to start from.

I am told they will probably go up four or five per cent in that range because of the fact that over the three years prices have been going up in certain of the products, as you know, with the exception of pulp, which is down considerably over that period of time.

Having established a base through taking a three-year average of the various commodity prices, we would then have an index worked out which would move up and down every three months as the prices changed relative to that base, using a six-month average.

Mr. Foulds: I have an amendment to this section.

Mr. Chairman: Mr. Foulds moves that section 4 of the bill, renumbered as section 5, be amended by adding thereto the following subsection:

“The said section 51 be amended by adding thereto the following subsections:

“(2) On and after the first day of July 1979, where regulation is made under clause (c) or (d) of subsection 1, the minister shall within 15 days after the regulation is filed with the registrar of regulations lay a copy of the regulation before the assembly if it is in session or, if it is not, within 15 days after the commencement of the next ensuing session; and the assembly shall by resolution approve or amend the regulation.

"(3) An approval of a regulation by a resolution under subsection 2 is effective from the day that the regulation came into force.

"(4) An amendment to a regulation by a resolution under subsection 2 is effective from the day that the regulation came into force or from such other day thereafter that the assembly may specify in the resolution.

"(5) Where regulation is amended by a resolution under subsection 2, the Lieutenant Governor in Council shall give effect to the resolution by making an amending regulation in accordance with the resolution, and such amending regulation need not be laid before the assembly."

Mr. Foulds: I think this is an important and fundamental amendment. I met with the minister casually in the hallway the other day and he indicated to me the amendment was not acceptable to him. I am not sure yet how the Liberal Party responds to the amendment. I offer the amendment in the hope that the minister will see the wisdom of it and accept it. If he does not, I hope the members of the Liberal Party will accept it.

I have compromised considerably since I first suggested an amendment to this section on second reading. At that time, I offered an amendment that would require the entire formula and the entire indexing to be brought to the Legislature in legislation.

Since then I have been persuaded that although it is desirable to have all taxation brought to the Legislature before passage, in this particular case certain technical difficulties made that unworkable and impossible. Nevertheless, I do feel very strongly indeed that one of the major roles of the Legislature is to approve or disapprove taxation.

One of the things that disturbs me greatly—it arose out of the concern I and many members of my party had over the OHIP debacle earlier this spring—

Mr. Laughren: Good word for it.

Mr. Foulds: —is that increasingly revenues are coming to the general consolidated revenue fund of the province by way of regulation. It would appear to me that over the last 30 years—or over the 30 years of Conservative majority government—the government has wrested from the Legislature this prime responsibility of scrutinizing taxes before they are implemented.

For example, on the question I placed on the order paper, question 30, the Treasurer (Mr. McKeough) answered that the amount of regulated revenue into the consolidated revenue fund rose from 9.7 per cent in 1974-75 to 11.6 per cent of our income in 1977-78.

It rose in hard figures from \$884,496,000 in 1974-75 to \$1,410,985,000 in 1977-78.

I would think in principle we should have as much of that revenue as possible coming from open sources of taxation. I find the percentage figures more worrying than the absolute figures. When the total in the budget is increasing this much, we are getting into a situation where a sizeable proportion of our revenue is coming from regulation. That gets hidden in terms of the scrutiny that the Legislature has.

In terms of the Ministry of Natural Resources, for example, the revenue yield by regulation, through the management and forest protection royalties—what are now going to be known as area charges—actually declined between 1974 and 1977-78, from \$1.9 million to roughly \$1.4 million in actual revenue that was received in the consolidated revenue fund, according to the figures the Treasurer supplied to me.

On the other hand, the stumpage charged royalties rose in 1974-75 from \$19.8 million to roughly \$32.22 million. The decline in the area charge—and it is my understanding that the areas that have been licensed haven't been declining dramatically or at least that dramatically; if they have, I would like to know why—should be open and above board; we should see that.

I want to outline for the House and the Liberal Party and the government, the compromises that we, in this party, have made on this particular issue because we could have introduced an amendment that would have required the minister to bring the regulations before the House for implementation.

I was persuaded by very persuasive arguments put to me that that might in fact leave a gap and make it such that the regulations could not be in place, and we might have a loss of revenue from some of the companies involved. Of course, we certainly wouldn't want that. What I have done is introduce what I think is quite a workable formula.

Mr. Chairman: There are a number of private conversations that make it difficult to hear the speaker.

Mr. Nixon: It is that NDP House leader not paying attention to their new policy.

Mr. Foulds: I recognize the difficulty that is implied here. The minister and all sides of the House, it would seem, want to increase revenues. The minister, and we agree, wants to vary that dependent upon the indices based on the selling price, to reflect market conditions. That requires, as I understand from what the minister said earlier in

the House, that basically the regulation will be a formula and any change in the regulation will be a change in that formula. The formula itself, is not somehow automatically adjustable should you want to increase one portion of it. That indicates that it may be necessary in administrative terms, not merely for convenience, but for enforcement—that's what persuaded me—to have the regulation in place and to have it deemed to be in place.

[11:00]

That's why I have said that the regulation should be brought to the House within 15 days after it is filed with the registrar of regulations. But it is absolutely essential that we reserve the right of the Legislature to vary or amend that regulation because it would require the minister to justify the change to us.

Presumably the present minister being the bright, articulate, charming fellow that he is—the man with the dazzling smile and the fancy footwork, who is slightly to the right of Genghis Khan—would like to persuade us to allow him—

Hon. F. S. Miller: I never realized you were so perceptive.

Mr. Foulds: Accept my amendment and I will sit down, or be persuaded by my oratory.

Hon. B. Stephenson: No one else is, so go ahead.

Mr. Foulds: It would force the minister and the ministry to justify the change in the regulation and give actual power back to the Legislature. This is what is important to me, the power to amend that formula, that regulation that assesses a tax if it was unjustified. The minister may very well feel I am picking on him or his ministry because the Treasurer gave me the whole list of ministries that garner fees by regulation and his is by no means the largest. The Ministry of Health, for example, which just so happens coincidentally to be this minister's former ministry, garnered by regulation approximately 10½ times the revenue his present ministry does. It also spends, what is it?—

Hon. F. S. Miller: Sixteen times.

Mr. Foulds:—sixteen times as much. The Ministry of Transportation and Communications also garners enormous amounts by regulation. But we as legislators can deal only with the bills that are immediately in front of us. The bill immediately in front of us is a bill from the Minister of Natural Resources and this is, in fact, a good place to start in regaining the power of taxation authority to the Legislature.

There was a phrase that was popular during the OHIP debate, "No taxation without legislation." Even though it is taxation on large corporate entities, which aren't particular friends of the New Democratic Party, they do deserve the fairness of scrutiny of the taxation levied against them by the Legislature rather than merely through the ministry.

I propose that the date I have included in the amendment, July 1 next year, will give the ministry plenty of time to work out its formula. The implementation, I gather, will in some cases go back to April 1 of this year. That will give the ministry 15 months to find out whether or not this plan is workable and if any significant changes in the regulation need to be brought forward.

I want to point out to the House, and to all members, that my amendment is not without precedent even in this authoritarian House. There is an amendment in the Niagara Escarpment and Planning Development Act that any orders or amendments to that act made under subsection 1 of that act, should be brought to the assembly on the day the order is made or within 15 days. There is a pattern. This is not unprecedented in Ontario history. It is, it would appear, unprecedented in terms of this particular kind of matter, a taxation matter, but is very definitely patterned on a piece of legislation. An amendment that has already been passed

I would also like to point out that the method of scrutinizing regulations and the power to amend or vary is fairly common. I understand in the federal House and if that House, authoritarian as it is, particularly under the present Prime Minister—has the authority to do it, I see no reason why the Ontario Legislature should not have that authority.

The minister may very well object, as I'm sure will some of his officials, that it is not convenient. I submit that convenience is not the prime consideration here. The prime consideration is responsible government. When we talk about responsible government, what do we talk about? We talk about a government that is responsible to a Legislature and a Legislature that is responsible to its electorate. It is time that we, as a responsible Legislature, began wresting back from a government which is authoritarian, even in a minority government situation, the authority that the Legislature has.

What we are saying basically is that there should be no more secret deals. The taxation policies and the changes in those taxation policies, which are often arbitrarily implemented through regulation, should no longer apply in a democratic society.

Hon. F. S. Miller: I take the amendment as a serious one.

Mr. Foulds: Yes, it is.

Hon. F. S. Miller: The problem with the rhetorical capabilities of some of the members of the NDP is that, given enough time, they can make almost anything sound convincing.

Mr. McClellan: Go with the flow.

Hon. F. S. Miller: I accept that the honourable member said those things with true sincerity—

Mr. Foulds: You better believe it.

Hon. F. S. Miller:—but I think we have to look at the implications of the suggestion. When you said you wanted responsible government—

Mr. Laughren: It would be nice.

Hon. F. S. Miller:—I assumed you meant majority government.

Mr. Foulds: No.

Mr. Foulds: Robert Baldwin's definition of responsible government.

Mr. Deputy Chairman: Order.

Hon. F. S. Miller: I think one would have to look at the problems of the government and look at the basis for this revenue. You have chosen to call it a tax. I would not choose to call it a tax. We do tax the industries. In my opinion, a tax, from the provincial point of view, is something that is related to revenue.

Mr. T. P. Reid: It is called economic rent in economics.

Hon. F. S. Miller: In this case we are making a raw material charge for a product or material existing on crown land. The charge is the same for all users of it; the only variation would be in those particular contracts where there is a bonus bid. We do have some cases where a crown due is subject to a bonus—usually on the more profitable areas—and bidding is public and, I believe, the results are available. If I'm not wrong, they make up less than 10 per cent of our total revenue at this time.

I would argue that the regulation we are putting in place today is not a tax but a charge for crown timber on crown land, which is quite different from a tax on the profitability of a company taking that crown timber off crown land. That results from many things including the managerial expertise of the company. With that, I would have to say I honestly can't accept the member's amendment. I hope my colleagues in the Liberal Party will be persuaded that we are right.

Mr. McClellan: Well, everybody knows you're right.

Mr. T. P. Reid: With regard to the minister's comments, I would say that my friend and colleague from Port Arthur (Mr. Foulds) referred to me as a "friend" when he was asking for my support and the minister just referred to me as a "colleague," so I have a little problem with this.

Mr. Conway: The troubles of the Liberal-Labour Party.

Mr. Nixon: It's public seduction.

Mr. Laughren: The member for Rainy River should stop calling himself Liberal-Labour.

Mr. T. P. Reid: Mr. Chairman, we have given serious consideration to the amendment. I had intended to move a somewhat similar amendment myself. However, I have to make three points in saying why we will not support the amendment.

First of all I am not going to get into the philosophical argument of what is a tax and what isn't. I think my friend, Mr. Laughren, would agree that I think what we are talking about is something called economic rent in economics. I don't know if they still use that term, probably they don't. It has been a long time.

Mr. Laughren: Are you still reading Eric Kierans?

Mr. T. P. Reid: In any case, the points are these: First of all, I think it is a sheer impossibility for the minister to enter into agreements with the companies, then come back to the Legislature at some future time for ratification. Business just does not, and certainly cannot, operate under those circumstances. The whole thing would grind to a halt.

Mr. Foulds: Nonsense.

Mr. T. P. Reid: My friends in the New Democratic Party do not seem to understand that uncertainty is one of the banes of investment, and certainly the uncertainty of what would happen in this Legislature, especially in minority governments, is enough to send chills up and down anybody's spine, let alone allow them to enter into any agreements that would have to wait for ratification by this Legislature. That is number one.

Mr. Foulds: No. Not so.

Mr. T. P. Reid: Two, because of the system that the minister is putting into effect with the moving average, it becomes so complicated that it is certainly not something that can be a matter of discussion in this Legislature because it is set by the moving average.

Mr. Martel: You will end up not making a cent. It will be like the mining; we will owe them money.

Mr. T. P. Reid: I would presume that these matters as to what that moving average is, obviously, will be made public, so that we are going to know, in effect, what is going on.

Mr. Foulds: There's no guarantee.

Mr. T. P. Reid: The third point is that the minister indicated in his earlier remarks that, in fact, the agreements will be made public, or that we will, in fact, know what the revenues are that are being derived from this new system.

So my concern is that we do know, and therefore have an opportunity to question both in the House and the Legislature; if I don't misread the minister, that information will be available so that it can be discussed here. I can't, in any kind of rational way, agree with the amendment because it just does not make any kind of sense to have those agreements ratified by the Legislature. It is not done in any other case of a similar nature in regard to funds or revenues that are raised by the ministry. And I say that I am satisfied that this information will be made available, and public, and that satisfies my requirement, and I see no reason for the amendment.

Mr. Foulds: It is with a considerable amount of regret that I learned that the Liberal Party will not be supporting our amendment. It is, frankly, of considerable regret to me that the minister and his officials haven't seen fit to accept the amendment. I say that just as strongly and as forcefully as I can, although quietly this morning, because it seems to me what we are doing here is putting convenience ahead of democracy.

I want to point out very clearly that the amendment that I have submitted does not contribute great uncertainty in terms of the corporation involved; they know full well what the formula is. From the day that the regulation comes into effect, any amendment cannot precede the effective day of any change to new regulation.

There can be a variation from a future date if the assembly should decide that it comes into effect after the original regulation.

What I would submit is that that would take some extra computer time. But I think the record should show that the Liberal Party and the government, when it came to this matter, decided that openness in terms of charges—whether you want to argue about whether they are taxes or economic rent or fees—would not be subject to the scrutiny

of the Legislature, and action by the Legislature. This is the important point.

[11:15]

The member for Rainy River indicated: "as long as the minister tables the agreement." In a majority government situation—whether that majority is a NDP government majority, a Liberal government majority or a Conservative government majority—it is my firm conviction that should be subject to the will of the Legislature; that should be subject to scrutiny by the Legislature.

I gave this amendment a very good deal of thought. It may seem immodest of me, but I came to the conclusion that when the New Democratic Party forms a government in this province I or any other person in this party could live with this amendment in administrative terms, in governmental terms, and in legislative terms.

What the member for Rainy River is proposing is, frankly, what the Liberal Party always proposes—that is, a toothless tiger. They want to be able to stand up and ask questions but they don't want to take any responsibility for action when they're in opposition.

What we are proposing is giving some responsibility to the Legislature, not just the sometimes rather fruitless kicking and screaming that we do through questioning; not just outrage and talking to the press and the television cameras afterwards, but action, which means we would have the power—particularly in a minority government situation but also possibly in other situations because the authority was vested in the Legislature—to change what were unjust and unfair levies by any minister or ministry that may come in the future. That is the essential principle of this amendment.

Mr. T. P. Reid: Before you put the motion, it is my understanding of the rules that if you put the motion the entire section carries. Is that correct?

Mr. Deputy Chairman: No. This is adding to the section. If someone wishes to debate the rest and this section does not carry, I would put that section to carry.

Those in favour will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

Amendment stacked.

Mr. T. P. Reid: On section (e) of the renumbered clause, which gives the minister authority to fix the times at which crown charges are payable and the rate and kind of interest to be charged on overdue accounts and prescribing the method of calculating or compounding any such interest, I have a

slight problem and question in relation to that section.

In the auditor's report of March 1977, on page 31, there were timber licence fees held in trust of something, and the auditor states that in order to protect crown charges in excess of \$682,000 owing by a lumber company for stumpage fees, forest products in the forms of logs and lumber were seized by the province. A chartered bank also made a claim against the forest products. The question of ownership has been left to the courts to decide in an action that is still pending.

I wonder if we could amend this section to ensure that the province has first call in these matters to collect crown dues, timber dues, or crown charges. The province should be the first to be paid, over and above the chartered banks or whatever, other than perhaps a mechanic's lien action. Surely the province should have the first call for their crown charges. Would the minister care to comment?

Hon. F. S. Miller: I can't really answer that question. I may get some advice from my legal and ministry staff on that matter. I had the belief and understanding that the crown dues were the first charge. I don't know if that court case has been determined or whether in fact our assumption has been proved to be correct or incorrect. Perhaps somebody would be able to tell me. Here's a note coming in a second. Does anybody in my staff know that? If so, just send me one.

Mr. Van Horne: They are flipping coins.

Mr. Martel: They are waiting for Grossman to serve a beer, the pause that refreshes.

Hon. F. S. Miller: Cold.

Mr. Conway: Have you given any speeches in Brockville lately, Frank?

Hon. F. S. Miller: No, but I have given some speeches in Pembroke. I find it a very fine community to visit; very receptive to the truth.

Mr. Ruston: That's why they elected the member.

Mr. Roy: You just increased his majority.

Mr. Conway: Just remember, I am in the lumber business, Frank.

Mr. Deputy Chairman: Order.

Mr. Martel: You will get no donations, Frank.

Hon. F. S. Miller: I have received legal advice that since the matter is currently sub

judice, it should not be discussed by me until the court makes a decision.

Mr. T. P. Reid: I appreciate that. My concern was, not being a lawyer, that perhaps we could amend the act so these matters won't in fact have to go to court.

Hon. F. S. Miller: I wish any amendment to any act would guarantee something wouldn't go to court. The honourable gentleman on your right hand side, whom I believe is a member of the bar, would assure you that they will find a reason to take it to court in any event, even the amendment.

Mr. Bolan: We need the money.

Hon. F. S. Miller: Obviously, and there is no group I would rather help.

Mr. Pope: There is nothing wrong with that.

Hon. B. Stephenson: At least he's honest.

Mr. Deputy Chairman: Shall section 5, as renumbered, carry, other than the stacked vote? Carried.

Hon. F. S. Miller moves that section 6 of the bill, as renumbered, be struck out, and the following substituted therefor:

6(1) This act, except section 1 and subsection 1 of section 5, comes into force on the day it receives royal assent.

(2) Section 1 and subsection 1 of section 5 shall be deemed to have come into force on the first day of April 1978.

Motion agreed to.

Section 6, as renumbered and amended, agreed to.

Mr. Foulds: When do you plan to give royal assent?

Hon. F. S. Miller: Tomorrow, I assume.

Section 7, as renumbered, agreed to.

Mr. Conway: How are they ever going to make a profit?

Mr. Foulds: On a point of order: When is this session concluding? Are we going to have a vote?

Hon. Mr. McKeough: I would assume we would not give this bill third reading until we have had the vote. Presumably third reading can be given tomorrow, whenever the votes are determined by the House leaders.

Hon. F. S. Miller: On a point of order: Mr. Chairman, I need some guidance; perhaps you can help me. Since I will not be in the House tomorrow, I will have to have somebody else do it. I assume that's in order.

Mr. Deputy Chairman: That's in order.

Mr. Foulds: Have you got a parliamentary assistant?

Hon. F. S. Miller: Yes.

Mr. Conway: Don't trust him with it.

Mr. T. P. Reid: Frank, you're losing control.

Mr. Conway: You keep doing that, Frank, and I'll be elected forever.

On motion by Hon. F. S. Miller, the committee of the whole House reported progress.

CITY OF HAZELDEAN-MARCH ACT

Hon. Mr. McKeough moved second reading of Bill 131, An Act to establish the City of Hazeldean-March.

Hon. Mr. McKeough: At this point, no doubt there may be some questions in the committee stage and perhaps during second reading. All I have to say, simply, is that this, having been a dropped issue last week—

Mr. Conway: You like to boast.

Hon. Mr. McKeough: —was activated by resolution of both councils. I would simply like to put on record the high degree of co-operation we have had from all three councils involved, members opposite, and members on this side of the House. I would also say in fairness to members opposite, members of my own staff, myself, my parliamentary assistant, and to the three councils involved, that there are a number of unanswered or unsolved questions as yet.

As I indicated in the statement on Tuesday, I have no doubt we will have some amendments to make to this bill in the fall. But this will allow the election to go ahead on the new basis and bring the new city into being at the appropriate time. If there are changes which need to be made, they can be made at the fall session.

Mr. Roy: I can see why the poor Treasurer, that minister who has been so emasculated the last while, is somewhat apprehensive when he gives a statement on this bill. Our approach has never been one to filibuster; we are a constructive opposition.

Mr. G. Taylor: You are not here often enough to know how to do it.

Mr. Laughren: Are you trying to tell us you have nothing to say?

Mr. Roy: We shall look at the legislation and do what we think is best for the legislation. But I have to say of this whole process that if ever there was evidence of government bungling, of a government which goes forward backwards two steps, of a government which really seems no longer able to govern, it is this whole sorry mess about the Mayo report in Ottawa-Carleton.

Mr. Makarchuk: Is this on the principle?

Mr. Roy: Here we go with the fellows to my left who would not know what the principle of the bill was even though they read it about 10 times. The origins of this bill—

Mr. Martel: Speak to the bill and let's get on with it.

Mr. Handleman: Let's discuss it.

Mr. Martel: The fount of intelligence, you are here for a day.

Mr. McClellan: Let's have some consistency here, Mr. Speaker.

Mr. Roy: —stem from the Mayo report which I have here dated October 1976. The Mayo report was created with some hoopla prior to 1966, and the purpose of it was to review the whole regional government, the local government aspect. The premise was there were problems in the Ottawa-Carleton area. They were to give it a complete review and come back with suggestions to the government as to how best we could have a working process in the Ottawa-Carleton area. Some \$250,000 was spent in the process and the work on the Mayo report was completed over a couple of years.

The Mayo report, although it is dated October 1976, was not presented to the people of Ottawa-Carleton until March 1977. It all came down with the fanfare this government has a reputation for. I recall the Treasurer coming down with the usual fanfare, to the Chateau Laurier, the ballroom, or one of the large rooms there—the duke or the king comes down and invites all the vassals to get the good word on the Mayo report.

[11:30]

Subsequent to the presentation, with all the hoopla on the Mayo report, all local municipalities were invited to make submissions in response to the recommendations of the Mayo report—and, I would hazard to think, at a great cost, if one considers the cost of each municipality drafting responses, utilizing individuals who are on the payroll of these various municipalities; many of the individuals, in fact, whom the Treasurer says are overpaid, in the statement he made just recently.

Anyway the responses were made by the various municipalities, and lo and behold the Treasurer comes back on May 8, 1978. Again an announcement is made with all the hoopla that goes with the regular travellings and the entourage of the Treasurer.

I have to tell you as an aside, this is really something. I don't know if this goes on in

every regional municipality. I suspect it does. But it is always somewhat annoying. The Treasurer comes in, everybody is invited, and they must come early because the place is full. I don't know where they get all these people but, anyway, they fill up the room. Then the Treasurer comes walking in, just like royalty.

Mr. Nixon: Like the papal blessing.

Mr. Roy: It is just like the opening of the stream. The Treasurer comes walking in, goes up to the mike, then he states in a white paper—that was on May 8, 1978—

Mr. Martel: Straying a bit.

Hon. B. Stephenson: This is the principle of the bill you are speaking about?

Mr. Roy: Bette, you wouldn't know if it was the principle or if I was talking about something in hell.

Mr. Nixon: Did you hear what Stephen Lewis said about you yesterday?

Hon. B. Stephenson: Yes. He said I was terrifying. Whenever he comes in I am going to bring my Dracula teeth.

Mr. Conway: Go and see if you can find Bill 70, Bette.

Hon. B. Stephenson: I found it. You guys lost it.

Mr. Roy: He comes in and talks about the introduction of the white paper. But while the Treasurer is reading the content of his white paper, none of us, and there are whole stacks of the white paper, can look at it until he is finished speaking.

Mr. Nixon: Turning pages bothers him.

Mr. Roy: Everybody in the room sees the officials, the entourage, walking around with handfuls of these documents, and asks, "Can I have a copy?"

Mr. Nixon: No, no.

Mr. Roy: And they say, "No, the Treasurer has not finished speaking."

Mr. Nixon: Keep your place.

Mr. Roy: Then he starts off with the opening statements on May 8, 1978.

Mr. Speaker: What principle of Bill 131 is the honourable member referring to?

An hon. member: It is about time.

Mr. Roy: Mr. Speaker, if I can explain to you, the bill is a result of submissions by the Mayo report, that I have before me, of October 1976.

Mr. Laughren: So was the rent control bill.

Mr. Roy: The Mayo report, Mr. Speaker, if I can refer it for your attention at page 102, talks about the western cities.

Mr. Speaker: I don't have that before me. The only thing I have before me is Bill 131. It doesn't mention any visit by the Treasurer, or any reference to the Mayo report.

Mr. G. Taylor: That is right, Mr. Speaker.

Mr. Roy: With respect, Mr. Speaker, surely if we accept your ruling then there is no sense in talking about how the legislation came into being. Surely, that is not the—

Mr. Speaker: That is not the intent of second reading of any bill.

Mr. Roy: I think it is, to show the—

Mr. Speaker: I don't think it is. I would ask you to confine your remarks to what is contained in the principle of Bill 131.

Mr. G. Taylor: Read the bill.

Mr. Roy: I will confine my remarks, Mr. Speaker, to the principle of the bill; and I think one of the principles of the bill is the minister's statement on this legislation back on May 8, 1978.

Mr. Pope: Nice try.

Mr. Roy: Mr. Speaker, the Treasurer states at that time:

"I know that many of you have been anxiously awaiting the government's response to review of local government in Ottawa-Carleton." That is how he starts his statement. Then he goes on to talk about this amendment that he is going to bring forward. He says: "We have already announced certain recommendations, in particular, reference to the enlargement of Vanier and the creation of the western city."

The western city is what we now have before us called Hazeldean-March. He stated: "It is important to single out the latter proposal which involved some large change politically and administratively. I would stress that the planning process in all areas affected should proceed as usual, and that this proposal not be a reason for delaying expenditures or plans now pending approval." That's what he said about the western city back on May 8, 1978.

At that time he stated as one of the recommendations in the white paper, on page five of the government proposal: "The government proposes that a new urban municipality be established in the west of the regional municipality of Ottawa-Carleton to include the whole of March township and as tightly as possible those portions of Goulbourn and Nepean townships which are presently included in the western growth area." That's the proposal. That's the basis for the legislation we have here today. He stated that back on May 8, 1978.

The local municipalities are given one month to respond to the legislation. We're expecting the legislation to come forward. We've been told for the last year that we're going to see general legislation dealing with the whole of Ottawa-Carleton before the end of the spring session.

To our surprise, as late as June 13, we were assured by the parliamentary assistant when we were discussing the election of various regional chairmen that we were going to see general legislation for Ottawa-Carleton, not only dealing with the creation of a western city but dealing with other aspects. For instance, Rockcliffe, dealing with border control, and other recommendations of the Mayo report.

Unfortunately, we were told in this House on June 15—and I read from Hansard, page 3482: "When the government received the report from Dr. Mayo and Dr. William Archer on local government in the regions of Ottawa-Carleton and Niagara, it was clear that their recommendations were matters of intense concern." It goes on: "While there is substantial agreement on some parts of the limited package presented in the white papers, other issues remain deeply contentious. The government would prefer, therefore, that more time be allowed for local discussion of these issues before taking any legislative action." We were told this on June 15, 1978. Exactly a week ago, we were told there would be no legislative action, on this matter.

It was obvious at that time what had happened, that the member for Ottawa South (Mr. Bennett)—it must have been the member for Ottawa South because the members for Carleton (Mr. Handleman) and Carleton-Grenville (Mr. Sterling) were surprised by the decision, which was really a complete emasculation of the process the Treasurer (Mr. McKeough) had set in motion. At that point I suspected it must have been him because the other two local members apparently had not be consulted, it was a surprise to them.

This was last Thursday. A few days later, last Tuesday, this legislation was brought forward and here we are dealing with Bill 131.

For a government that for so long has prided itself on giving leadership and knowing what it's doing, this whole process has not only been wasteful because of the money spent, but the evidence before us is such that it's clear the government really doesn't know what it's doing.

In spite of this, I think it's important to point out that both opposition parties have had absolutely nothing to do with the delay of any of this. We've not seen any legislation. This is our first opportunity to look at legis-

lation flowing from the Mayo report. We've had nothing whatsoever to do with any delay. We've been waiting for the legislation to come forward. We've been told it was going to come forward.

In spite of this the member for Carleton—I really don't know how to comment sometimes about some of the things he says—the bill was introduced on June 20, but on that same day the member for Carleton had a reaction for the Ottawa Citizen, prior to the legislation even being introduced and prior to our being told about the legislation: "Handleman said that the fate of the legislation rests squarely on the shoulders of the opposition Liberals and New Democrats."

Mr. Nixon: Oh, he's a tiger back home.

Mr. Handleman: Don't you control the House?

Mr. Roy: We've had nothing to do with this. Then he goes on to state:

"If the Liberals decide to bring in some screwy amendments, then it will die on the order paper."

Mr. Nixon: Let's test that out.

Mr. Roy: He must have known you were going to speak on it today.

An hon. member: Only your bills die, Roy, only your bills.

Ms. Gigantes: Typical of Tory terrorism.

Mr. Roy: He stated at that time: "If anybody creates a lot of flack about it, it could kill it."

An hon. member: That's before the bill was introduced.

Ms. Gigantes: You're a bunch of terrorists.

Mr. Roy: That type of blackmail and intimidation borders on breaching the privileges of the members of this House. Even before a bill comes in we are told that if we do anything to it, if we even dare to look at some amendments to the legislation, the bill is going to be killed. There is a suggestion that somehow we have had something to do with the delay.

Ms. Gigantes: Shame on you, Sid.

Mr. Roy: As a member of this opposition, I will do what I think is best for the people I represent and I will not submit to that type of intimidation and blackmail on the part of that reactionary member.

Mr. Pope: That's what he was describing in this newspaper article.

Mr. Roy: When we are trying to work together constructively in the best interests of the people we represent, we get that sort of reactionary approach from that member.

Mr. Kerrio: You've learned your lesson about that, haven't you, Albert?

Mr. Roy: I give credit to the member for Carleton-Grenville to whom this is very important because it affects his riding. If it weren't for members who are as moderate as he, it would be very difficult to work with the government, when it has members like the member for Carleton who keep anticipating what the opposition will do.

Mr. Swart: Somebody has to take over for Darcy.

Mr. Kerrio: Timbrell said he would drop a bill because of his own colleagues' amendments.

Mr. Roy: Having made these comments, we do not think that we will delay this legislation. We will not filibuster this legislation, but we do have some concerns about the legislation. This legislation, which is brought in on this second-last day of the session, should really be sent to committee so that people from the area could make submissions on the legislation. There are some people who have concerns about this legislation.

Ms. Gigantes: You are going to support it, are you, Albert?

Mr. McClellan: It's no use to send it to committee.

Mr. Roy: First of all, let's look at the name of the city, Hazeldean-March. The only reason it is Hazeldean-March is because Hazeldean happens to be in the riding of the member for Carleton-Grenville and March is in the riding of the member for Carleton.

Mr. Epp: You know where you are, Sid, second.

Mr. Roy: I am even told that the member for Carleton was annoyed because it wasn't called March-Hazeldean, or that the name of Handleman wasn't somewhere in the legislation.

Mr. Conway: How about Handleman's hamlet?

Mr. G. Taylor: Roy's folly?

Mr. Roy: We know that section 6 of the proposed bill authorizes a referendum on the name of the city.

Mr. Conway: Separatist city.

Mr. Roy: I guarantee you one thing. I hope that in the referendum the name of the member for Carleton is not one of the choices; then we'll see what his popularity is like in that area.

We like the recommendations of the Mayo report which suggest the new western city

be called Kanata. The name Kanata represents something that is, first of all, easier than Hazeldean-March. Secondly, it represents a concept in the Ottawa-Carleton area that is forward-looking for a new city. I know some members—and I look at the Treasurer—may not have any love for—he is now the deputy minister of—

Mr. Handleman: He is on leave, watch it.

Mr. Roy: Is he on leave now? The former deputy minister of urban affairs—what was his name?—Teron. He started the development in that area called Kanata.

Ms. Gigantes: He was a good Liberal.

[11:45]

Mr. Roy: It was an interesting concept. Surely that is where the growth is going to take place, where the centre of the city will be. We think the city should be called Kanata. The people should be given an opportunity of changing the name if they so wish. We agree, of course, with the part of section 6 which talks about a referendum on that basis. We like the recommendation of the Mayo report—and I am reading at page 102 where it talks about what the name of the city should be—"We suggest that this whole new urban development be called 'Kanata.'"

The feeling I get from the people in the area is that we should start with the name Kanata. We should get away from trying to satisfy the ego of at least one member. I am cautious about the member for Carleton-Grenville, because he is so smooth about his process as compared to the tiger or reactionary from Carleton.

We think the name of the city should be Kanata. I am sure you will agree, Mr. Speaker, there's a ring about the name Kanata; it has more zip, it's more forward-looking. There's something adventurous about the name Kanata. I suspect maybe that's going too far for the member for Carleton.

We hope that this bill will go to committee of the whole House, when we will be proposing an amendment regarding the name of the new city, which the Treasurer described in his statement of June 20 as something that is forward-looking. He stated: "The government agrees with local views that it would be well to end uncertainties and establish the new municipality now." Later in his statement, he said: "We are confident the city can become one of Ontario's best-governed urban municipalities within its appropriate boundaries and scope of responsibility."

We will be moving an amendment to change the name of the city from Hazeldean-

March or March-Hazeldean, to something like Kanata:

Mr. Swart: Royville.

Mr. Roy: No, there is not this sort of folly on this side. The folly, the esprit de grandeur, comes from the other side. We don't put forward ideas because they will create statues. We say to people, "Judge us on our actions here, not on puffing."

Hon. B. Stephenson: They do. They've been judging you for 33 years.

Mr. Roy: Having said that, there are other problems with the bill. Section 3 of the bill certainly is of concern to us because of the haste with which this legislation is proceeding in this Legislature and because of threats made by the member for Carleton, who says we had better not do anything drastic with this legislation or it's going to die. There's a feeling of panic. He spreads fear on all sides of the House.

Ms. Gigantes: He can't scare you, Albert.

Mr. Roy: The fact is that we should never, when we are talking about a concept as interesting as the creation of a new city—in fact, it is the first time we have seen this since the days of John White. Remember John White? He used to come into the Legislature and say, "Tomorrow, there will be a new city some place else."

All members have seen potentially new cities created here and there with different names. My colleagues know what I am talking about.

Mr. Nixon: The land he bought is still there, growing weeds.

Mr. Roy: The grandeur and the potential of some of these projects were never seen by us, but certainly the Treasurer of the day Mr. White, saw them.

Here we are, creating a new city. We feel it deserves more work. It deserves representation of people in the local area. Section 3 of the bill states that "the minister may by order do all such acts and things as may be necessary to establish wards and provide for the number of aldermen or councillors . . ." We don't very much like the idea of giving the government that sort of wide, sweeping power. We think these things should be discussed in committee. We think the people of the area should have an opportunity to say where the dangers may be, where the problems are, to make certain recommendations. But we are not going to have that in this case. What we are saying is that this bill was drafted hastily; we are going to create a new municipality and any problems we will take care of down the line. We think that, as I said earlier, it is

typical of this government, the way in which they bungled and bumbled on this particular issue, and we want to put on record our concern about that approach.

I suppose there are some other concerns. In section 5, for example: "For the purposes of the Police Act, the city of Hazeldean-March"—it will hopefully be called Kanata—"shall be deemed to be a township municipality." Again, there's some concern about the haste of wanting to establish this. You know, it is a sort of Band-Aid, a sort of a knee-jerk approach to the establishment of something as forward looking as a new city.

There are concerns, Mr. Speaker, by some of the members or some of the locally-elected people, and of course these people will not have an opportunity to voice their concern, again, because of the haste of this legislation. For instance, I read in yesterday's Ottawa Citizen where it states: "March council members have some doubts. Councillor Pat Carroll said that he was still unhappy about the ward system."

Mr. Handleman: A Liberal candidate.

Mr. Roy: He states: "I am concerned about the establishment of more than one ward."

Mr. G. Taylor: Your federal candidate in the next election.

Mr. Roy: But these people, Mr. Speaker, will not have an opportunity to voice that concern here. He states: "Should we have the amalgamated city at all costs? It bothers me that we really only have two days."

Mr. Handleman: He supported the motion on a recorded vote. Why didn't he dissent?

Mr. Roy: "It's almost like the immaculate conception," he says. And Sid should know something of that.

Mr. Nixon: Which area of that is he an expert in?

Mr. Roy: Of course the March reeve, Marion Wilkinson, said that she has been informed that if anything is added to the bill, it would not go through. That is part of the whole intimidation, part of the whole process.

Mr. Kerrio: Typical.

Mr. Nixon: That's why he could not sit in the cabinet any more. They had to throw him out.

An hon. member: Wilkinson is president of Sid's riding association, so he controls her.

Mr. Roy: Mr. Speaker, I criticize many of the decisions made by the Premier (Mr. Davis) of this province, and one of the decisions I did not criticize, of course, was the shift of the member for Carleton from some-

where to the left here to the right of where he is—to his proper position. It shows exceedingly good sense.

But I want to restate again, Mr. Speaker, that in spite of the threats, in spite of the blackmail, we shall take a responsible approach on this side. It is minority government here and we shall do what we think is in the best interest of the people we represent and will not be subject to this kind of reactionary approach taken by the member for Carleton.

Ms. Gigantes: Mr. Speaker, I rise in support of Bill 131. It is a very simple bill, it calls for an amalgamation which has been suggested by study, by the Mayo report, and it has also been requested by the councils of March and Goulbourn townships. Those councils met recently and unanimously sent missives to concerned members from the area, and to the Treasurer (Mr. McKeough), requesting this change. There are questions in the local area and I think they are being thrashed out well at the local level; each member of those councils had an opportunity to discuss the fine points of this legislation within the last week and they have given serious reflection to it, I am sure. Their conclusion has been unanimous: they want the legislation.

It makes sense in planning terms and it makes sense in terms of the needs of that area, and for those reasons we support it. We will ignore the kind of behaviour from the member for Carleton (Mr. Handleman) on this subject which has been less than graceful. We shall ignore the kind of blunderbuss approach that he has taken in advocating this legislation.

We shall also give credit where credit is due. I think the member for Carleton-Granville (Mr. Sterling) and the Treasurer have acted promptly and pretty sensitively on this issue. It was one of the most urgent matters that was left behind when the Treasurer was forced to delay House consideration of changes to the Ottawa-Carleton Regional Municipality Act. I think we should give credit that they have decided to go ahead on this matter. I am informed by the Treasurer that he is also requesting a change in the procedure of the OMB so that a request made by Gloucester township council for an increase in the size of that council will be expedited. It also would have come up in the package of Ottawa-Carleton legislation. That request having gone to the OMB in January, and having been delayed at the request of the Treasurer, will now be speeded up by the OMB and we will see that council

change, I hope in time for this year's municipal election. For that too I am quite grateful, as I am sure the people of the Gloucester area will be.

Mr. Sargent: What is this?

Ms. Gigantes: Mr. Speaker, we will ignore the huffings and puffings that are coming from the Liberal benches on this bill—

Mr. Nixon: We will ignore that in the light of the sweetness and sunshine coming from you.

Ms. Gigantes: —and say very simply that we support this legislation and we are glad to see it coming at the end of this session in such a prompt and sensitive way. Thank you.

Mr. Sterling: It is indeed a great pleasure to support this bill. I think congratulations are due to the two principal councils involved in this bill, the township of Goulbourn and the township of March. Under this bill, the township of Goulbourn will be losing 40 per cent of their population and 35 per cent of their assessment. We do not often see in this modern day a municipality agreeing to give up jurisdiction in that situation. I think they are to be congratulated on their attitude in this matter.

March township will also be undertaking the massive task of planning for this new western city, which will immediately have approximately 15,000 people but will have an expected population sometime in the not too distant future of 75,000 to 100,000.

I believe this new city will better align the interests of the rural and urban interests of the people in these communities. In the area which is joining the western city there is an urgent demand for a higher level of servicing at this time. I understand both councils have a certain amount of concern at this time. We have heard concerns from the townships relating to a ward system; we have heard concerns from the member for Ottawa East (Mr. Roy) regarding the name of the new municipality.

I only would comment that I thought the name that was chosen for this bill, while being very awkward, is significant in terms of showing that this is a marriage of two communities.

Mr. Kerrio: A shotgun marriage.

Mr. Roy: Considering the haste, it must have been a shotgun marriage.

Mr. Sterling: It is appropriate in recognizing this was supported by both communities to a great degree.

We don't expect this name will continue past the referendum date. I would expect

probably the name of Kanata would appear on a ballot, I would expect that the name Hazeldean would appear on the ballot and I expect that there might also be other suggestions for names. But the idea here was to allow citizens of the new municipality to have their opportunity to have input into the final name of their new city.

Mr. Laughren: How about Sterlingville?

[12:00]

Mr. Sterling: That would be a very good name.

I believe that the joining of these municipalities was logical, that it was inevitable and that the time for bringing this forward is now. Contrary to some of the discussion that has gone on here today, there has been a great deal of discussions going on among the different municipalities for some period of time. This decision has not been made over the past few days or the past two weeks. The councils have had full discussion on the pros and cons of this matter. In fact they have had the benefit of listening to the Treasurer (Mr. McKeough) and his parliamentary assistant in terms of the financial repercussions it would have for each of these new communities.

On this day I celebrate 15 years of a most happy partnership with my wife Janet.

Mr. Roy: Today? Hear, hear.

Mr. Swart: Let's hear her version.

Mr. Sterling: I hope that this date shall mark the beginning of an equally successful marriage of these three new communities. Thank you very much.

Mr. Cassidy: What is she celebrating?

Mr. Conway: I shall, like the members participating in this debate, endeavour to be reasonably brief. I rise to support in principle Bill 131, but I do so with the caveats that were introduced by my colleague from Ottawa East. I think without question the method by means of which this Parliament has been presented with this legislation is nothing short of an abuse of this Legislature.

Ms. Gigantes: Oh come on.

Mr. Roy: Right.

Mr. Conway: Whether or not it was calculated, I will not say at this time. It represents an approach to this Legislature which I am not prepared to accept. Notwithstanding the problems that have entered into the implementation of the Mayo report, I find it repugnant in the extreme to read the Ottawa Citizen of a few days ago and to be told by my good friend from Carleton, that this bill will succumb to closure. While the member for Carleton is given, I know, to almost in-

cessant reactionary points of view, I appreciate the vigour with which he espouses many of these points of view. But I will not be told by him nor any member of the government that this bill really must succumb to a conventional closure as they would present it. I just can't accept that.

Mr. Roy: Watch him; do what you're told.

Mr. Conway: I recommend to him and to his friend the Treasurer a speech given by the Hon. Robert L. Stanfield about the end of responsible parliamentary government. In its own way Bill 131 is all that Stanfield is talking about.

I find it interesting as well to listen to my colleague from Carleton East, and the sweetness and reason with which she greets both the Treasurer and Bill 131. Like my colleague from Ottawa East, I was trying to figure out what is the basis for this unique McKeough-Gigantes concordat. It dawns on me that the basis for it is their exclusive elitism, as it relates to the Rockcliffe issue. I am not surprised that the member for Carleton East succumbs to the elitist blandishments of the Treasurer in this regard, knowing what we know about her peculiar democratic socialism as it relates to the matters of the Rockcliffe—

Ms. Gigantes: Mr. Speaker, on a point of privilege.

Mr. Roy: Sit down. Take it like everybody else; come on.

Mr. Acting Speaker: Order. The member for Carleton East has a point of privilege.

Ms. Gigantes: Yes, I believe I do, Mr. Speaker. It has been implied to this Legislature by the member for Renfrew North that the Treasurer and I have had discussions on Rockcliffe. This is not true.

Mr. Acting Speaker: The member for Renfrew North may continue.

Hon. Mr. McKeough: Mr. Speaker, speaking briefly to the point—

Mr. Acting Speaker: Does the Treasurer have a point of privilege?

Hon. Mr. McKeough: Mr. Speaker, I associate myself with the remark just made by the member for Carleton East. Both she and I understand the word concordat, which the poor old member for Renfrew North just doesn't have any clues about whatsoever, which is his loss.

Mr. Nixon: It's not concordats, it's concord that you understand.

Mr. Acting Speaker: Order.

Mr. Conway: Mr. Speaker, I think that if both the member for Chatham-Kent and the member for Carleton East wish to read the

record, there was no suggestion they had had a dialogue. I am simply drawing my own conclusions for the basis of this concordat.

Hon. Mr. McKeough: You wouldn't understand.

Mr. Conway: I just want it put on the record, because it—

Mr. Cassidy: That's just so much papal bull.

Mr. Conway: —relates to the principle of Bill 131, about which the member for Carleton East has some very peculiar views, not all of them unelitist when it relates to municipal reorganization in the Ottawa-Carleton region.

Mr. Laughren: Unelitist; you like to hear yourself talk, don't you, Stan?

Mr. Conway: I want to stand here today and offer my explanation as to why she could be so reasonable with the Treasurer. In other areas of the white paper and the Mayo report, and I make specific reference to Rockcliffe, their views are quite similar; and I must say, with respect to Bill 131, I am not surprised.

Ms. Gigantes: They are not the same at all.

Mr. Roy: It was the mot douce exchange here this afternoon—sweet things.

Mr. Conway: I have to say that in the last few days I have been approached by a considerable number of people in the area of Hazeldean-March—

Mr. McClellan: Name names.

Mr. Conway: It sounds like something from the Richard Nixon White House.

Mr. Walker: That is a non-known considerable number.

Mr. Roy: They are not socialists, don't worry about it.

Mr. Conway: The people who have spoken to me—

Mr. McClellan: Who are these people?

Mr. Conway: The people who have spoken to me have expressed support in principle for the bill, but they have expressed a very considerable objection to the methodology. The people who have spoken to me are concerned.

Mr. Walker: How many have spoken to you?

Mr. Acting Speaker: Order.

Mr. Conway: The people who have spoken to me are not happy about the ward system. I am not afraid to say my good friend Pat Carroll, my old high school principal now in one of the involved townships, has drawn to

my attention that he feels a personal difficulty with the ward system.

Mr. Sterling: Support the resolution.

Mr. Conway: He has also, like other involved, drawn to my attention very serious concerns about what they believe to be lasting assessment problems.

Mr. Walker: How many others?

Mr. Conway: They were prepared to accept, some weeks ago, the idea of the new western city, believing then that the Treasurer not only intended to bring forward legislation to effect municipal reorganization in Ottawa-Carleton but also to effect some measure of property tax reform.

Mr. Roy: We have been promised a lot of things by the Treasurer.

Mr. Conway: Now some of those rules have changed, or so we are told. Those problems, the problems of assessment, the problems of the ward system, are legitimate.

I realize the agreement entered into, in whatever way, by the democratic socialists and the McKeough Tories will give this bill passage through the House, and that I am quite prepared to support.

Ms. Gigantes: You are going to support it?

Mr. Conway: I am not a person to tinker with those kinds of relationships, but as one member, as a backbencher who may very well be in need of a holiday, I just find it unacceptable to—

Ms. Gigantes: A permanent holiday.

Mr. McClellan: Vote against it.

Mr. Conway: —have the Treasurer of this province lead this Legislature, and in need many of the municipalities involved, to the point that we were going to have a bill we could discuss during the last few weeks of the Legislature—

Mr. McClellan: Vote against it if you don't like it. Don't just stand—

Mr. Conway: —and then be faced with this ultimatum in the last days, indeed in the last hours. I am not prepared to accept that kind of abusive approach to a Parliament which I respect in its traditions and privileges.

Mr. Cassidy: I appreciate the chance to speak briefly on this bill to create the—

Mr. Kerrio: Nice to have you back, Mike,

Mr. Cassidy: What is that? Yes, I am just back from Quebec. I flew in, as a matter of fact, expressly for this.

I notice with concern the bad grace with which the Liberal Party has been approaching this particular bill, despite the decision to support it. I do have the feeling the rea-

son is simply that when Carleton-Grenville is finally wrested from the hands of the Conservative Party—

Mr. Kerrio: You are an expert on everything.

Mr. Cassidy: —in whose grasp it has lain for far too many years, it will be in the hands of the New Democrats and not of the Liberals.

Mr. Conway: That's the time when hell freezes over.

Mr. Cassidy: I have heard predictions like that by parties that very quickly thereafter disappeared into oblivion.

Mr. Conway: Hey Mike, I liked the picture in the Ottawa Journal on Saturday; age 10, precocious as ever.

Mr. Epp: What's your opinion on rent review, Mike?

Mr. Kennedy: What is yours?

Mr. Cassidy: I think this bill is a healthy and constructive use of the Legislature to correct an oversight which the Treasurer was guilty of, a problem that existed in the Ottawa area because of the delays in implementing—

Mr. Conway: Overpackaged, centralizing dictator.

Mr. Mackenzie: When are you going to realize you're out of school, Sean?

Mr. Cassidy: Could you repeat that for the record?

Mr. Nixon: Well it is in the record.

Mr. Conway: When are you going to realize you are out of the union hall?

Mr. Mackenzie: I don't want to.

Mr. Acting Speaker: Would the member for Ottawa-Centre please continue and ignore the interjections?

Mr. Cassidy: It has been made necessary because of the sluggish and uncreative way in which the Treasurer has been approaching the whole question of municipal reform, and I suppose I should put on the record that while we welcome this particular bill—will you stop yapping?

Mr. Roy: Now they are yapping behind you; they have no respect.

Mr. Cassidy: While we welcome this particular bill, the decision of the Treasurer not to come to grips with promises he made earlier, as for example in relation to the board of control in Ottawa and its abolition, leaves us filled with some regret and the wish that we could have had a chance to have had a larger bill and put those amendments

if the government itself was not prepared to carry out commitments it had made before.

Mr. Handleman: What about Rockcliffe?

Mr. Roy: How about Rockcliffe, Mike? How do you feel about that? Tell us your views.

Mr. Cassidy: The bill itself is a simple bill, a straightforward bill. With the anticipated growth in the western community, which has been foreseen as part of the planning in the region of Ottawa-Carleton, it was obvious that that would not be possible to be carried out efficiently and well and sensitively and responsibly if the area to be developed was going to be under three municipal jurisdictions.

In the Ottawa-Carleton area generally, we simply could not afford to wait for another further period of two years while essential planning that needed to be done for that particular area was allowed to be delayed because of the lack of adequate municipal structure.

Mr. Roy: What about your position on Rockcliffe?

Mr. Cassidy: I know a number of people who are involved in local government in that particular area. I have a good deal of respect of them and I hope that with the base that is being created by this particular bill they will be able to go through the difficult period of bringing the municipalities and the sections of municipalities together; of beginning to do the planning that is necessary and of beginning to tie together three separate areas that have grown independently, in order to make of them truly a community which commands local loyalty and a community which will grow to play its role as part of the fabric of the area of Ottawa-Carleton.

Mr. Roy: My God, what a pussycat. We know who the real opposition is around here.

Mr. Cassidy: With that, I would say, as has already been indicated by the member for Carleton East, we were grateful for the chance to be consulted about this and to join in the view that the Legislature would, in fact, do a service in Ottawa-Carleton by seeing this bill had easy passage, even if at the same time we regret the fact that some of the other things that could have been done—

Mr. Roy: Like Rockcliffe.

Mr. Cassidy: —in Ottawa-Carleton as a result of the Mayo report are simply issues that have been dumped by the Treasurer and by his government as a whole.

Mr. Roy: Ah, now we know who the real opposition is.

Mr. Handleman: I want to support Bill 131 with the moderation for which I have been praised by spokesmen from all sides of the House.

Ms. Gigantes: Says you.

Mr. Handleman: I regret the fact that members opposite feel there was a blunderbuss approach.

Mr. Conway: Have you read Tuesday's Citizen?

Mr. Handleman: There is such a thing as a calendar. Today is Thursday, tomorrow is Friday, next week is Monday. I understand certain agreements have been reached about when the session ends and obviously we are not going to be coming back in the fall to give third reading to a bill that is being amended in the meantime. However, I am pleased to hear my friend from Carleton East will support it.

Ms. Gigantes: In spite of you.

Mr. Handleman: I am glad she was able to find it in her heart to ignore her personal feelings on the way I have dealt with this bill.

Mr. Kennedy: There is no logic in her statement.

Mr. Cassidy: I want to point out first of all to the member for Ottawa East that this matter didn't begin with Mayo. An amalgamation took place in what was formerly the constituency of Carleton.

Mr. Roy: You are out of order.

Mr. Handleman: In 1973 there were three new municipalities formed and at that time the Hon. John White, who was praised by the member, announced that there would be a new urban municipality in the western part of Ottawa-Carleton.

Mr. Roy: What did he call it?

Mr. Handleman: He didn't call it anything.

Mr. Roy: That's typical. You didn't either.

Mr. Handleman: The three municipalities that were formed in 1974 chose their own names. They didn't choose names that I might have preferred, or the member for Ottawa-East might have preferred. They chose names of their own choice.

Mr. Roy: Well why did you call it Hazeldean-March?

Mr. Handleman: I refer to Rideau, which I would have liked to have seen called Richmond. I refer to West Carleton, which I would have preferred to see called Carp.

Mr. Conway: Get it right, Sidney. It is "Caarrp"—my beloved Ottawa Valley. Back to university.

Mr. Handleman: I am sorry, Rideau would have been North Gore and Goulbourn would have been Richmond. In any case, they chose names that were satisfactory to the people there. The principle of self-determination, I suppose, becomes very difficult for the member for Ottawa East who would like to tell them what they should be called. I happen to share his views on the name Kanata.

[12:15]

Mr. Conway: Beer in the ballpark, Sidney.

Mr. Handleman: I will not lobby for it, but I hope it will be on the ballot and I hope it will be successful. I have some admiration for Mr. Teron's technical expertise as an urban developer; and I won't mention any other aspect of his views that I don't happen to share.

Mr. Speaker, nobody has mentioned the fact that a good portion of the township of Nepean, the Bridlewood section of Nepean, will come into this new municipality. I have heard too from people who aren't at all happy about this thing. It's very easy, I suppose, to say to them: "We will make sure that your views are known;" and I have made them known to the Treasurer, as I am sure all members who have heard these views have.

Mr. Roy: Yes, so much for the democratic process.

Mr. Handleman: In the community of Bridlewood one year ago or just a little bit more than a year ago, we were out on the hustings and there was nobody in Bridlewood.

Mr. Conway: Yes, you put it there, Sidney.

Mr. Handleman: The western city was known long before the first person moved into Bridlewood, which is why the township of Nepean council has acquiesced in this loss of a portion of their territory. There is no territorial jealousy in this.

Mr. Roy: You didn't like that last election, eh?

Mr. Handleman: So I am quite happy to say that all councils have unanimously supported what the Treasurer is doing, by recorded vote as late as last Monday, long after the market value assessment and tax reform were off the books. I don't understand why councillor Carroll—

Mr. Roy: Were you surprised by the Treasurer's statement on Tuesday?

Mr. Handleman: —who has these reservations, didn't express them at that time. He had an opportunity to do so. But, of course, politics being what they are and knowing, that the present member for that area feels the

same way about it—I must say that this is the feeling that Paul Dick shares with Pat Carroll and it will be great to watch them campaign at some time and try to show different views.

Mr. Conway: We're not going to have a federal election?

Mr. Handleman: They both agree that the name Kanata should be chosen; I agree with them and I hope the people will do that, but I will leave it up to them. The question of assessment we have been discussing for three years.

Mr. Roy: That is right, and doing nothing about it.

Mr. Conway: Three years? Try 10.

Mr. Handleman: The Minister of Revenue (Mr. Maeck) is always prepared—and I am sure he will let the councillors know—he is prepared to undertake the kind of financial impact study, required, and to let them know what the situation is.

But they don't have the information and neither do members opposite. They don't know what the assessment's going to be in the three different areas, they haven't got the slightest clue. They are concerned about it; we are all concerned. We have to know.

Mr. Conway: McKeough's first priority.

Mr. Handleman: I think the minister will do that. There has been some concern expressed about Hydro restructuring, because Bridlewood is now served by Nepean Municipal Hydro Commission while the other two areas are served by Ontario Hydro. There will be some problems and I expect the Minister of Energy (Mr. Baetz) to engage in a Hydro restructuring study, which hasn't been done for the area. The regional government has turned it down for the region, they have made that decision. The people in this new area want it and I think they should get it. I am sure the minister will agree to that.

As far as the ward system is concerned, again there is no unanimity on the ward system. I quite agree with what Mr. Carroll said. There are other councillors in other parts of this new municipality who want the ward system, and after all the ward system is designed to protect the minority. I think their views should be heard and the legislation does not preclude the idea of one ward. It does leave it to the minister after he's heard from all the councillors.

Mr. Conway: A peculiar interest in minority rights over there.

Mr. Handleman: And he can do it. I am not suggesting that is what will be decided, but the possibility is there, and I think—

Mr. Roy: Avoid the Legislature, eh, Sid?

Mr. Handleman:—this is the kind of legislation that we should have more of where you can have discussion before final decisions are made; and that's exactly what will happen. I have heard from the heads of municipalities as recently as this morning—

Mr. Roy: Don't bring in amendments though.

Mr. Conway: No amendments.

Mr. Handleman:—and they have all said the same thing: that if individual councillors are now departing from the unanimous recorded votes of their councils on Monday night, they are doing it completely on their own for whatever purposes they have in mind. But the councils agreed to this bill with no changes, and I hope that that's the way it will go through the House.

Mr. Speaker, I am very pleased that this process which we began back in 1973 is finally coming before the House. I quite agree it has taken a long time, but when somebody says that we should have more months of consultation and delegation—and it happens not to have been in the riding of the member for Ottawa East—I say this thing has been discussed, discussed and discussed.

Mr. Conway: Stanfield is right, executive dictatorship.

Mr. Handleman: There has to come a time when the legislation is presented and passed. More public discussion will simply delay what we should have been doing two years ago; now that the councils have realized this I think we should go along with their wishes. That's what local autonomy is all about and I am prepared to support the bill with no amendments.

Mr. Epp: What the member for Carleton says is interesting, that they have been consulting on this since 1973, that there has been a lot of talk about it and that all of a sudden we find that a bill has been brought in in the last—what? it was only printed yesterday or today, so they've had about five years to print it and they printed it in the last day or two.

Mr. Conway: A deathbed confession.

Mr. Epp: Nevertheless, it is interesting to get up and speak on this bill and to support it in principle. What it does is bring in the township of March and parts of the townships of Nepean and Goulbourn. Although this was recommended in the Mayo report and, I suppose, supported in part by the government, nevertheless it was never brought in as part of what should have been a much larger bill dealing with the whole region, particularly

after spending a lot of money, about \$250,000, as the member for Ottawa East (Mr. Roy) has indicated.

I would like to get some clarification from the Treasurer (Mr. McKeough) some time during this debate as to the amount of money he is going to give to the various municipalities. Questions have been raised with me by members of the municipalities to find out how much money is going to go to Goulbourn and how much money is going to go to the new city in transitional payments and to the Stittsville sewer project. Maybe he can give us some clarification on some of those matters.

When we talk about bringing this in and about the consultation process, and consider the great emphasis that has been placed on regional governments by the present government, certainly the regional government was not consulted as to whether it agreed with bringing this bill in at this time in isolation of any other amendments that could have been introduced but were not introduced.

Mr. Handleman: I thought they were going to eliminate Goulbourn completely.

Mr. Epp: Is that your suggestion?

Mr. Handleman: That is what they wanted to do: eliminate Goulbourn—get rid of the rural people. They passed a resolution.

Mr. Conway: That has never stopped you before.

Mr. Deputy Speaker: Order. The member for Waterloo North has the floor.

Mr. Epp: We will be supporting this bill and, when it goes to committee, we hope we'll get some clarification of a number of points. Certainly the name of Hazeldean-March, which has been designated by the Treasurer, is not acceptable. As my colleague indicated earlier, we will propose an amendment to change the name to Kanata, which obviously would be much more acceptable to the people in that area.

Mr. Roy: That's right. You said it yourself.

Mr. Epp: The shock of the people in that area to the name that was proposed was such that they wondered whether the Treasurer was out to lunch when he proposed this name. Obviously there are other names that would be much more acceptable, and I'm sure Kanata would be that name.

Mr. Sterling: There are 4,000 voters in Glencairn who don't agree.

Mr. Handleman: Ask the people in Glencairn.

Mr. Roy: We're just trying to get a proper name.

Mr. Deputy Speaker: Order. The honourable member for Welland-Thorold.

Mr. Swart: Mr. Speaker, obviously I rise to speak in support of this bill, as I share the views of my colleagues in the caucus from the Carleton area. I really rise to say to my friends on the right that I think, first of all, they should support the bill, and perhaps they should forget about the amendment which they say they are going to propose at this time.

Mr. Roy: No, we go the same way on second and third reading, we don't switch.

Mr. Swart: I suspect they're right in saying that they're going to vote for the bill. All their comment has been against it; so they will likely vote for it, as they did in the case of regional chairmen: they talked in favour of it and then voted against it.

Mr. Roy: Just like you talk against something on second reading and then bring forward an amendment in committee.

Mr. Swart: I just say to them that they shouldn't react too strongly to the member for Carleton (Mr. Handleman), to the point of moving amendments to this bill. I know that he rather annoys them, but I should point out to them that it could be worse.

Mr. Conway: Unlike you, he is always here to vote for his amendments.

Mr. Swart: They could have him in their caucus; think of the problem they would have then. It would be like the problem they have over there.

Mr. Nixon: There's no chance of you being in it. You're in bed with them. We're still working on Ellis Morningstar.

Mr. Swart: You will notice, Mr. Speaker, that the Treasurer is here today. This is the first time the Treasurer has been in this House for a municipal bill. I doubt if it's because he thinks the bill is quite that important; it's just that he knew that the member for Carleton would be here. After the way the member for Carleton has broken with their caucus, whether it was over rent review or the French-language issue, I think the Treasurer is here just to make sure things are safe over there for the government.

Mr. Roy: He has only changed his mind three times in the last month.

Mr. Conway: What is his position on the boycott bill?

Mr. Deputy Speaker: Would the honourable member return to the principle of the bill?

Mr. Swart: Of course I will, if you consider I got away from it, I will return to it.

Granted it is late in the day bringing in this bill—

Mr. Roy: No, it is only 25 after 12.

Mr. Swart:—and we like to have the time to deal adequately with it. First of all, we would like to have a composite bill dealing with the whole area down there. Obviously, as I suppose our friends on the right would, we would like to have had this bill in sooner, but let me point out to my friends on the right that if it's not dealt with at this time it delays the formation of that city for two years.

I suspect there's a lot of merit now in forming that city at this time to let them get on with the job of melding those municipalities together and planning for the new city. There are many other things in the report of the Ottawa-Carleton region that can be brought in—

Mr. Conway: You have noticed.

Mr. Swart:—that is amendments which can be brought in to be effective at another time.

Mr. Conway: Now you sound like Macenzie King.

Mr. Swart: Oh yes, it can be effective a year from now. This particular part of the report has to deal with now or wait for two years. So I think there is merit in dealing with it at this time. I too commend the Treasurer for bringing it in. In fact, I am delighted to see him doing what the people want.

Mr. Conway: Same old gang.

Mr. Roy: You should be in trouble, Darcy, having Mel Swart and Evelyn Gigantes coming at you.

Mr. Swart: You know this year, Mr. Speaker, whether it's in the Hamilton-Wentworth or whether it's in Northumberland county, we have seen, it appears, a change on the part of the Treasurer so that he wants to do what the people in the area want done.

Ms. Gigantes: He is repentant.

Mr. Swart: Surely, I would not want to interfere with that great transition in the character and the attitude of the Treasurer of this province.

I'm not going to take any greater length of time. May I just ask the Treasurer—

Mr. Conway: No principles at all Mel, sold out for a song.

Mr. Swart:—when he rises to speak on this, will he tell us whether the amount of money which is going to be provided during the transition period is the normal amount under the regulations? Whether there are any

special considerations being given there? If so, why? I want to make it clear I am not against special consideration if there is reason, but I would like to know if it is the normal sort of transition grant and changes. There is nothing in this bill about determining whether part of the township of March will be annexed to West Carleton. Has the Treasurer given anything in writing to the municipalities to the effect that consideration will be given to that, which appears to be the wish at this time, although that may be changed?

I know there are normal procedures in the municipal act for them to use, but I wonder if he has given them anything in writing that at least the provincial government would not step in to object to any changes they might want to make with regard to March. Having said that, we will support the bill. Quite frankly, we support it with some enthusiasm.

Hon. Mr. McKeough: I think there is an amendment to be proposed, I gather, although I will do my best to talk the Liberal Party out of their indiscretion in that area.

It seems to me the bill will be going into committee of the whole and the questions that have been raised perhaps can best be answered there section by section. So at this moment, I will simply thank the member for Carleton East, and associate myself with her graceful remarks.

Motion agreed to.

Ordered for committee of the whole.

[12:30]

GAME AND FISH AMENDMENT ACT

Hon. F. S. Miller moved second reading of Bill 123, An Act to amend the Game and Fish Act.

Mr. Deputy Speaker: Does the honourable minister have an opening statement?

Hon. F. S. Miller: No, Mr. Speaker.

Mr. Nixon: The minister has indicated that he feels it is necessary, if not essential, that the bill proceed and not be postponed until the fall, since it deals with the establishment of the bag limits in certain areas of hunting—presumably he is the expert in that connection.

I feel we owe him a favour in some connection, but I cannot quite recall. But on his say-so, then certainly, we have no objection to the bill and we support it in principle.

Mr. Foulds: I rise on behalf of my party and after careful and thorough scrutiny, we support the bill. As I understand it, it gives

the minister the right, through regulation, to devise what is called a selective buck quota in terms of the animals or game birds that may be "taken or possessed." It is not essential, but it would be worthwhile to have the authority in place for the minister so that he could implement the variations which he wishes in certain areas of the province before the fall hunting season. In that spirit, we support the bill without amendment.

Mr. Deputy Speaker: Is there any other member wishing to participate? The member for Renfrew North?

Mr. Conway: No.

Motion agreed to.

The bill was also given third reading on motion.

Hon. Mr. McKeough: Mr. Speaker, I would be prepared to move, unless there is some objection, government motion 13, while the Speaker is in the Chair.

Mr. Nixon: No objection.

INTERIM SUPPLY

Hon. Mr. McKeough moved resolution No. 13:

Resolved: That the authority of the Treasurer of Ontario granted on March 28, 1978, to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing April 1, 1978, be extended to October 31, 1978, such payments to be charged to the proper appropriation following the voting of supply.

Mr. Deputy Speaker: The member for Brant-Oxford-Norfolk.

Mr. Nixon: We have no objection to the passage of the resolution at this time.

Mr. Conway: You don't want to make a speech on the size of the salaries, Darcy?

Mr. Deputy Speaker: The honourable member for Nickel Belt.

Mr. Laughren: I am really astounded that the Minister of Revenue (Mr. Maeck) would second that motion by the Treasurer, given what the Treasurer has done to him in the last couple of weeks on assessment reform. I am really surprised and I offer both my condolences and any help I can give him. We, of course, will support the resolution. But it is with a great deal of restraint that I don't launch into a long series of suggestions as to what the Treasurer should be required to do before he seeks permission of this Legislature to have concurrence in this resolution.

A lot of things have happened in the last two or three months that lead us on this side to believe the Treasurer should come

before us with a new set of budgetary policies. I shall be addressing myself to that either later tonight or tomorrow, so I will refrain from further comments at this time. Thank you, Mr. Speaker.

Mr. Deputy Speaker: Is there any other member who wishes to participate?

Mr. Nixon: Carried.

Mr. Deputy Speaker: Has the provincial Treasurer any comments?

Mr. Conway: It is the size of those salaries that shocks me.

Motion agreed to.

House in committee of the whole.

CITY OF HAZELDEAN-MARCH ACT

Consideration of Bill 131, An Act to establish the City of Hazeldean-March.

Mr. Chairman: Are there any comments on any section of this bill?

On section 1:

Mr. Roy: I'd like to speak on section 1, and in fact move an amendment on section 1.

Mr. Chairman: Mr. Roy moves that section 1 of the bill be amended by changing the wording in the last line of the first paragraph from "Hazeldean-March" to "Kanata."

Hon. Mr. McKeough: I hope the member will reconsider when he appreciates the fact that this is an amalgamation, as opposed to an annexation. Perhaps he might, with some sensitivity, consider the fact that the name "Hazeldean-March" in that order, was recommended to me by the March township council, who presumably have every reason to believe "Kanata" is a better name, as does the member for the area—perhaps the member for Carleton (Mr. Handleman) does. But the March township council, in their wisdom, suggested that a neutral name should be in the bill and that it be put on the ballot.

So I suggest that you might want to take that amendment back. I think you might think of the people in Glencairn and the people in Bridlewood. I think you might think of the people in the north end of March, which is a very historic area. I suggest to you that a neutral name such as was suggested to me by the March township council, is probably the best choice.

Mr. Roy: In proposing this amendment, of course, it's not our intention to offend anyone. We have read the Mayo report, and its recommendations at length. We know the Mayo commission sat for many months. They received representations from many municipalities and they made the recommendation

that the new city be called "Kanata." We think, from our discussions with various people, that likely that's going to be the name they're going to vote for in the referendum in any event. We don't want to preclude that. We say the section should remain there. If they want to change it, that's fine.

Having looked at the recommendations of the Mayo report, keeping in mind some of the representations made, and it's not our intention to offend anyone, we feel it reflects what is going to be a new and exciting concept in the western part of the regional municipality of Ottawa-Carleton. It should get off on that basis, in spite of the fumbling and the irrational approach taken by the Treasurer in responding to the whole Mayo report.

He talks about local government input, but he has not followed local government very much, for instance, from the city of Ottawa when they were talking about board of control. In one sense he shows extreme sensitivity and on the other hand he's prepared to run roughshod over the wishes of the local municipality.

I say very simply and I want to repeat for the record, that it is not our intention to be offensive to anyone.

Ms. Gigantes: You are just being tiresome.

Mr. Roy: I am being what, she says?

Mr. Conway: Tiresome?

Mr. Roy: She talks like a frustrated mistress. My God, it is that kind of a morning.

Ms. Gigantes: None of your sexist remarks.

Mr. Foulds: You talk like a frustrated poppycock; that's what you talk like.

Mr. Chairman: Order.

Mr. Roy: Some of these things may be quoted in the Globe and Mail in the next article when they talk about intelligent interjections.

Mr. Foulds: By the way, I didn't say verbosity, I said verbosity.

Mr. Roy: I notice that the crudeness in some of the interjections came from the party to my left, Mr. Chairman, quoted by the Globe and Mail this morning.

Mr. Laughren: Speaking of crudeness, what do you think you are engaged in right now?

Mr. Roy: In any event, returning to the amendment: Your stare, Mr. Chairman, has brought me back to the principle of the amendment. I go to page 102 of the Mayo report which is the basis of what this whole process is about.

It states: "As discussed in chapter four the regional official plan calls for the development of three satellite cities in the regional muni-

cipality of Ottawa-Carleton. The western urban community is being rapidly developed and it is expected to reach 100,000 population in the year 2000. It will include Kanata, in March township, Glencairn and North Hazeldean in Goulbourn township, and Bridlewood in Nepean township. It will also include extra land, enough to accommodate the expected 100,000 people. We suggest this whole new urban development be called Kanata."

There is a ring to this which reflects the whole new concept. It says: "Briefs received from March township, the March rural association, the Kanata-Beaverbrook Community Association, and the Goulbourn Rural Ratepayers' Association state that those parts of March, Goulbourn, and Nepean township to be included in the western satellite city (or Kanata) should be joined to form a new urban municipality. We recommend that this step be taken as soon as possible."

It goes on to state: "This western satellite city (Kanata) is to form a self-contained unit. Major centres of employment and commercial activity are expected to reduce, as far as possible, commuting to downtown Ottawa. The town centre for the new city is planned to be in the present Kanata, adjacent to the western expansion of highway 417."

So it responds to the concept that we were talking about. The whole centre of the city is going to be around the present development of Kanata, and of course Kanata is, as it is stated here, planned to be adjacent to the western extension of highway 417.

Having this in mind, and having in mind that the people of the area will be given an opportunity by way of referendum to change the name—and hopefully we won't have a situation where there will be a multiple choice situation at that referendum, because I think there is some community of interest, and I think there is some consensus in the area on what they feel about the name. I have a feeling, in spite of the response by March township and some of the friends of the member for Carleton, that there was some breast beating on the part of some of the local members that they would like to have Hazeldean, which represents one area, and March which represents the other area.

As I said before, I suppose the member for Carleton is annoyed that it wasn't the other way around.

Mr. Handleman: I wasn't annoyed—

Mr. Roy: You are obviously frustrated about something. Some of your comments express a man who is ready to bite into anything that comes within striking distance.

Mr. Foulds: What is it with these personal attacks this morning?

Mr. Roy: We are prejudging this. We feel that as all recommendations of the Mayo report were based on this concept of Kanata we should start on that footing—that it responds to this interesting and exciting new concept of a city out there. We feel that then the people will be given an opportunity of looking or voting on what the proper name should be.

[12:45]

We think the amendment should remain. It is not an attempt to frustrate the recommendations of the local people. It is not an attempt to run roughshod over sensitivities, as with some other recommendations—God knows the Treasurer has experience in that field; it has never been the approach of this party. But we feel this is the proper footing to get this exciting new city going, by having a name such as Kanata.

Mr. Swart: Mr. Chairman, we are not going to support the amendment that is before us, basically for two reasons: It has to be our view that the Liberal Party is endeavouring in this amendment to firmly establish the name for that new city. They are to a very substantial degree trying to circumvent the right of the people. It is my understanding from talking to both of the Reeves in the area that they support the name Hazeldean-March solely as an interim name, with the full realization that that will not be the final name of the city. I understand they want to maintain as neutral a position as possible at this time.

The amendment, I think you would agree, would not do that. It would establish that name, after a strenuous debate in this House, and to some extent at least it would put a bias to the vote which would be taking place this fall.

For those two reasons, because the municipalities want this interim name, because it is considered by them only to be an interim name and because the Liberal Party is endeavouring, to some extent, to influence the vote which is going to take place—

Mr. Conway: No.

Mr. Swart: I grant you you don't have a great deal of influence in the area—

Mr. Roy: That member has even less.

Mr. Swart: But the Liberal Party is going to endeavour to establish firmly that name now. We want to leave it entirely up to the people in the area, and we will not be supporting that amendment.

Mr. Chairman: Are there any further comments on this amendment?

Mr. Sterling: Mr. Chairman, I would only point out to the member for Ottawa East that we are putting together, as has been mentioned before, two urban communities of roughly equal size. However, the area which is commonly known as Kanata at this time is the larger area in terms of population. I think if we are going to make this partnership work in the future we should go in on the basis that there is some kind of equality in this partnership.

I would also like to point out that there is a different level of housing in these two areas. I think it is important that both of these two communities feel equal in going into this new venture.

Mr. Roy: I would like to make just one more comment, Mr. Chairman, in relation to the amendment.

Mr. Makarchuk: The member realizes he is getting a little tedious around here.

Mr. Roy: Tedious? It is interesting that comment should come from the member to my left who has been boring us for the last four months. He should tell us that we are getting tedious.

I want to say to the member for Welland-Thorold that for him to suggest an intention on our part, by making this amendment, to try to influence the final name decision is not—

Hon. Mr. McKeough: The member's foot is getting in deeper and deeper.

Mr. Roy: You're babbling away. Yes, take an aggressive approach; that is the only aggression the Treasurer has had. He has been backing off for the last month around this place. That is what he has been doing. He has no guts. If he had any principles he would resign.

Mr. Chairman: Order. Order.

Mr. Roy: They have been having the Treasurer make somersaults.

Mr. Handleman: It is a responsive government.

Mr. Roy: Responsive, yes. They have him on a yo-yo, for God's sake.

Mr. Chairman: Order.

Mr. Roy: Mr. Chairman, I apologize that the Treasurer has so antagonized me that I—for a moment there I thought I was getting involved in a very violent—

Mr. Nixon: He's been very provocative.

Mr. Roy: Very provocative, as my colleague said.

I want to say this, Mr. Chairman; there is no intention whatsoever to influence a name change. What we're trying to do, and I think that the comments from the member for Welland-Thorold, who believes in local autonomy—

Mr. Swart: That's Thorold.

Mr. Roy: Is there a problem? There's a fellow who has been talking in this House as though he has been lacking part of his anatomy and he is telling me how to make pronouncements.

I want to say this, I think the member for Welland-Thorold—is that okay?

Mr. Swart: No, it's Thorold.

Mr. Roy: Okay, I've got a problem with the "th." The only advantage I have in sitting here is not sitting in front of him so that I don't get that rainstorm every time he gets up.

Mr. Gregory: That's pretty gross.

Mr. Laughren: You have really raised the level of debate.

Mr. Chairman: Order.

Mr. Roy: Mr. Chairman, I want to say this: I think his comments are such that they are an insult to the whole democratic process. It was Mayo who made the recommendation that the name Kanata be used. It was Mayo who did after receiving recommendations from various groups right across the whole Ottawa-Carleton area.

Mr. Swart: You are not making a recommendation, you want to legally change it.

Mr. Roy: For that member to stand here—and he doesn't have a clue as to what is going on in Ottawa-Carleton—and say that we're trying to influence something—

Mr. Bounsall: I'm not sure you know anything about what's going on either.

Mr. Roy: If you have any guts come in and speak in our riding so you can increase our majority.

We think the amendment is a proper amendment. It reflects what the local people there wanted, and we're saying, basically, these are based on the May report. We think that Kanata is a far more exciting name, and I'm surprised that the members to my left, who talk about visions and who talk about principles, would not see fit to support such a sensible amendment, which is based on local input.

Mr. Chairman: All those in favour of Mr. Roy's amendment please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

I declare the amendment lost.

Sections 1 and 2 agreed to.

On section 3:

Mr. Roy: Mr. Chairman, I hear from my left the word filibuster. I find it interesting that those members who wasted our time for months on end cannot see the distinction between constructive debate on a piece of legislation and a filibuster.

An hon. member: The member for Carleton East (Ms. Gigantes) is getting to you.

Mr. Roy: Don't worry. I don't think the member for Carleton East will ever get to me—not in that situation.

In relation to section 3, I'd like to ask the Treasurer what some of the things are that he has in mind in relation to having ministerial orders necessary to establish wards and to provide a number of aldermen and councillors. I'd like to get some comments on the part of the Treasurer on some of the things he foresees will be necessary to be done by way of orders.

As I read section 3, Mr. Chairman, it states here that:

"The minister may, by order, do all such acts and things which may be necessary to establish wards and to provide the number of aldermen or councillors, as the case may be, in the city of Hazeldean-March, the township of Goulbourn, the township of Nepean and provide such other matters as he considers necessary to hold the elections in the municipalities in 1978."

My concern is, if in this bill we're establishing by way of section—I don't recall what section it is that they're going to have a mayor and so many councillors.

Hon. Mr. McKeough: It's section 4.

Mr. Roy: Is it section 4? "There shall be elected a mayor and six aldermen." Why is it that we would need, by way of ministerial orders, suggestions as to provide for the number of aldermen and councillors?

Hon. Mr. McKeough: We're talking about Goulbourn.

Mr. Roy: Yes, but you're talking about Hazeldean-March in section 3. I would just like to get some comments from the minister on that.

Hon. Mr. McKeough: Mr. Chairman, perhaps I might make a general comment on that as well, because there were questions with respect to the ward system. March has had a tradition of not having wards, Goulbourn has had a tradition of having wards, and Nepean has not had wards. Without going into all the details, there is some feel-

ing between the various subdivisions; some subdivisions—communities, if I can put it that way—are larger than others.

In particular, I think the Goulbourn people felt, and I respected their views, that those who were from March might tend to dominate things in the new city. But no one will ever know whether that is a legitimate concern or not. As a matter of principle, I and the ministry would not advocate a ward system. We obviously have accepted them, although there is no general legislation in place. Kitchener, for example, moved to a ward system this year, and perhaps that was a right decision. But when our advice is asked, we will normally say, "Avoid a ward system as long as you can," in terms of the parochialism it can sometimes bring. There does come a point, however, when a municipality gets large enough that it probably does need a ward system.

Having said all that, in the restructuring legislation we have consistently gone along with a ward system, even though the municipality might be relatively small, as a way of preserving some identity and making sure, although it would probably happen anyway, that each area is represented.

The March council—there is no vote on this, but if I can put it this way—I think the council understands the reason why I am proposing a ward system, or that we would put it in the bill. They worry somewhat that if there is to be a ward system, there are roughly 800 or 1,000 people in north March, who may end up in north March or who may end up some place else—

Mr. Roy: Where?

Mr. Handleman: Rural March.

Hon. Mr. McKeough: Rural March—who will be rural citizens in a somewhat larger municipality. Whether in some way or other they need a ward system has not been finally determined. When and if the bill goes through, we would propose to have a series of meetings with the three councils and sort out, if there are to be wards, what kind—there will be wards; I think that is settled in my mind, but I can still be persuaded against it. Because of the Goulbourn people particularly, we probably do need a ward system for the first two years. If they want to get rid of it after that, fine and dandy, and I'll applaud them.

The rest of that section is a standard section which allows me to bring the three clerks together. One of their number will become the returning officer for the election, and everything he or she does is authorized

by me under this section. It is a pretty neat section for the purpose of this first election to facilitate matters. We stand in the place of the Ontario Municipal Board, of course, because we will ask where the wards should be. It won't go through the municipal board process; this section then gives me the authority to order the wards.

Mr. Handleman: My position here puts me at some disadvantage in catching your eye, Mr. Chairman. I just want to say that I have constantly been opposed to the idea of a ward system. I think our at-large system in both March and Nepean has served us well; it provides for a cohesive community. But I do want to point out to the member for Ottawa East that the people in Goulbourn who are coming into the new municipality have been underrepresented on their own council over the past number of years because of the vast growth in the Glencairn ward. They are sensitive to the idea of being assured of representation on the new council.

I have spoken to the members of the March council who have been communicating with me, and I have assured them that if there is unanimity on the question of an election at large, there would be no difficulty with the government or the minister in putting that into the legislation. As I read the section, it can provide for a one-ward system.

I don't think that will be the result of the discussions; I am quite sure the people of Goulbourn will be quite adamant in their insistence of assured representation. If another system or technique can be devised to assure them of representation on the council, I'm sure the minister will take it into account.

[1:00]

I agree with the member for Ottawa East that an award system may create divisions. In this case, the division is there now. We have to recognize it and somehow assure them their voices will be heard in this very important two years of the formation of this new city.

Mr. Roy: May I ask the Treasurer: Will grants be made under section 3? Is it under the authority of section 3 as well that—

Hon. Mr. McKeough: No, the authority to do that, actually, is in the Unconditional Grants Act. It is not in this act at all.

Mr. Roy: You don't need it in this?

Hon. Mr. McKeough: No.

Section 3 agreed to.

Section 4 agreed to.

On section 5:

Hon. Mr. McKeough: The member asked about section 5.

A strict interpretation of the Police Act would say that on December 1 next they have to have their own police force completely in place. There is no police force there now other than the Ontario Provincial Police. They want their own police force, but obviously it has to be recruited, and paid for. My guess is that's going to take several years.

By doing this, the OPP can stay there as long as necessary, and stay there not illegally, if I can put it that way. We'll work out a timetable.

Mr. Roy: This is always a problem in the Ottawa-Carleton area, because of the number of police forces. It's something you've avoided in spite of the fact that it's recommended by Mayo. I'm not afraid to put on the record that I don't agree with one of those suggestions about a regional force.

When these people are getting the services of the Ontario Provincial Police, are you satisfied they are paying the full cost for these services? In view of the fact that the township of Nepean has a relatively large police force taking care of quite a large urban municipality, has it ever been considered that maybe Nepean should look at the policing? Is it their decision that they don't particularly want that?

Hon. Mr. McKeough: It has been discussed; I don't know how seriously. It's obviously, I suppose, a large question on the plate of the new council, when they are elected, as to how they handle it.

This section simply removes the necessity of having to act on December 1. I don't know that it is necessary—as a matter of fact, it is not. The OPP are still being phased out of the two regions, I think, at present. We've never done that legislatively or have had to authorize that by legislation. But the March council and the Goulbourn council, as well, said their reading of the act would indicate they'd have to provide full policing on December 1. I said, "That is not the intention and the Ontario Police Commission or the Ontario Provincial Police will not be expecting anything like that, but for your protection we'll put this section in the bill." That's how it got there.

Section 5 agreed to.

On section 6:

Mr. Roy: The question I have in relation to section 6 is it going to be up to the new municipality to decide the nature of the referendum they're going to have for the

name, or is it going to be within the purview of the province to decide that?

Hon. Mr. McKeough: It's the purview of the province.

Mr. Roy: The purview of the province, okay. Secondly, is the municipality going to decide the alternative choices for the name of the municipality, or is that again something that is within the jurisdiction of the province?

I suppose you would take suggestions from the local municipalities, but it is the province which decides the nature of the referendum and what names they will decide on for the new city. Is that what you're saying?

Hon. Mr. McKeough: Yes, because the new council won't be there. This referendum would be held on November 14 when the new council is elected.

If the new council doesn't like it, of course, then they can have another referendum either two years later or sooner.

What we will do, of course, is consult with the three councils and in some way ask them to choose names. I have forgotten how it was done in Waterloo. I think those names were suggested; I have forgotten by whom. In the case with which I was most intimately connected—and that was before I knew the member for Carleton East too—was Thunder Bay. We made the very sensible decision there, I thought, to ask the public school children, the elementary school children.

Mr. Foulds: You are going to stimulate me to speak.

Hon. Mr. McKeough: They had a vote and came up with three names which were well accepted. That's how the three names were chosen. They were recommended to me and I placed them on the ballot—one of the great success stories of all times.

Mr. Roy: Could I ask the Treasurer if he has made a final decision on the names?

Hon. Mr. McKeough: No, no.

Mr. Roy: You have not made that decision. Is Kanata going to be one of them?

Hon. Mr. McKeough: I'll suggest it.

Mr. Foulds: I'm sorry, I wasn't going to give my Thunder Bay, The Lakehead, and Lakehead speech, the saga and the ballad of the amalgamated city that has become known as Thunder Bay, but in the fact the Treasurer will admit privately if not publicly that there was an error made in putting on the ballot the conflicting and confusing choice of Lakehead, The Lakehead, or Thunder Bay. The majority of people would have voted and did vote for some variation of

Lakehead or the Lakehead, but Thunder Bay squeaked through the middle. To this day, some people see it as a paranoid plot of the Treasurer. I don't ascribe it to that at all. I think it was mere incompetence and ignorance of the issue at the time.

Mr. Conway: Is it true that the member for Carleton favours sovereignty-association?

Mr. Chairman: Order.

Mr. Epp: I wonder if the Treasurer could indicate whether he has a limit to the number of names on the ballot. Are there just three, or could six or 10 names be on?

Hon. Mr. McKeough: No, I have none. Each time it has been three, hasn't it? It's never been more than three. I think we'll suggest that, but if they desperately want four, fine.

Section 6 agreed to.

Sections 7 and 8 agreed to.

Bill 131 reported.

On motion by Hon. Mr. Welch, the committee of the whole House reported one bill without amendment.

THIRD READING

The following bill was given third reading on motion:

Bill 131, An Act to establish the City of Hazeldean-March.

Mr. Roy: On a point of order, Mr. Speaker, I might state that the fact that this bill went through two stages in one particular day is due largely to the co-operation of the Liberal Party. We know the rules of procedure—

Mr. Acting Speaker: Order. Order.

Mr. Roy:—and we did not object to it.

Mr. Acting Speaker: Order.

Mr. Foulds: Out of order.

Mr. Martel: Mr. Speaker, he doesn't have a point of order. There is no standing rule that says that.

Mr. Roy: Yes, there is. There is a standing rule that says 20 members can object.

Hon. Mr. McKeough: Speaking to the point of order—

Mr. Acting Speaker: With respect, Mr. Treasurer, there is no point of order to speak to.

Hon. Mr. McKeough: It really is a matter of privilege. I would have to thank members opposite for their co-operation in expediting this bill. I really thought it was so cute that the member for Ottawa East felt he had got himself in so far, he didn't know how he

was going to get out of this name business, where he really was on a very sticky wicket. Do the members know how he got out of it?

Mr. Acting Speaker: Order.

Hon. Mr. McKeough: When it came time to put the vote there were only four Grits in the House, so he didn't have to be embarrassed on the record. That was clever. I admire him, I really do.

Mr. Roy: After your performance of the last few weeks, I have no problem.

CITY OF LONDON ACT

Mr. Gregory, on behalf of Mr. Walker, moved second reading of Bill Pr13, An Act respecting the City of London.

Motion agreed to.

Third reading also agreed to on motion.

HAMILTON CIVIC HOSPITALS ACT

Mr. Martel, on behalf of Mr. M. N. Davison, moved second reading of Bill Pr18, An Act to revise Hamilton Civic Hospitals Act, 1961-62.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF TORONTO ACT

Mr. Gregory, on behalf of Mr. Rotenberg, moved second reading of Bill Pr23, An Act respecting the City of Toronto.

Motion agreed to.

Third reading also agreed to on motion.

CITY OF THUNDER BAY ACT

Mr. Gregory, on behalf of Mr. Hennessy, moved second reading of Bill Pr26, An Act respecting the city of Thunder Bay.

Mr. Foulds: Mr. Speaker, in an act of generosity, I offered to move the second reading. I offer to move the third reading as we supported the bill along with Mr. Hennessy.

Motion agreed to.

Third reading also agreed to on motion.

POLY AIRE INTERNATIONAL LIMITED ACT

Mr. Gregory, on behalf of Mr. Leluk, moved second reading of Bill Pr29, An Act to revive Poly Aire International Limited.

Motion agreed to.

Third reading also agreed to on motion.

WORKMEN'S COMPENSATION AMENDMENT ACT

Hon. B. Stephenson moved second reading of Bill 126, An Act to amend the Workmen's Compensation Act.

Hon. B. Stephenson: Mr. Speaker, there is little to add to the statement I made earlier this week, when this bill was introduced. I would like the honourable members, having had the opportunity to peruse at least the Wyatt report, to be aware that the recommendations made within the bill on the increases in levels of benefits are those based upon the Wyatt report and the recommendations of the Workmen's Compensation Board. It is my understanding that the Workmen's Compensation Board, in their deliberations on this subject, were very close to the recommendations made by the joint consultative committee, a committee of that board, and that those recommendations were the basis for the decisions made by the Workmen's Compensation Board.

I would remind the honourable members that the Workmen's Compensation Board does have to report to me and the joint consultative committee is an internal committee of that board, and I am not privy to all of their deliberations. I think it is incumbent upon the members of the House, Mr. Speaker, and I feel very much constrained to ensure, that these amendments are passed by this House as rapidly as possible so that they may be in place for the benefit of Workmen's Compensation recipients by July 1.

[1:15]

Mr. O'Neil: I would like to open my remarks by saying that although we are very pleased to see this bill brought in by the minister, we have been quite upset, as I know members of the other opposition party have been, at the delay before the increases were brought into the Legislature. I realize the minister has stated that she was awaiting the results of the Wyatt report, but it is my understanding that the Wyatt report has been in the hands of her ministry for approximately two months. This is not right? That was my understanding from some of the quotes that were made, and I will check on Hansard on that. I might recall also that as far back as April 13, 1978, the member for Erie (Mr. Haggerty), who is very interested in the Workmen's Compensation Board and in seeing that the workers are covered properly, given the right amount of benefits and looked after by the board, made several comments that may be found on page 1500 of the April 13, 1978, Hansard.

Another study which was mentioned just now by the minister was the report of the joint consulting committee. I am sorry this report was not made available to the members of the Legislature. I have not seen copies of it, but I believe that were that information given by that committee to the people who wrote the Wyatt report, it would have been good if the details also had been made available to the members of this Legislature, so they could also have examined them and had further input.

As our leader mentioned on Monday when this bill was put forward, he was quite upset that we were not made privy to the information that there are sufficient funds in the Workmen's Compensation Fund to fund these increases. I am a little upset, as I know all of our members are, that the funding that is made available to the Workmen's Compensation Board is not done more on an annual basis as is recommended by the Wyatt report. One of the recommendations calls for an annual audit by the superintendent of insurance of Ontario and for full, clear disclosure of the WCB's financial condition in each annual statement. This is one thing which I would like to see enacted when we go into a study of the Wyatt report and the study of the WCB bill.

We are also a little bit upset, as I mentioned, about the timing of Bill 126. It was introduced on June 19; we are giving it second reading today, the 22nd. It really has not left us adequate time for consideration, to make a study of the Wyatt report, and it is my understanding that the minister will give to this Legislature her commitment that, when we return in the fall, the members, possibly through a committee of all members of the Legislature, will be able to sit down and have a look at the Wyatt report and also look over the WCB Act to look at further changes.

I know there may be some discussion as to whether these amounts are good enough to cover different areas of compensation that we run into, whether they may concern single-parent families, widows or children. There may be discussion on that by some of the members later this afternoon. I feel it is important that we see that this bill is passed through the Legislature so these benefits will be available by July 1 for the people who are on compensation, by so they will get these increases. That is the most important thing—that these increases be made available to them.

In the fall when we reconvene we may have a look at the Wyatt report and the act.

We will have had a chance to have examined in detail the recommendations, to see the ones we agree with and the ones we disagree with. Possibly at that time there will be some change in the benefit levels and the things that are made available to these people on compensation.

So the minister can look at it, I would mention one of the things that gives us a bit of problem, even with this bill. I don't believe the bill really deals with those people who have lump sum payments after 75. We believe that, in some cases, people received lump sum payments because they were in dire difficulty and needed the money right away. I wonder if I could have the minister's comments before we go into this bill, section by section, as to whether she believes that they also should receive these increases. As I say, we are not completely happy with some of the things in the bill. It does give these people increases, and it will give it to them shortly. If it is retroactive for the period of the last three years, when they did not receive increases, then we will be supporting this bill.

Mr. Bounsell: It feels like old times to have a bill increasing the pension benefits of the Workmen's Compensation Board before us in the last day or two of session, before we break in June or July. This has been the pattern in 1974, 1975 and I have come to expect it. I was, of course, upset that these pensions were not adjusted in 1976 and in 1977. We're here in 1978 making all these back adjustments—moneys which should have and could have been already in the hands of the injured workers in the province of Ontario.

I suppose it's like past history. The bills usually come in with about as much time to look at them as we had this time. In addition, we had the Wyatt report which examined the financial structure of the board and laid before us some of the philosophy for some of the changes that appear in this bill. Certainly the maximums that will be paid out cause me some concern and I will speak at some greater length on that, either in this debate or when we get to the committee stage.

I'm sort of used to doing a lot of work in a rather short time so the data presented to us causes me no concern. All it means is that when it does come up, one loses a little bit of sleep. That's fair game. So I have no complaint about the bill being debated shortly after its introduction, nor that the bill was accompanied by the 500-page Wyatt report which also needed some digestion.

This is par for the course and I would sooner have this bill in which pensions are adjusted, even with the short time to think about it before debate, than not have it at all. I would have preferred to have had debates in 1976 and 1977 in the month of June, rather than waiting until 1978. However, this bill does make adjustments to pensions backdated to those other two periods.

Of the bill, I can say we will support it. We will have amendments to the bill and some of those amendments need not take all that long to discuss. So there is no way the bill won't come into effect for July 1, 1978, with the backdating of pensions which flow from that bill. We anticipate no problem with that at all.

However, there are two or three points in the bill that do disturb me. One, of course, is the widows' pensions. The minister, the ministry, and the Workmen's Compensation Board know my thoughts in this matter from previous speeches on bills, particularly in 1975. I see no rationale whatsoever for the widows' pensions to be any different from those pensions paid to the permanently 100 per cent disabled workers. It seems to me that if a worker gets sufficiently disabled that he is killed in the work place—and that is a pretty substantial disablement—the pension paid to the widow cannot be and should not be identical to those outlined in the bill for the permanently disabled.

For some years from 1971 on those amounts were equivalent; they were equivalent in the amendments of 1974. In 1975, we moved off that and substantially adjusted the amounts for the permanently disabled and increased the amount of the widow's pension, but only by the 10 per cent cost of living adjustment which was made to all of the other pensions. That principle which seemed to have applied—although for years before the early '70s it didn't apply—and to have become thoroughly established and which, when talked about received no negative comments or denials from the board or from the various Labour ministers that that was what they had done, was abandoned in 1975. That principle should be reinstated now without fail.

Hence our amendment in this section would replace the widow's pension amounts by what is in the bill; they are increased by the percentages which are used in the bill to the amount equivalent to those pensions paid to the fully disabled worker. Again I stress the philosophy of this. How much more fully disabled could a worker be than one who is

killed in the work place? He leaves a survivor who should get the pension that a fully disabled worker should and would receive, if he had stopped just shy of death in the work place. It makes such eminent sense that I can't see why we are fiddling around with any other smaller numbers. I just cannot see the justification of it.

One can always argue that there is a cost factor involved. There is a cost factor involved in all of these. For that matter, there aren't that many widows and widowers in the province that to give them the amount of pension equal to the pension for the fully disabled would cause much strain on the resources of the Workmen's Compensation Board.

Of the total pensions paid out by the Workmen's Compensation Board, a figure roughly around 55,000, the widows and widowers' category includes less than 5,000 recipients. About eight per cent of the pensions paid out are paid out to the widow or widower category. There are not many in the widower category; I think the number can be counted on the fingers of both hands. The category is mainly widows. They are mainly women who, following the traditional situation women find themselves in, usually haven't had much opportunity to acquire skills or haven't practised their skills in the work place. Certainly they very much need the full pension accorded to a fully-disabled worker.

The group is small in number. The minister really can't argue, therefore, with any great strength that this would put the board under financial constraints if those widows' pensions were increased from what is in the bill—for example, from \$318 a month—to the level for the fully disabled, which should be \$448—in the bill it is \$444. I would ask the minister and the members of the Liberal Party to consider very seriously that this is one defective area of the bill and to support our amendment in this regard.

In terms of widows' pensions, if one looks at it there are various ways one can approach the matter. We will not try to make amendments in this particular bill to the philosophy which would treat widows and widowers somewhat differently. Perhaps we can look forward to a year from now when we get the next bill changing the benefits of the Workmen's Compensation Board so we don't have to wait for years thereafter. We expect that next June at the latest.

[1:30]

Perhaps the minister, with the Wyatt report in hand, could consider various changes with

respect to widows and widowers. Just in Canada alone, there are various ways in which the widow and widower category is handled.

Saskatchewan pays 100 per cent pension for the first five years, making an assumption that this will enable the spouse to adapt, retrain, and re-enter the work force. And knowing that the 100 per cent pension will not pertain after the five-year period, this certainly gives the widowed time for adjustment and retraining.

After that five-year period, the pension does not go to zero. There is a real figure in Saskatchewan's bill. As of more than a year ago, this figure was \$300 a month, which was certainly more than we have had up to that point, which was only \$286. I hope that the minister will consider this as one of the methods we could follow to treat the widow and widower category in this province.

Manitoba pays a 100 per cent pension to widows or widowers. This is reduced by what is called a dependency factor: if the widow or widower was fully dependent upon the person who was killed in the work place, they receive the full pension. If the widow or widower was, in fact, working half time, for example, at the time of death in the work place, then consideration is given to reducing the pension by 50 per cent. They apply this rather nice dependency factor, which I don't think is too complicated. It recognizes, and really encourages, the working of the widow or widower of the person killed in the work place so that one doesn't feel forever dependent and tied for the rest of one's life. And this could happen at a very early stage in life, and the widow or widower could be constantly reminded of it.

Australia has various categories of widows and widowers—class A and class B. I won't go into the ins and outs. I am sure the minister and the board know about those situations.

We would certainly be willing to consider changes in philosophy in the act so that widows and widowers are rewarded more than they have been under our acts, and are thus provided with some sort of incentive and encouragement to retrain and get into the work place.

Perhaps the minister would note this in response. I was quite intrigued by the percentages by which the pensions were changed in this act, and it followed that the same percentages, of course, were used throughout. I looked up the consumer price index, as well as the average salaries and wages index changes that have occurred in various years, and looked at the actual percentage figures

placed in the bill. As a result, I am not able to conclude just what exactly the minister or the board were doing in picking the particular figure they did.

The consumer price index in the year 1975 showed an increase of 10 per cent. The increase in the average salaries and wages was 12 per cent. Neither figure was picked. Eleven per cent was picked. You say, "Ah, there is a pattern emerging! The minister is taking those two indices and splitting the difference, so she got 11 per cent."

You look at 1976, where the consumer price index was a six per cent increase, and the percentage increase in salaries and wages was 10 per cent. The minister, inexplicably, picked eight. But you see the pattern following—she split the difference. Eight is the difference between the six and the 10.

You say, Mr. Speaker, "Well, there's the clear pattern emerging. There's the mix of the consumer price index and percentage increase in the average salaries and wages. That is what the minister is doing." That's fine, if that's the principle on which it were done. We would accept that without question; there is some rationale for those percentage changes. Except when you now get to the year 1976, for which the pensions are to be adjusted by July 1, 1978, the consumer price index increase was 14 per cent, and the increase in salaries and wages was six per cent. The ministry and the board increased it only by six per cent and the whole pattern is lost. There is no rationale there whatsoever.

One wonders if there were any rationale for the other two years, because the difference between the six and 14, of course, is eight, half of which is four; so that increase should have been 10 per cent, if that rationale were followed.

We were not therefore able to detect any rationale. We would have settled for and not moved, as we have done, one iota of change in any of these pension rates as laid out in the bill if the changes had been that rationalized change, as we might have observed from the first two years—11, eight, followed by 10; rather than 11, eight and then choosing the lower of those two indices.

I am one of those persons who likes to see rationale used when it comes to choosing percentage changes for pensions. I would like to be convinced that some rationale was used—and if so what?—in the choosing of that six per cent adjustment for the year 1977. However, having looked at that and observed what I thought was a trend, which

completely fell apart for 1977, I am left with the question, if I were making the choice, what would I do? What would I propose for the percentage increase on the benefit levels as contained in this bill?

I wasn't unhappy with what the minister had done, or appeared to have done at one point, choosing half of the difference, a 50-50 mix of the percentage increase in CPI and average salaries and wages. One simply could have proposed that the first two years be fine, as those increases were, and in the following year have that mix at 10 per cent. If the minister would say that's the rationale she and the board would like to be using, that also would be completely acceptable to this political party and to me.

However, not being at all confident, because of what happened for the 1977 year adjustment, that that was the rationale used, again we come back to the point of what, in fact, should have been used. I have argued ever since I came into the Legislature in 1971 that workmen's compensation clearly is a scheme by which the decrease in workers' income as a result of injuries in the work place should be compensated for, if one is going to make any adjustment at all on pensions, that adjustment should not be according to the consumer price index, but according to the average salaries and wages, the industrial composite, in the province of Ontario.

One can make a very rational argument for that to be the case. This is the one pension, this is the one benefit above all others which should be tied to per cent increases in salaries and wages. That's always been the rationale which I have used, and therefore, I again choose to stick with that rationale since the ministry doesn't seem to have any clearly emerging rationale itself.

Mr. Laughren: There is the embarrassed Minister of Revenue (Mr. Maeck).

Mr. Bounsall: The adjustments I would have made on those pension levels would have been 12 per cent in the year 1975, rather than the 11 in the bill; 10 per cent for the year 1976, rather than the eight per cent that's in the bill; and in the year 1977 I would agree with the six per cent that is contained within the bill, knowing full well that six per cent increase in the salary and wages for the year 1977 is well below the consumer price index increase of 14 per cent.

That is an indication of the effect of the Anti-Inflation Board and its non-operation in our society where salaries and wages went up only six per cent and consumer price index has gone up 14 per cent. It shows the total

inoperability of justice being achieved through that Anti-Inflation Board. In the amendments which I have tabled the minister and the staff of the Workmen's Compensation Board will see that I've simply made what turns out to be a rather small monetary adjustment on the numbers as indicated on the bill to give and put in place the proper rationale for what those changes are.

Instead of having 11, eight and six we are proposing 12, 10 and six, with a cumulative effect of around 30 per cent over that three-year period, as opposed to the ministry's proposal which has a cumulative effect of around a 27 per cent increase.

Those differences aren't very much. We needn't argue about those differences. What I would like to really talk about and be convinced about is the minister's rationale. Let's get it on the proper rationale, which in my terms should be the percentage increase in the average salaries and wages.

I know the ministry did not have the Wyatt report in their hands for very many days—I guess it was in unbound form when it eventually arrived in the minister's hands by the end of the first week in June. However, having had it at least since then, the people at the board serving on that review committee, knowing full well the problems, should have built into the legislation an automatic adjustment at this time. Then we wouldn't have to have before us each June—or hopefully each June, for it has not happened in the last two years—a bill requiring those changes to be made.

Of course, our amendment follows the philosophy that on July 1 each year there shall be an adjustment on all of the benefits equal to the percentage increase in salaries and wages that have occurred up to December 31 of the previous year—so by July 1, 1979, there would be an absolutely automatic adjustment of those pensions equivalent to whatever the percentage increase in salaries and wages was in Ontario for this year, 1978.

Those figures would be available from Statistics Canada within the first two to three months of any calendar year. It would give the board, therefore, sufficient time between then and July 1 to make all of those adjustments. Then the adjusted cheques could go out by July 1 as the legislation, if amended as we see it, would so indicate and empower the minister to do without coming before us.

We will get into much more detail in some of the arguments as we go through the bill clause by clause. But one of the things which also disturbed me very much about this bill was the maximum amount on which the salary could be calculated. I have read

thoroughly that part of the Wyatt report indicating there should be no adjustment to the maximum. Some of the rationale is that it is those persons who are at or near the maximum who are the most advantaged anyway.

The 25 per cent at that level are those who are paying more than 25 per cent of their income in income tax. Therefore, they are the ones, rather than all the lower salaried workers, who are receiving a benefit. Those who are less salaried are not, by that 75 per cent non-taxable payment on which their compensation is initially calculated and then their pensions based.

[1:45]

But it takes the wrong approach and draws the wrong conclusions. We have argued and suggested in estimates before, particularly the estimates dealing with the Workmen's Compensation Board two years ago. We got into that whole problem rather heavily concerning who is disadvantaged when that compensation is 75 per cent non-taxable of the average earnings. Certainly, it's most discriminatory against the low-income worker and persons with large families. The person who gets the most advantage from it is the high-income person at the maximum, particularly if that person does not have a family. And I quite appreciate that there is no way we, in the province of Ontario, should have to increase our collections from employers in order to pay out a taxable benefit to workers so that money can then be paid out to the federal government.

I believe that the initial approach worked out with the federal government, that these pensions should be non-taxable, is a correct one in terms of having a lower levy to our employers in Ontario. But what should be applied now, and the board has the sophistication to do it without question, is a sliding scale of what percentage, related to their salary and their dependants, should be paid on compensation.

In response to those estimates discussions of a couple of years ago, the board gave out a very interesting document subsequently. For a fair number of salaries categories and for those with no dependants and those with various numbers of dependants within those salary levels, the document indicated how long each of those persons must be on compensation before they started to become advantaged or disadvantaged.

It was an interesting document because, if I recall, the major breakpoint was around nine months and most of the people on compensation do not stay on compensation that long. But you still have this group of

long-term workers, small in number, who are off the job longer than nine months, in those lower salary categories who, in point of fact, should be dealt with more fairly than the present blanket of 75 per cent non-taxable we now have. Those workers, I think, should be on a sliding scale that deals with that equitably and which takes away the major point made by Wyatt in the report: why we should not increase the maximums in the act.

By increasing the maximums only the small amount in the act, from \$15,000 to \$16,200, some very real problems are caused. There's a section in the bill where I have some difficulty understanding exactly what it was accomplishing and I'm not sure that it accomplishes it. Maybe we can set that aside as we go through it in committee and see if there is any possibility of changing those maximums in section 5 of the bill.

It will create a situation where, if someone is receiving the percentage increases in their pension, they will end up receiving more than a newly injured worker, injured after July 1, 1978, because the maximums aren't increased to the point they should be.

There's a section in the bill at the bottom of page three and continuing to the top of page four which I had difficulty interpreting after several readings. That section is supposed to take care of that. It says no worker injured prior to July 1, 1978, can have his pension adjusted by those percentages outlined in the bill in such a way that he or she would receive more than someone who was injured after July 1, 1978. By so doing, we are seriously disadvantaging those workers who should be, according to justice, receiving those pension increases which are due to them. Because of the salaries they made at the time of the injury they are not going to get the 27 per cent cumulative total outlined in this bill, nor the roughly 30 per cent cumulative total which we are proposing for the bill. They are to be stopped from receiving them.

I'm not sure that's what the section is trying to achieve; I'm not sure that the wording of it actually achieves it, but that's the effect of it. That should simply not be in there.

I would say to the minister that we have always had a problem in there being any maximums at all in the bill on which average earnings can be calculated and compensation paid. We believe very strongly that everyone should be treated the same and treated justly. Why should someone who becomes injured in a work place injury, who is earn-

ing for example \$20,000, as we MPPs do, have to have it assumed for him that his earnings in terms of board payouts will only be \$15,000 or, as this bill amends it, \$16,200?

There was no problem in the last adjustment we made in 1975 because we increased the maximum from \$12,000 to \$15,000, which was a greater increase than the increase in the pension. We didn't have the problem of workers having a pension adjustment being in danger of receiving more than a worker injured post July 1, 1975. By increasing it by the small amount we have done, we have workers in that situation who will not, therefore, be able to receive the additional pension.

As a minimum, if one is not going to take off any maximum amount in the bill, which I feel should be done for simple justice's sake, the pension maximums must be adjusted to alleviate that problem by the exact amount as whatever percentage we choose to use in this bill. Either what is in the bill or what we propose should be increased by that identical amount over that three-year period and each year over that three-year period. That is one of the positions which could be taken. That could be a formula used in which thereafter the maximums should be increased by the same percentage by which the pensions are increased, so that we don't find ourselves in that very much disadvantages situation.

The final point I would like to make in the debate is that one of the continuing concerns for any worker who is injured, be he on compensation for some months who then recovers and is able to return to the work place or if he ends up not being able to return to the work place, is that unemployment insurance and Canada Pension cannot be paid for them. They cannot pay it, and no mechanism has been found by which it can be paid for them.

I would strongly suggest to the minister and to the Workmen's Compensation Board, whatever it takes to work out with the federal government, while a worker is recovering from an injury, it is reasonable for the worker to have unemployment insurance paid for him so that he is not in danger of losing UIC earnings and that Canada Pension Plan contributions should be made for him as part of his pension benefits as an add-on, so that he is not losing cumulative pension benefits. Whatever needs to be worked out with the federal government should be worked out so that that can be paid for injured workers, at least while they are on compensation.

Perhaps it could be worked out that a payment could be made on their behalf on their pension award as well. But at least for those on compensation that should be worked out and be paid as an additional amount and not as a deduction from the compensation to be received nor the pensions they are receiving. It should be paid on behalf of the workers.

This is a continuing source of questions from and a continuing source of frustration of injured workers who are on compensation for any length of time. It should be possible to work it out. It is not impossible, I am sure. It should be done.

Mr. McClellan: Mr. Speaker, this bill, An Act to amend the Workmen's Compensation Act, to restore the loss in purchasing power to injured workers as a result of the government's failure to raise the rates since 1975, ends one of the sorriest chapters in this province's recent past. It has been a source of shame and disgrace to Ontario. It has been a scandal that the injured workers in Ontario have been forced to bear the brunt of a callous and cruel restraint program; that injured workers have been singled out for this kind of punitive treatment; that injured workers alone, of all other sectors of our society, have been denied a cost-of-living increase for almost three years.

The fact that the bill comes today is a source of some satisfaction to us. It is not a cause for gratitude, however, because we do not have to express gratitude when our constituents' rights are acknowledged and recognized and accorded. It's not a question of charity that's being bestowed by a government on a group of people. It is a question of the recognition by government of the legitimate rights of injured workers to decent pensions and adequate compensation and adequate protection against the ravages of inflation.

Mr. Lupusella: You never used the word "rights."

Mr. McClellan: It is the epitome, the very essence, of bad government when problems are allowed to go unattended and grievances are allowed to continue unredressed. In this instance, the failure of the government to adjust the compensation rates has led to civil disobedience. It has led to violent clashes with the police. It has led to violence. It has led to charges being laid and court proceedings being initiated.

That is what bad government is all about: when decent, hard-working people are unable to have their legitimate rights acknowledged by government and they turn, in desperation, to other ways of drawing attention

to their plight. That's exactly what has happened in this situation with respect to this government's failure to raise the compensation rates. It has led to violence and to confrontation.

I hope that never happens again in Ontario.

Mr. Laughren: It never needs to happen.

Mr. McClellan: It should never have happened and it need not happen. I say to my colleagues in the Liberal Party that I hope we can amend the legislation to include automatic indexing in the Workmen's Compensation Act so that injured workers will be granted the statutory protection, to which they are entitled, against the loss of purchasing power as a result of the ravages of inflation.

I want to speak very briefly to four points with respect to this bill. I haven't had adequate time, as none of us has had, to fully read the Wyatt report. I regard it as an important document. It covers every aspect of the Workmen's Compensation program. It deserves very close and detailed study, and it will receive that study. But on the basis of a very quick and cursory reading of the Wyatt report, I have a number of observations that I want to make. I make them tentatively, but I believe that the observations are valid.

[2:00]

In the first place, we have to recognize something I'm not sure the Wyatt report recognizes or my colleagues in the Liberal Party recognize, that the workmen's compensation program is not a welfare program; it's an insurance program. Like any other insurance program it has to be operated on insurance principles. That means that, like any other insurance program, it has to have a liability fund which is solvent. The reality is that the Workmen's Compensation Board has an unfunded liability according to the Wyatt report of \$682 million as of December 1976.

When members of this House say the money was in the accident fund all the time to raise the rates, they are making a fundamental confusion between a welfare program and an insurance program. The fact is that the compensation board does not have sufficient funds in the accident fund to cover its liability.

Mr. Speaker: I wonder if the honourable member would find this a convenient place to break his remarks. By previous agreement we were to revert to routine proceedings at 2 o'clock.

On motion by Mr. McClellan, the debate was adjourned.

LEGISLATIVE PAGES

Mr. Speaker: Before I call ministerial statements and in keeping with past practice, in order to acknowledge the excellent service provided us by the legislative pages I'm going to read their names and their ridings into the record:

Ruth Boehm, Waterloo North; Maureen Bracewell, Scarborough North; Douglas Carroll, Scarborough-Ellesmere; Stephen Dunne, Mississauga South; Penny-Lynn Fielding, Sudbury East; Virginia Gallop, Beaches-Woodbine; Lyn Gregory, Perth; Patrick Grier, Lakeshore; Laura Houston, Northumberland; Ian Jeans, Brant-Oxford-Norfolk; Douglas Jones, Scarborough North; Amanda Kelman, Quinte; Wendy McKee, Mississauga South; Kristy McKittrick, Simcoe East; Ross McKittrick, Simcoe East; Chris Miller, Lake Nipigon; Adam Schatz, London South; Monique Smith, Nipissing; Geoffrey Terrill, Victoria-Haliburton; Lisa White, Dufferin-Simcoe; Stuart Wright, Simcoe Centre; and Konrad Yakubuski, Renfrew South.

I'm sure all members would like to join with me in thanking this excellent group of pages for their services during the past six weeks.

Mr. Nixon: If they'd been much better we would have had to pay them.

STATEMENTS BY THE MINISTRY

QUEBEC POLICY ON
CONSTRUCTION HIRING

Hon. Mr. Davis: I am tabling today two letters that were sent from my office yesterday. The first is to the Prime Minister, the second to the Premier of Quebec. The letter to the Prime Minister asks the government of Canada to initiate a reference under the Supreme Court Act in regard to regulation OC 3282 which has been enacted under the province of Quebec's Construction Industry Labour Relations Act.

This regulation, as members of this House are aware, will deny a substantial number of Ontario residents, particularly those who reside in areas close to the Quebec-Ontario boundary, employment opportunities in construction trades for which they are fully qualified and to which, we believe, they are fully entitled.

We believe that there are serious doubts as to the constitutionality of the Quebec regulation and, having due regard for the manner in which issues of this kind can be properly challenged, we have asked the federal government to place the matter before the Supreme Court of Canada—an action in which we shall

readily join in our attempt to remedy what we regard as a totally unacceptable situation.

In addition, Mr. Speaker, later today the Minister of Labour will introduce for first reading, and, quite frankly, as an indication of our determination, a bill that is intended to protect Ontario workers, given the Quebec regulation. However, it would not be our intention to proceed with this legislation until the decision regarding a court reference is made or until the court rules in the matter. Nevertheless, we feel it is necessary to indicate, and clearly, that we take this matter seriously and we do not intend to have this province or its citizens placed at a disadvantage because of the actions of another provincial government.

As I indicated in my letter to Mr. Levesque, I regret that such action has been found to be necessary. It was my belief, following my recent discussions with him in Toronto, that an acceptable solution could be found. Towards this end, the Minister of Labour has discussed the matter on a number of occasions with her counterpart in Quebec. Despite those discussions, the Quebec position has not changed. The Quebec minister has explained that the intention of the regulation is to give the Quebec government more effective control over the construction industry in that province, and that it is not deliberately intended to penalize Ontario residents.

Whatever the purpose of the regulation, however, the end result for Ontario workers remains the same and as a result is unacceptable to us. I repeat that while the message has been communicated on a number of occasions, including my own conversations with Mr. Levesque, we feel that no acceptable modifications in the regulation have been proposed.

In defence of its position, Quebec has referred to provisions in the regulation allowing the issuance of special permits to non-residents, including Ontarians, who are members of an employer's "regular work force." However, the definition of "regular work force" is left to the uncontrolled discretion of Quebec officials. Moreover, we have been told that the concept will be limited to "key men" who have lengthy periods of continuous employment with a single employer. Hence, this so-called exemption provision provides no relief to Ontario tradesmen who cannot meet these stringent service requirements.

I have been assured, however, that while the regulation becomes effective July 1, Ontario residents working on Quebec construction projects will be permitted to continue to work at least until the projects are completed.

Nevertheless, since these transitional arrangements obviously do not provide the permanent solution which we are seeking, we feel that relevantly quick action is required on our request for a court reference.

I sincerely regret that we have had to proceed along the lines I have outlined. It is, quite frankly, a sad day when it is necessary to ask our courts to reaffirm the rights of Canadian citizens to live and work wherever they wish in this country and to consider legislation as a self-protective measure that seems contrary to the principle of free movement of our citizens. Further, it is unfortunate that such a matter of mutual interest cannot be settled fairly and amicably between two provinces when the circumstances are fully understood, and when our sister province has indicated on numerous occasions its desire to resolve this type of problem through direct discussion.

I have no reservation in stating, however, that the failure to find an acceptable solution does not result from either a lack of effort or a necessary degree of flexibility of thinking in the province of Ontario. In conclusion, let me emphasize the importance of the closing comment in my letter to the Quebec Premier. Despite the requested court reference, and the legislation that has been prepared, we continue to stand ready to discuss this matter with Quebec officials in an attempt to find an acceptable arrangement. It is my hope that he will respond to that suggestion, since it should now be clear that while Ontario wants to resolve this matter in an acceptable fashion, we will not accept the consequences of this regulation as it currently stands, and we are prepared to take the necessary steps to ensure fairness and equity for construction workers in Canada and to protect, to the full, the rights of our Ontario citizens.

CONSTITUTIONAL REFORM

Hon. Mr. Davis: Mr. Speaker, I have another statement to make. Two days ago in the House of Commons, Prime Minister Trudeau unveiled the specifics of the federal government's proposals for constitutional reform when he introduced for first reading legislation entitled the Constitutional Amendment Bill, 1978. The proposals contained in the federal bill are complex both in substance and procedure and will, therefore, require a careful analysis to ascertain their implications and effects, both nationally and on Ontario. For this reason I believe it would be premature to try to provide time in the House and to give the House a comprehensive or definitive reaction on all aspects of the proposal at this time.

There are some aspects of the bill that upon initial reflection give rise to questions if not concerns, in our minds at least. For example—and these are only examples—I wonder about limited assurances of Ontario-based appointments on the Supreme Court of Canada, about the degree of Ontario representation in the proposed House of the Federation and the functions of that House and about the proposed relationship between the monarchy and the office of the Governor General.

I am also concerned about the lack of pre-consultation on the proposed charter of rights and freedoms, given the specific references to Ontario in that section of the bill. But these matters, I assume, can be fully discussed as part of the consultative process which the Prime Minister has requested.

In looking at the federal proposal I might reiterate the three main areas of national priority that I set out in my remarks to the task force on national unity last November. These priorities, which are just as valid today, are a major concerted effort by the federal and provincial governments to create the right economic climate to permit the private sector to foster growth and development; a reform of the practices of federalism to reduce the kind and degree of overlap and conflict in the policies and programs of the two levels of government, a technique which we have termed disentanglement; and my references to constitutional change.

As we head into what undoubtedly will be a strenuous period of constitutional discussions, I would simply repeat my concern that economic progress and constitutional progress must go hand in hand. The initial steps towards economic recovery that the first ministers took last February cannot be forgotten or ignored as we review suggestions about the constitution. There are economic priorities which must be pursued and economic decisions which must be made if the needs and expectations of Canadians are to be satisfactorily met.

I am pleased that in its white paper, A Time for Action, the federal government has adopted disentanglement as an objective of national policy. As I have had occasion to argue many times over the past three years, we can no longer afford the waste in human and financial resources that comes from both levels of government becoming involved in the same area of responsibility. The public confusion and intergovernmental conflicts which result makes our federal system more difficult to operate effectively. I look forward to discussion with my fellow Premiers later

this summer and with the Prime Minister in the fall how we can minimize this kind of duplication.

I am also pleased that an attempt has been made in the federal constitutional proposals to incorporate a number of the goals for constitutional reform that I set out in my task force statement. While I can thus agree with what the federal government is attempting to do in such matters as making a national commitment to the reduction of economic disparities and improving intergovernmental consultation, it will require more detailed consideration before I can say whether I agree with the techniques chosen to implement these objectives.

I particularly welcome the concept in the bill aimed at the strengthening of the Canadian common market, given the type of problems and difficulties which are clearly underlined in my previous statement.

One of the objectives of constitutional reform that I particularly emphasized last November was the need to find ways of integrating federal and provincial actions at the national level. In this way, the federal government would obtain a better appreciation of provincial and regional concerns and thus be in a better position to provide effective national leadership. It is against this objective, among others, that I shall be measuring the Prime Minister's proposals, including a House of the Federation.

I want it to be very clear that this government will participate in the upcoming constitutional discussions in a positive and cooperative manner. Constitutional reform has been discussed for a very long time indeed. Whether we are any closer to a result this time will, I think, in large measure depend on the will of all concerned to strengthen this country.

[2:15]

I cannot emphasize too strongly that a constitution must be understood and accepted by the people who are governed by it, and this is especially so in a federal state. It is therefore not something that can be imposed and its ultimate legitimacy will depend on the degree of consensus and agreement that can be generated across this country.

To this end, Mr. Speaker, I look forward to the opportunity to make a constructive contribution to this process on behalf of the people and the government of Ontario.

TEACHERS' QUALIFICATIONS

Hon. Mr. Wells: Mr. Speaker, I would like to inform the members of the House of a new regulation which is to come into effect

on July 1, 1978, and which will affect all Ontario teachers, past, present and future.

The Ontario teacher's qualification regulation brings together all the regulations dealing with teaching qualifications. It will result in a new standardized certificate for teachers as well as a much more convenient method of recording each teacher's earned qualifications.

At the present time, there are about 500 different teaching certificates existing in Ontario—basic certificates of various types, limited basic certificates and many specialist certificates and certificates leading to specialist certificates—some of which are no longer issued, although they are still valid. Confusion and difficulties created for teachers by this proliferation of certificates have been on the increase.

This situation will now be streamlined and simplified, since all the required details regarding a teacher's qualifications will be brought together on two forms: the Ontario teacher's certificate and the Ontario teacher's qualifications record card.

The certificate itself is quite different from what exists at present. It is in English and French, and it is designed for framing as is the practice in most other professions. This certificate is the only one to be issued henceforth to teachers in Ontario. It indicates that the bearer is qualified to teach in Ontario schools. It will be issued not only to new graduates of teacher education programs, but also to all practising teachers and others who hold basic teaching certificates—elementary, secondary, vocational or occupational.

The Ontario teacher's qualification record card will give each teacher a complete and convenient record of his or her qualifications on one handy form.

It is important to stress, Mr. Speaker, that presently qualified teachers do not lose anything by this new Certification policy. All previously-earned basic certificates are deemed to be equivalent to the new one—and all other qualifications that have been earned previously will continue to be valid and will be recorded on the record card.

The idea of a single certificate has been under study by the Ministry of Education for about seven years. Along the way, and especially during the past year or two, there has been on-going consultation with various key education organizations, including the Ontario Teachers' Federation and its affiliates; the Ontario School Trustees' Council and member organizations; the Ontario Association of Educational Administrative Officials; the Ontario Catholic Supervisory Of-

ficers' Association, l'Association des surintendants franco-ontariens; the deans of teacher education institutions; and other interested groups.

This consultation, and the advice gained from it, has been of considerable assistance in refining the concept and working out the procedures for implementing the new system. Because the new system directly affects every teacher in Ontario, a special folder was prepared in order to explain the details and to answer questions about the new policy. During the past week these have been distributed throughout the province, and they are now in all schools, and one is available for every teacher in this province.

We expect by the end of March, 1979, all practising teachers and principals will have received their new certificates and record card. All other teachers will be able to obtain their new documents by writing directly to the Ministry of Education.

I might say that I, as a special service to the members of this House, have provided all the members who hold teaching certificates with their new certificates today, and they will receive them in a few minutes.

An hon. member: Is yours still up to date?

Mr. Roy: Signed by his own hand.

Hon. B. Stephenson: That means the whole NDP caucus.

Mr. Conway: The parliamentary guide makes this place look like a teachers' college. We need more students in here.

Hon. Mr. Davis: It's about time you did your share to provide more students, Sean.

Mr. Breithaupt: Spoken as a true lawyer.

Mr. S. Smith: How do you know he hasn't?

Hon. Mr. Davis: I thought from the first part of the statement that he meant something else.

Mr. Speaker: The Minister of Transportation and Communications has the floor, without a certificate.

Hon. Mr. Snow: Thank you, Mr. Speaker. I'm sorry I'm not obtaining one of those certificates today.

Mr. Roy: So are we, Jim.

Mr. Foulds: Have you got your driver's licence, Jim?

Mr. Speaker: Order.

URBAN TRANSPORTATION DEVELOPMENT CORPORATION

Hon. Mr. Snow: On June 2, the Leader of the Opposition (Mr. S. Smith) asked me

to provide him with certain non-proprietary information about the intermediate capacity transit system. Specifically, he asked for information about the cost schedule and achievements to date.

At that time also, the leader of the New Democratic Party suggested that this information should be provided during the discussion of my ministry's estimates. I agreed that this would be an appropriate time.

However, MTC's estimates will not be presented until the fall session of the Legislature. Therefore, because of this delay, today I would like to respond to those requests for information and table the appropriate back-up documents.

The first is the financial statement of the Urban Transportation Development Corporation for the year ending December 31, 1977. The second is the information about ICTS, which would have been provided by Mr. Kirk Foley, president of the corporation, had he appeared before the estimates committee as planned.

I would like to take a further few moments to present a brief explanation of several of the tables that appear at the end of the report.

In table one, budget expenditure reconciliation, column three is derived from a periodic management report produced by a computer and is supplied to UTDC executives by the project team. This report forecasts the accumulated costs without reflecting any technical or management action. Its purpose is to allow technical managers to take appropriate action to optimize the allocation of funds among the various technical tasks and still remain within the budget. By design, this forecast uses up all available contingencies in the program.

Column four of table one reflects the results of the technical managers' actions to achieve these twin goals of maximizing technical results and controlling expenditures. This column, therefore, represents UTDC's current—as of May 1, 1978—estimated cost to complete the project.

It should be noted that reference is made to non-budgeted expenditures relating to foreign exchange costs resulting from the drop in the Canadian dollar and to an increase of \$500,000 of tax liability to the federal government which resulted from the change in October of last year of the federal-provincial tax sharing agreement.

I would also like to point out that an updated status report and schedule is included in tables two and three.

DUMP TRUCK LICENCES

Hon. Mr. Snow: Mr. Speaker, I have another short statement I would like to make today. As a result of one of the recommendations in the report of the select committee on highway transportation of goods last October, I advised this House that I had requested the Ontario Highway Transport Board to implement a restriction, or type of moratorium on the granting of class R, or dump truck, licences, except in cases of significant urgency. It was a move aimed at stabilizing the supply of licensed carriers and a move which followed a lengthy and in-depth examination of the supply by both the OHTB and my ministry staff.

This moratorium—and I believe I referred to it as a type of moratorium—was enforced after careful scrutiny of the need for any additional services and has been carefully implemented by the board over the past eight months. As a result, at the end of March of this year there were 9,457 type R-licensed vehicles as compared to 9,717 the previous year.

I have recently been made aware that there may be possible shortages of licensed dump trucks in some specific areas of the province, such as Sarnia, Kitchener-Waterloo, Windsor and sections of northwestern Ontario.

Based on the information available to me at this time, I have asked the OHTB to review the need for additional dump truck services in those areas, while keeping in mind the fact that every application must still be strictly assessed on the public necessity and convenience criteria.

INTERJECTION BY MEMBER

Mr. Speaker: On a point of privilege, the honourable member for Wilson Heights.

Mr. Rotenberg: Mr. Speaker, in this morning's Globe and Mail there was a statement attributed to the member for Sudbury East (Mr. Martel) which described me in language that is both insulting and unparliamentary.

Hon. Mr. Bernier: Again?

Mr. Martel: Still.

Mr. Rotenberg: This did not appear in the official records of this House. It was stated to be an interjection. I did not hear the interjection being made and, therefore I haven't raised this matter previously. However, it does appear in this morning's Globe and Mail attributed to the member for Sudbury East.

Hon. Mr. Bernier: Resign.

Mr. Rotenberg: I would ask him, if the quote is incorrect, just simply to indicate that

he didn't say it and I'll be satisfied. However, if he did make the quotation I would ask that he apologize and withdraw the remark.

Mr. Martel: I did say it.

Hon. Mr. Bernier: Resign.

Mr. Martel: Mr. Speaker, I want to say that I believe I made the statement as a response to the member's comments that the New Democratic Party hated all Americans, which was a fabrication of his. I don't intend to withdraw it. Because of the type of comment he made, he deserved the entitlement.

Hon. Mr. Bernier: Shame.

Mr. Rotenberg: Mr. Speaker, in that case, as the remark was made, I would ask you to take into consideration whether the remark is a parliamentary remark or not or whether it is a word that should be used in this House.

Mr. Makarchuk: What did he say? Tell us?

Mr. Speaker: Order. It becomes a matter of judgement on behalf of the chair as to whether a remark such as that is parliamentary or unparliamentary. We don't have a catalogue of those remarks that are considered acceptable and those that are unacceptable.

Mr. Deans: You soon will.

Mr. Speaker: Since it is not a part of the official record of this House, I'm not in a position to say whether or not it is acceptable. There is no need to withdraw it. It doesn't appear in the official Hansard.

Mr. Martel: I will put it back in then.

Mr. Rotenberg: Mr. Speaker, with respect, it does not appear in the official record. It does appear in public in a newspaper. The member has indicated that he has made that remark in the House.

Mr. Makarchuk: What did he call you?

Mr. Mackenzie: Does the truth hurt?

Mr. Rotenberg: Mr. Speaker, I think there should be, though maybe not at this time, a ruling as to whether that type of language is acceptable in this House. It has been made in the House.

Mr. Peterson: It was a compliment.

Mr. Speaker: If the honourable member insists, I don't even know the meaning of the word, so I'll have to take it under advisement.

An hon. member: You old railroader.

Mr. S. Smith: Has that been in a Sun editorial? Maybe the member for Wilson Heights could advise whether that word was in a Sun editorial by any chance.

Mr. Foulds: Second question.

Mr. Hennessy: Just hurry it up; get it out.

ORAL QUESTIONS

FOOD INDUSTRY INQUIRY

Mr. S. Smith: I would like to ask a question of the Premier. Given the fact that this session appears to be grinding towards a close, does the Premier indicate what response his government might have to the requests made by the Ontario Federation of Agriculture for a public inquiry into certain food trade practices, given the very strong report from the committee and the report from the counsel of the committee? I realize that that report will be tabled later, but we are a little short of days in this session. I think the public, the Ontario Federation of Agriculture and the Consumers' Association of Canada are certainly waiting for some indication from the Premier as to what his course of action is going to be.

Hon. Mr. Davis: I have just within the last hour seen the press release from the Ontario Federation of Agriculture. I've had a telephone call from the president of the federation. I have not yet seen the final report of the committee, although I'm aware of some of its contents.

The only observation I would make is that the government has made it very clear that we are anxious to see any information of the kind that has been referred to. Yet I gather from the committee hearings that there is not too much evidence of substance, though I'm only making this assumption from a bystander's standpoint.

[2:30]

I would make this observation, Mr. Speaker, and I am sure the Leader of the Opposition has read it and will be governed by it too in his own approach: the federation made it very clear that they were in support of an independent inquiry under the Public Inquiries Act. In my assessment if there is to be such an inquiry I am impressed by the term "independent." In the establishment of any inquiry—if that decision were to be made and it will not be made today—I want to inform the Leader of the Opposition, and I think he would agree with me, that that suggestion from the Ontario Federation of Agriculture obviously is not on all fours with the final recommendation of the report that is coming to the committee.

As I recall—

Mr. MacDonald: They say it is.

Hon. Mr. Davis: Well, with great respect, it isn't then from my standpoint. I would only say to the Leader of the Opposition and the member for York South, who surely

must have some sense of what is right and what is proper, that if we are in fact to have a royal commission—and that's really what it amounts to—with all of the problems implicit in that, including what will be a significant cost, if it is in fact—

Mr. Makarchuk: You don't have to hire Judy again.

Hon. Mr. Davis: Well, I would say to the member for Brantford that he and his colleagues should be the last ones to talk about who is hired, doing what and who is spending public money. I don't think those people opposite are in any position to know.

Mr. Makarchuk: I'm prepared to discuss the spending in our office compared to yours.

Hon. Mr. Davis: You guys love to throw stones.

Mr. Speaker: Order.

Hon. Mr. Davis: You love to be critical and you can't take a little bit of fun. You can't take a little bit of fun.

Mr. Martel: How much do you cover up in yours?

An hon. member: It doesn't cost much to sit and sleep.

An hon. member: Don't be so sensitive.

Mr. Breaugh: Do you want to trade limousines, Bill?

Hon. Mr. Davis: All right. All right. I was answering the question, Mr. Speaker, and I confess, Mr. Speaker, to the members of the House that I am at some slight disadvantage in that I haven't read the report, but I am interested in the concept.

Mr. McClellan: Ignorance has never held you back before.

Hon. Mr. Davis: Well, I would say to the very distinguished member who quite obviously in the last five minutes has had his conscience pricked a little bit, I accept his observation.

Mr. McClellan: Not at all, not at all.

Hon. Mr. Davis: I understand it.

An hon. member: Conscience, if any.

Hon. Mr. Davis: I am concerned, Mr. Speaker, if the decision is made, if it is the wisdom of the House and the government that I cannot quite rationalize independence with having a member of the Liberal party—

Interjections.

Hon. Mr. Davis: Well, listen, all right, so a nominee—

Mr. Speaker: Order.

Hon. Mr. Davis: The members opposite will have difficulty in persuading me that

there be "a nominee of the Liberal Party," "a nominee of the Progressive Conservative Party," "a nominee of the New Democratic Party," et cetera. If there is to be an inquiry, it has to be done objectively. I am one of those who will on occasion opt for a member of the judiciary because that takes it above any question as to whether people have an interest in this form of inquiry. If you are going to have a public inquiry, that's the way it should be, so that is my response to the Leader of the Opposition.

Mr. Breagh: Get somebody like Doug Wiseman. He's not busy.

An hon. member: Thump for Hennessy.

Mr. S. Smith: By way of supplementary: Although I must say, Mr. Speaker, that I personally share the view of independence that the OFA has suggested rather than the Premier's idea, I don't particularly think it has to be a member of the judiciary. In fact, it might be of interest to the Premier that the Liberal nominee would be the very person suggested by the Minister of Agriculture and Food (Mr. W. Newman)—that is Mr. Poole, the counsel of the committee—

Mr. Roy: You guys should talk to Frank Drea. He doesn't think much of judges.

Mr. S. Smith:—so there's nothing political about that. But given that the Premier—

An hon. member: Poole is a good Liberal.

Mr. S. Smith: I know it is getting close to the end, but for heaven's sake!

An hon. member: Where's your critic?

Mr. S. Smith: Given that the Premier wishes to examine the report—

An hon. member: Welcome back, Mickey.

Mr. Speaker: Order. The honourable minister—the Leader of the Opposition will please continue.

Interjections.

Mr. Nixon: You're going to forget prayers next.

An hon. member: We don't know what he is, either.

Mr. S. Smith: We're not in the government ministry yet, Mr. Speaker. It will take a little while.

An hon. member: Not much longer, not much longer.

Mr. S. Smith: Given that the Premier deserves the opportunity to read the report, and we appreciate he may have some alternative to present for consideration, would he simply assure the House that we will have some clear response on this matter by tomorrow, since the intention at the moment is for us to recess

tomorrow? If he needs a little more time, I am sure we can arrange to sit a little longer. But we and the OFA and the consumers want to have a response; we want to know when we are going to hear from the Premier.

Mr. Germa: What's your question?

Hon. Mr. Davis: Mr. Speaker, I recognize the importance of this particular matter. I am not in a position to give the Leader of the Opposition a commitment that by 10 o'clock tomorrow morning the government will have made a determination. I say with respect I think that is not only somewhat unreasonable, it is less than logical—and I might be so bold as to say it is not totally intelligent.

Mr. Kerrio: Darcy does it; Darcy does it every day.

Mr. Speaker: Order.

Hon. Mr. Davis: I would suggest that in a matter of this importance, the question of whether there should be an inquiry is a decision that ultimately must be made by the cabinet, because the government ultimately must assume the responsibility.

Secondly, if the decision is in the affirmative, just what direction the particular inquiry should take involves a certain amount of discussion with the law officers of the crown to see that the terms of reference are framed in a manner that is appropriate.

Thirdly, it does involve consideration of who should be appointed. I have only made a passing reference to it because I feel very strongly—not that I am debating at this moment that particular part of the committee's recommendation—that I am not committed necessarily to a member of the judiciary but I think it would be less than independent and less than objective if we got down to the principle of having nominees from partisan groups in this province, and that includes my own.

I don't see it in the context. If the Leader of the Opposition had wanted, as has been his custom on some issues, to opt for a select committee, I would understand it as a part of the process. If members had wanted to have it as a matter for a standing committee, this I would understand. But I think, with respect, and I say this to the member for York South who has had years of experience, that it isn't totally logical to say that they want an objective, independent assessment of a matter as complex as this, and include in a recommendation that there will be nominees from this organization, that organization, including three political parties.

Mr. MacDonald: Why not?

Hon. Mr. Davis: I have just got to tell the member opposite there are some people in

this province who will say, "That is not an objective way to make an assessment."

Mr. McClellan: Better than one party.

Mr. MacDonald: Since the Premier has indicated that there wasn't much substance to back up the allegations considered by the committee, is he aware that the report presented to the committee by our counsel, and adopted by the committee, indicates that on the basis of the public testimony, backed up further by the private testimony he got in camera, there is a prima facie case for the existence of these practices, and therefore there is need for a further inquiry?

Secondly, is the Premier aware of the fact that the counsel advised the committee that a judicial inquiry, headed by a judge, was not the best route and that the committee agreed with that?

Hon. Mr. Davis: Mr. Speaker, I happen to know counsel and have for some time. I certainly respect his point of view on some issues. I think for counsel to suggest to the committee that a judge is not necessarily the most appropriate person—I am not committed to the inquiry at this point, because I haven't had an opportunity to deal with it. Secondly, I am not necessarily committed to a judge. But I can tell the honourable member that I am not committed either to the concept as contained in what I understand is to be the committee's report.

I haven't discussed with Mr. Poole if he is going to be the member's source for what he feels should be done, his rationale, because I am not sure that he suggested that it be on the basis of nominations from political parties in this province. In fact my guess is that he didn't, my guess is that if the member for York West is endeavouring—

Mr. MacDonald: South, you mean?

Hon. Mr. Davis: —the member for York South is endeavouring to use Mr. Poole as the rationale for what went on, then maybe the committee should have accepted his recommendation as to how the inquiry should be conducted.

Mr. MacDonald: Point of order, Mr. Speaker. I said to the Premier that the advice of the counsel was that there was need for further inquiry, and it was on that basis we accepted the evidence. Now don't distort that to something else.

Hon. Mr. Davis: No, no; I don't want to get into a debate, but the member for York South made two points. Firstly, he referred to the makeup of the committee, he did that in what he said.

Secondly, he made the point that Mr. Poole had recommended in his report to the committee that in his view—I am delighted to see the member for York South always takes the view of those experts and counsel; he didn't do it on another committee that I can recall, but today he is prepared to accept—not making his own judgement—prepared to accept Mr. Poole's advice. I have every respect for Mr. Poole, I know him better than the member does, I guess.

Mr. McClellan: You seem to be on the hook today.

Hon. Mr. Davis: I would only say that from my observation, and it is only as an observer in reading the press, I didn't see, and I was looking for, specific issues or items where in fact something illegal or inappropriate had gone on. That is the only point I was making.

Mr. MacDonald: I do.

Hon. Mr. Davis: The honourable member can correct me. Maybe he knows of specifics or situations where in fact something illegal or immoral or improper went on that was provable, and if that is the case I think he should let me know. I am interested in seeing that the right thing is done.

Mr. MacDonald: I let the counsel know I let the committee know.

Hon. Mr. Davis: I am interested in seeing that the right thing is done. I know that politics enters into this, I am not unaware of that; I am not unaware of some of the differences of opinion in the loyal opposition across the House as to how this should proceed.

Interjections.

Mr. Speaker: Is the member's question on the same item?

Mr. S. Smith: It seems futile, but I was intending to have one more.

Mr. Eaton: He never got a chance in committee.

Mr. Conway: There's chain store Eaton.

Mr. Speaker: Order. I must remind all honourable members we have spent 14 minutes and we are on the first question.

Mr. S. Smith: I took about one of those minutes, Mr. Speaker.

I will ask the Premier once again: given the fact that the committee is clear in its desire for a public inquiry with the powers under the Public Inquiries Act; given the fact that the OFA and consumers are also in favour and that the counsel found evidence that requires such a finding and such an in-

quiry, and said so in the strongest possible terms; why, accepting that the Premier may need some time to draft a frame of reference and get legal advice and so on, why can the Premier not give us some assurance today or tomorrow that there will in fact be such a public inquiry, whether the form takes the sort recommended by the committee or with slight differences that the Premier may for some reason imagine are necessary?

Hon. Mr. Davis: If the honourable member thinks the distinction I am drawing from what I understand is in the committee report is slight, I will leave that up to his interpretation.

As one who has to assume responsibility for these things, I would say, with respect, the distinction I am drawing is not slight. You can disagree with it, but it is fairly fundamental, and if the Leader of the Opposition doesn't recognize some fundamental principles then that is his responsibility.

Mr. Roy: Just answer the question.

Mr. S. Smith: Why can't the Premier assure us we are going to have it?

Hon. Mr. Davis: I would say to the Leader of the Opposition, I know that he wants an instant answer from me. I know that he thinks he has the intellectual capacity to have an instant answer for everything that comes across his plate.

I can only say to the Leader of the Opposition, and I make this confession to him, I don't pretend to have the same intellectual capacity that he pretends to have and I am not in a position to say by 10 o'clock tomorrow morning that thus, thus and thus is going to happen.

Mr. Peterson: That is the first time you have been right.

Hon. Mr. Davis: I confess to this human frailty. I need some time to see that whatever decision is made it is made properly and intelligently. To that human frailty, I confess. The Leader of the Opposition will not have, by 10 o'clock tomorrow morning, I am sorry, a definite answer.

[2:45]

Mr. Cassidy: Final supplementary, Mr. Speaker: The Premier has indicated we will not have an answer to that tomorrow. Can the Premier guarantee to the House that it will be an independent inquiry in the form recommended by the committee; or putting it the other way, can he explain to the House how it can be that a committee entirely appointed by the government party could be more independent than a committee in the

form recommended by the standing committee?

Hon. Mr. Davis: This is a form of investigation. It is not, with great respect, comparable to the royal commission on violence and some other broad subject areas. My recollection—and members opposite can correct me if I'm wrong—is that most royal commissions that are investigative in nature, where there are suggestions of something improper, illegal or what have you, have been conducted, by and large, by members of the bench. If the leader of the New Democratic Party wants to cast some aspersions on those people who have served on those royal commissions, be my guest.

I do draw a distinction. I will only repeat to him what I said to the Leader of the Opposition. I have made no decision; I don't even have the report of the committee in terms of the House, I will have no determination by 10 o'clock tomorrow.

If the decision is to have a commission, my answer to him is very simple: yes, if it is held it will be independent.

Mr. Martel: You know about political appointments.

Hon. Mr. Davis: Of course I do.

NUCLEAR PLANT SAFETY

Mr. S. Smith: I'd like to direct my second question to the Minister of Energy. Given the fact that the minister, just as other people, including myself, has the task from time to time of trying to persuade people that we need a nuclear option as part of our future in this province, given the difficulty which, I'm sure he encounters sometimes, as I myself do, in explaining this to people, is he not as dismayed as I am that our task is rendered more difficult by an appearance that there are people being less than frank with the public and giving the impression that there's somehow something to hide with regard to nuclear safety? Does he not realize, as I do—and I imagine he must—that this only makes the job of reasonable, non-hysterical discussion more difficult?

Hon. Mr. McKeough: Who are you talking about? The member for Grey-Bruce? It sounds like a perfect description of him.

Mr. Sargent: On a point of order, Mr. Speaker, make him qualify that remark.

Hon. Mr. Davis: Not only will he qualify it; he will quantify it.

Mr. S. Smith: One word about hysteria and the Treasurer comes to life. It's amazing.

Hon. Mr. McKeough: We don't have to have a word about it. We just look at you. You're the last one who should talk.

Mr. S. Smith: Given the fact that I assume the minister agrees with me about that general problem that one faces of openness with the public, can the minister tell us whether the power production of the Douglas reactor was derated to 70 per cent in April, 1977; and was it because of concern over the effectiveness of the emergency cooling system, should that system ever have to come into use? If so, can he say who made that decision and why it was not made public?

Hon. Mr. Baetz: First of all, I would like to say I fully agree with the Leader of the Opposition—

Mr. Peterson: You're getting smart now.

Mrs. Campbell: The Treasurer spoke too soon.

Hon. Mr. Baetz:—that it is most unfortunate in a matter of such primary public importance and concern on a subject which is, as we all appreciate, a scientific one—a complex and a difficult one for many of us in the House and the man on the street to understand—that the debate is going forward in a manner which I think is most unfortunate.

The most recent illustration of the way this public debate is going forward is the front-page headline of today's Toronto Star which says: "Public Never Told: Safety 'Insufficient' at Nuclear Plants." That is wrong.

Ms. Gigantes: Oh, come on.

Hon. Mr. Baetz: That is the fact.

Mrs. Campbell: See, Darcy, you spoke too soon.

Hon. Mr. Baetz: It is most unfortunate that that kind of headline appears in one of our outstanding Canadian newspapers.

Mr. Laughren: That is right.

Hon. Mr. McKeough: Prove it.

Mr. Sargent: You are totally wrong.

Hon. Mr. Baetz: I have today discussed that report at considerable length with Dr. Prince of the Atomic Energy Control Board of Canada. I have discussed it at length with the chairman of the Ontario Hydro board and with his scientists.

Mr. Laughren: Yes, all the vested interests.

Hon. Mr. Baetz: All of them agree that the headline—sort of the bottom line of the whole thing which says really that the safety is insufficient and there is a coverup job here—all of them agree they will say categorically, and are going to do so officially tomorrow, that that is incorrect.

Mr. Warner: We want proof.

Hon. Mr. Baetz: On the question of the Douglas Point reactor—

Mr. McClellan: You are unglued on every seam.

Mr. Germa: You are going to melt us all.

Hon. Mr. Baetz:—it is true that the output of that particular reactor was reduced some time ago. I was never officially informed of it. It was not even felt to be sufficiently important to inform me because it was simply a precautionary step for the Atomic Energy Control Board of Canada to take. I find that even reassuring and encouraging, that they would take every precaution down the road to make sure that these reactors are operating well within the safety standards.

Mr. M. Davidson: Without notifying you.

Mr. Mackenzie: I would take it the other way if I were you.

Hon. Mr. Baetz: That is my answer.

Mr. S. Smith: Supplementary: May I, again without in any way wishing to create an impression there is something wrong—because I don't know if there is and I hope there isn't—but may I ask, and this is a very serious matter, does the minister mean to say that a 70 per cent rating was imposed on that reactor as a precautionary step, as he puts it—one is glad of that, of course—that was obviously known to Hydro, it's their reactor, so one presumes it was known, and yet neither he nor his predecessor who was minister at the time was informed about this? If that is what he's saying, may I ask him to give me his opinion as to whether the decision, whether or not this was to be made public, should have rested with Hydro or with the government?

Would he accept my view that the government should have been informed so it could make the decision as to what is to be public and what is to be private?

Ms. Gigantes: You were informed two years ago.

Hon. Mr. Baetz: I would not, frankly, accept the view that the government should decide at what level the nuclear reactor should operate.

Ms. Gigantes: That wasn't the question.

Mr. Kerrio: That was not the question.

Hon. Mr. Baetz: That is the responsibility of Atomic Energy Control Board of Canada, and AECB is responsible to the federal government; it determines the safety requirements of these reactors.

Mr. S. Smith: A point of privilege: In the event that the microphones were not working

correctly, the point I was asking the minister to address himself to was not whether the government should make the decision about the cutback, but whether the decision as to whether or not that cutback should be made known to the public was something the government should have been making; or whether the government should have been kept in ignorance, as it apparently was by Hydro which reserved the right to make that decision about the publicity or lack of it to itself.

Ms. Gigantes: They kept themselves in ignorance.

Hon. Mr. Baetz: On the question—and this relates to the basic question of safety—I have said before and will say again, certainly we here in the government in the province of Ontario, as the government at the federal level and as the general public, should be kept fully informed of all decisions made here.

Mr. Deans: Why are we not?

Mr. M. Davidson: We weren't.

Hon. Mr. Baetz: But I would also like to say that unfortunately—and again relating back to the newspaper articles—I think there has been far too much made of the thought that the reactor cannot work at a certain level, say 100 per cent level, and has to be kept back to another level because it would otherwise be unsafe.

Mr. Deans: You are better off with short answers.

Hon. Mr. Baetz: For example, we have frequently been told that the reactor at Bruce is only operating at 88 per cent capacity because, it is always implied, it would be unsafe for it to act at 100 per cent. In fact, that reactor was built to operate at an 88 per cent capacity. At 88 per cent capacity of that reactor the turbines are turning out 100 per cent of the electrical energy potential.

Mr. Sargent: Now it's 65 per cent.

Hon. Mr. Baetz: It was designed to operate at 88 per cent and yet we keep hearing and reading that because it's not operating at 100 per cent it is therefore unsafe.

Mr. Swart: Eighty-eight is 100 per cent.

Hon. Mr. Baetz: It is licensed to operate at 88 per cent. That turns out 100 per cent of electricity. I don't know how else to make it more clear.

Mr. Sargent: You can't. You don't know. What school did you go to?

Hon. Mr. Baetz: Eddie, I know.

Mr. S. Smith: The minister can address himself to the question.

Ms. Gigantes: I wonder whether the minister asked Dr. Prince why there was a recommendation, made in 1976, to keep Bruce at a 65 per cent rating factor? Did he also ask him what's changed since and why is Bruce operating at a much higher level now?

Hon. Mr. Baetz: When any reactor goes into service, it goes into service gradually. It starts at five per cent, it goes to 10, it goes to 50, it goes to 60.

Ms. Gigantes: That wasn't a good answer a few years ago.

Hon. Mr. Baetz: They are constantly measuring its output and also determining its safety features.

Ms. Gigantes: Has the minister seen those reports?

Hon. Mr. Baetz: These reactors and the limits at which they are licensed to operate at the present time are safe. That's the bottom line of this whole argument as far as I'm concerned.

Ms. Gigantes: If the minister says so.

Mr. Bolan: Come on, Eddie!

Mr. S. Smith: By way of supplementary, would the minister please try to address himself to what I think is a very key question? A rating of 70 per cent was put on the Douglas Point reactor because of this concern about melt problems in the unlikely event that everything else fails, all right. The decision was made by Hydro not to tell the government, and therefore the decision of whether to tell the public was ipso facto left in Hydro's hands, the government not knowing about it.

What I want to find out from the minister is: has he found some justification from Hydro? Has he demanded a justification from Hydro for them keeping the government in ignorance about that derating? Has he demanded not only an explanation, but a very full explanation indeed, of why such a shocking refusal to inform the government has occurred? Does he not feel that this is something that only undermines public confidence?

Ms. Gigantes: Malcolm Rowan knew about it.

Hon. Mr. Baetz: It isn't a shocking refusal to report something very important to the government. It's a case of Ontario Hydro—this was a normal step which was taken. The property incidentally, belongs to Atomic Energy of Canada Limited, operated by Ontario Hydro. AECB sets the standards. It was cut back to 70 per cent of operation. It was assumed that this was a normal decision. They

feel that this was not the kind of reporting, the type of thing that required something to go forward to government. I am sure if suddenly there were to be a serious flaw discovered in the reactor, or in the turbines or anything else that would affect the public safety, Ontario Hydro would inform us very quickly.

I would certainly take it upon myself to be kept informed of that. They know my stance on that. I am convinced at this point that Ontario Hydro is openly reporting what is required and what the public has to know.

Mr. Cassidy: Mr. Speaker, I want to ask about the Bruce plant, because the Bruce plant is the one that is operated by Ontario Hydro. The minister has now said publicly in the House that there is a distinction between the capacity to which the reactors were operating and the capacity to which electrical energy is being produced. Would he also care to comment on the differences between Ontario Hydro and the Atomic Energy Control Board over whether the remaining 12 per cent of capacity can be safely used at the Bruce to generate steam or generate electrical energy? Are those differences not over safety and the question of the emergency core cooling system?

Hon. Mr. Baetz: No. At the present time, Atomic Energy of Canada and Ontario Hydro are looking into and examining the question of whether the capacity of that reactor can be increased by 12 per cent, and whether steam in fact can be produced when the heavy water plant comes on stream about two years from now.

[3:00]

I am confident that if it is determined that that reactor can, in fact, operate at an additional 12 per cent of power, they will license it to operate at 100 per cent. If they don't, the honourable members can be dead sure it will never be licensed to operate at anything beyond a safe level.

Ms. Gigantes: Dead is what we may be.

Mr. Warner: It's a good choice of words.

Mr. Sargent: Mr. Speaker, in view of the fact that not a single insurance company in North America will give one cent of life or property insurance against radiation; in view of the fact that Dr. Edward Teller said that all we can do is guess and hope we are right; and in view of the fact that we have a situation at Bruce whereby we have a 65 per cent operating capacity—we are 35 per cent wrong in a \$1 billion operation—and the minister tells us these stories in the paper are false—will he tell me, if the leakage had

not been reported in the press, would he have reported it to the Legislature?

Mrs. Campbell: He wouldn't have known.

Hon. Mr. Baetz: To respond to the first part of that question first, I am not sure whether insurance companies won't insure against radiation hazards; maybe they won't.

Mr. Sargent: You should know that.

Hon. Mr. Baetz: I would only say that on the basis of the safety record at our nuclear reactors in this province the insurance companies are foolish not to do so, because there has been not one radiation accident in this province. There is no industry can demonstrate a safety record comparable to that.

Ms. Gigantes: That is simply not true.

Mr. Warner: What are you afraid of?

Hon. Mr. Baetz: When the member says that Bruce is kind of operating inefficiently—I think the figure used was 35 per cent less than capacity—he is again incorrect. The Bruce reactor was designed to operate at 88 per cent, which provides 100 per cent electrical generating capacity, and that is what it is doing. These plants are operating safely and efficiently.

Mr. Warner: You wouldn't answer the question. Would you have reported it? No.

Mr. Speaker: Final supplementary; the member for Port Arthur.

Mr. Foulds: Supplementary, Mr. Speaker: Could the minister forget his usual bluster and tell this House exactly what instruction he has given Ontario Hydro about when they should bother him? Can he tell us whether he sleeps in his bed a little more soundly tonight because Ontario Hydro is in charge, or has he given Ontario Hydro strict instructions to inform his deputy, and his deputy to inform him, every time there is any kind of a variation or shutdown in one of our nuclear plants? Does he not think the public would be reassured more readily if that information came to us the moment the minister knew and if things like the Bruce 40 Notes and the Loss of Coolant Accident Report were made public when they came to the ministry's attention?

Hon. Mr. Baetz: Mr. Speaker, I would like to assure this House that I have instructed the chairman of Ontario Hydro to provide me with all information that is appropriate for this House and for the general public.

Mr. Foulds: Who makes that judgement? Hydro or you?

Mrs. Campbell: Who makes that judgement?

Mr. Warner: Hydro does. They run their own show. They do what they please.

Hon. Mr. Baetz: In all of this we have to remember that we do have a chairman of Ontario Hydro, a responsible citizen; we do have a board of directors of Ontario Hydro and we do have a staff—

Mr. Foulds: We thought we had a responsible minister.

Hon. Mr. Baetz: We in this House are not the board of directors of Ontario Hydro—

Mr. Bolan: And you shouldn't be the minister

Hon. Mr. Baetz: —but I can assure the member opposite that Ontario Hydro has got the message clear: I want to be kept informed and I will keep this House and the general public informed.

Mr. Cassidy: You should have begun the day you became minister.

EMPLOYEES' HEALTH AND SAFETY

Mr. Cassidy: Mr. Speaker, I have a question of the Minister of Labour, arising out of the uncertainty about the fate of Bill 70, the omnibus health and safety bill which was tabled in this House to come back for third reading in February. Could the minister end the uncertainty and give the House a straightforward assurance that the bill will be returned to the House as soon as we resume our session in early October?

Hon. B. Stephenson: Mr. Speaker, I would be unable to pinpoint the date that accurately because the consultation process which I had hoped would be completed by the end of June has not been completed.

Mr. T. P. Reid: This is the biggest stall you have ever pulled—along with the workmen's compensation stall.

Hon. B. Stephenson: We have not been able to arrange meetings with the association of fire chiefs, nor with some of the associations representing municipalities which have expressed some concern. We have met with most of the employee groups at this time. As soon as that is completed and we have some knowledge of the appropriate routes to follow in order to solve the health and safety problems of those workers whose coverage would be included in the bill as a result of the amendments, then I shall be able to report to the House precisely when we are going to be working on it.

Mr. Cassidy: Supplementary, Mr. Speaker: Since there have been 32 of those meetings, and there are apparently nine to go according to the reply that the minister has tabled in

the House; and since the summer is clearly an adequate time in order to have those remaining consultations; can we have a commitment from the minister that she will do everything possible to finish the consultations in the early part of the summer? And can we have a commitment from her that at the earliest possible date when the session resumes in the fall the bill will be called back and will be presented to the House for its approval?

Hon. B. Stephenson: Yes, Mr. Speaker.

Hon. Mr. Rhodes: How does that grab you, Mike?

Mr. Speaker: Second question.

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Kerrio: Next.

Mr. Deans: That wasn't very kind.

Mr. Cassidy: Can I now ask the minister to define more closely "the earliest possible moment"? We would like the assurance that the bill will be back in the House in the fall and will not be allowed to die.

An hon. member: Will we see it in October?

Hon. B. Stephenson: I said that it would be at the earliest possible moment—that is when it will be.

Mr. Laughren: You told us that before.

Mr. Nixon: 1984.

Hon. B. Stephenson: I cannot at this point tell members what the earliest possible moment is going to be, but it will be then.

Mr. S. Smith: Just after the budget is balanced.

Mr. Cassidy: Supplementary, Mr. Speaker: Can we have an assurance from the minister that under no circumstance will she or the government allow Bill 70 to die?

Hon. B. Stephenson: I have stated on many occasions that the occupational health and safety legislation is extremely important. In addition to the demands which the honourable member is imposing upon my ministry this summer, we are also carrying out the process of consultation in order to establish regulations for toxic substances.

Mr. Lupusella: Answer the question.

Hon. B. Stephenson: This is going to be done as vigorously as we can.

Mr. Sargent: You are a good stick-handler.

Hon. B. Stephenson: This is a very important subject. It is one which must be kept growing rather than letting it die.

Mr. Sargent: Put her on the hockey team.

COMMITTAL OF DOCTOR

Mr. Cassidy: Mr. Speaker, I have a question of the Minister of Health, arising out of

some problems we have had in my riding over the course of the weekend.

Hon. Mr. Bernier: Parochial.

Mr. G. Taylor: Toronto or Ottawa?

Mr. T. P. Reid: Toronto and the Islands?

Mr. Cassidy: Is the minister aware that on Saturday last a Dr. Fred Stenger went to the Ottawa Civic Hospital complaining of dizziness which he thought was caused by high blood pressure? Is he aware that having been seen by a psychiatrist he was then kept in the hospital for two days; that he was told on certain instances that he could not leave the hospital, that mention was made of the Mental Health Act, that he was kept in the psychiatric ward, that on his request to leave he was told that the staff would have to talk to the senior advisers; then when he finally did leave, he left only after signing a waiver relieving the hospital of any responsibility because he was leaving against medical advice; and that three days after this all began he was telephoned by the doctor who said that the commitment was a mistake in judgement?

Is the minister aware of this curious set of events, and will the minister make a report to the House?

Mr. Havrot: His doctor must have been the Leader of the Opposition.

Hon. B. Stephenson: No, the patient was the leader of the third party.

Hon. Mr. Timbrell: No, Mr. Speaker, I had not heard of that incident. I certainly will ask my staff to report. I would anticipate that given the length and nature of the question it will take more than about 18 hours to prepare the answer, so I would anticipate what I will do is write to the honourable member when I have a full and complete description of the incident and whatever explanation there is for it.

Mr. T. P. Reid: Send it in care of the Ottawa psychiatric ward.

Hon. Mr. Timbrell: I will send that to him as soon as it is ready.

Mr. Warner: But you won't do anything.

Mr. Cassidy: Supplementary, Mr. Speaker: In view of the concerns that have been raised in this House about the use of the powers of involuntary commitment under the Mental Health Act, could the minister focus on that particular aspect of this case, where a patient who went in complaining of dizziness found himself apparently kept in hospital against his will for a period of two and a half days? Can he make a report on that particular aspect, about the possible use of involuntary

commitment powers, and report that part to the House before we rise tomorrow?

Hon. Mr. Timbrell: Again, it sounds like a rather involved and perhaps delicate question to which I would prefer to give the member a complete answer in writing once I have had it investigated.

Mr. Nixon: You didn't set it up by any chance?

Hon. Mr. Timbrell: As members know, the question of involuntary commitment is embodied in Bill 19, which will be considered here in committee of the whole House, probably tomorrow morning. I think it is a matter about which we are all concerned. I will have the entire matter investigated. Rather than trying to deal with it piecemeal, I would prefer, if the member doesn't mind, to give him a complete answer.

Mr. Roy: Supplementary.

Mr. Speaker: It has been taken as notice.

SPADINA EXPRESSWAY

Mrs. Campbell: My question, Mr. Speaker, is to the Premier.

Mr. Kerrio: Right to the top.

Mrs. Campbell: Whereas almost three years have passed since the Premier made certain commitments to reassure the opponents of the Spadina Expressway that the decision to end the roadway at Eglinton Avenue was final and irreversible, and considering that not one of the three commitments made in August 1975 has been fulfilled, could the Premier now advise us on the progress of negotiations for the title of all properties, road allowances, rights of way and other lands originally scheduled for the route of the Spadina Expressway south of Eglinton Avenue West? And could he advise us how quickly such negotiations and the assumption of title will likely be concluded to the three-foot strip south of Eglinton Avenue which is to be bequeathed to the city of Toronto as an insurance against the extension of the Spadina Expressway south of Eglinton Avenue?

Will the Premier today reaffirm all of his commitments of August 1975, indicating there will be no extension of that expressway south of Eglinton Avenue West, and will he urge Metropolitan Toronto to conclude its report with reference to the park-and-ride facility not later than September of this year?

Mr. Kerrio: Yes.

Mr. Bradley: Answer yes or no.

Hon. Mr. Davis: Mr. Speaker, I had difficulty following all of the question. Would it be too much of a problem for the honourable

member to repeat it so I make sure I get it right?

Interjections.

Hon. Mr. Davis: She'd be delighted to.

Mr. Speaker: Order.

Mr. S. Smith: We don't expect the Premier to remember his promises, of course.

Mrs. Campbell: Mr. Speaker, I have one supplementary which I think the Premier can address himself to. Recognizing that he does not always remember his commitments—

Interjections.

Mr. Nixon: Those are exactly what she's listed.

Mr. Warner: Remember the Bramalea charter.

Mr. Martel: Transportation man of the year.

Mrs. Campbell: Would the Premier at least assure the House today that his commitment stands and that the Spadina Expressway will not be extended below Eglinton Avenue? Perhaps he could repeat that commitment at least this afternoon.

Mr. Germa: Yes or no?

Mr. McClellan: Answer yes or no.

Hon. Mr. Davis: I really can't say yes or no as simply as that.

Mr. Roy: It's not election time.

Mr. S. Smith: You did in 1975.

Mr. Roy: And 1971.

Hon. Mr. Davis: Pardon?

Mr. S. Smith: You had no trouble in 1975 making that commitment.

Mr. Speaker: Order.

Hon. Mr. Davis: Ever since a few days ago, the Leader of the Opposition—

Interjections.

Mr. Speaker: Order. Just ignore the interjections.

Hon. Mr. Davis: He's getting just a little irritable, Mr. Speaker.

Mr. Deans: He is getting irritable; you are getting irritating.

Mr. T. P. Reid: Irritating.

Hon. Mr. Davis: No, no; irritable. Irritating I have known about for quite a while; irritable is more recent.

Mr. Breithaupt: Wait until we come back after the summer.

Hon. Mr. Davis: After the summer? Oh, no.

I'm trying to refresh my memory so I don't unintentionally mislead the House.

Mr. S. Smith: Do it intentionally.

Hon. Mr. Davis: I leave that up to the Leader of the Opposition, he can make his own judgements.

Mr. Mancini: You leave a lot of things up to the Leader of the Opposition.

[3:15]

Hon. Mr. Davis: There were three issues the honourable member raised. My recollection is that they were the three-foot reserve, also the parking facilities, also the right of way south of Eglinton.

Historically, there are two or three problems involved and I will confess some lack of knowledge in this. Going back a few years, there was an assumption—perhaps an erroneous assumption made by others and not just myself—that the property to the south of Eglinton Avenue in the Spadina corridor was actually within the city of Toronto. I think this was an assumption made by some officials of the city of Toronto and several others.

The government has been working diligently in order to fulfil that commitment, but it is very difficult to deed to the city of Toronto a three-foot reserve which is, in fact, in York. So we are trying to sort that out. It has been complicated, somewhat, because at one point in time the council of the borough of York, I think was in agreement, basically, with the policy of the government. I sense that there is not quite the same agreement as between the borough of York and the city of Toronto and the government with respect to the future of that particular corridor. So it has been difficult to negotiate any, shall we say, accommodation by York vis-à-vis the city of Toronto for the three-foot reserve.

As recently as June 12, a letter was sent from the ministry, I think to Mayor Crombie, offering a three-foot reserve which is just east of the Bathurst Street bridge. Geographically I can't say to the honourable member whether that is, in itself, sufficient.

Mr. McClellan: It's not.

Hon. Mr. Davis: To date we haven't had a reply from Mayor Crombie, although there was such a suggestion made, I think on April 24. I'm quite optimistic that we'll get that sorted out in some form or other.

I apologize for taking so long, Mr. Speaker, but you must admit, and I'm sure agree with me, that it was a fairly lengthy question and is deserving of a detailed answer.

There is the question of the transfer of the land. The honourable member is aware that it is always important that there be a search of title and that we, in the public interest, acquaint ourselves with all of these matters.

So that particular aspect has been going forward.

The title to the property that has been now very clearly established by the province, I am told there has to be a certain amount of survey work and I would say to the Leader of the Opposition that survey work takes more than a few weeks.

Mr. S. Smith: Three years.

Hon. Mr. Davis: It is a fairly detailed survey that is required. This is almost finished and will be completed within the next few weeks.

The commitment has been received by us from Metro—and this is a two-way street if I can use that terminology—that the Metro officials will have this agreement to present to the Metro council by mid-September.

Mr. Roy: Too bad the Premier is not in the development business.

Hon. Mr. Davis: So there is a three-foot reserve. Where we're having the difficulty is as to where we locate that reserve, the lands we think we will have surveyed and laid out ready for agreement by the Metro Council by mid-September.

Regarding the Spadina parking facility, Mr. Speaker, I confess there is not the same clear solution to the problem. We have made an offer for the construction at the Glencairn location for payment of some 75 per cent of the cost—the minister can correct me if I'm wrong.

Our problem with this particular situation is that, once again, we have a divided jurisdiction. We have no unanimity as between Metro council and the city of Toronto. We have met our commitment in terms of saying that we will pay the funding, there is no question about that.

Really, I guess I could have summed it up in the first place by saying that the policy of the government hasn't changed. We are not seeking, nor will we in any way allow an extension of the—Allen Expressway I think is the correct terminology, and the honourable member would want me to use the correct terminology—south of Eglinton Avenue. While I've read a great deal about it in the press—the odd editorial—I can assure the honourable member the policy is not changed and we are moving as rapidly as we can from our end on those three issues, two of which I think will be fairly easily resolved, although the three-foot reserve is a bit difficult. The parking situation I can't guarantee will be as simply resolved, but we have made our position known and I think the honourable member can be relatively comfortable that she

won't see the Allen Expressway going south of Eglinton.

I'm sorry that it was such a short answer.

Mr. Warner: A supplementary: I wonder if the Premier could perhaps agree with us on the opposition side that we're a bit sceptical about his explanation today. When the statement was first made in August, 1975, nearly three years ago, the statement was quite clear, quite explicit, that the province will grant to the city a three-foot reserve across the road of the former expressway, that it will bring a resolve to the problem so we won't see a continuation of the Spadina Expressway. Yet three years later all we hear is that there is some difficulty about the legal status of the three-foot right of way.

Doesn't this appear to tarnish, somewhat, the award which the Premier won earlier as the transit man of the year? In fact, we are no further ahead today than we were three years ago. Unless we continue to push on this issue, there will be an extension of that Spadina Expressway. Surely we need better action than what we have today?

Mr. Speaker: The question has been asked.

Hon. Mr. Davis: Mr. Speaker, I understand the member for Scarborough-Ellesmere is involving himself in a bit of a political statement other than a question.

Mr. Martel: You would never do that though.

Mr. Breaugh: Unlike the Premier.

Hon. Mr. Davis: Unlike the Premier, yes. I think the proof of the matter, Mr. Speaker, is that in spite of the support of a number of people, who will remain nameless, through whom a great deal of pressure was exerted on myself personally and members of the government, the Allen Expressway has not proceeded south of Eglinton Avenue.

I think it must be obvious even to the member for Scarborough-Ellesmere that while people can speculate about it, while they can say we haven't got that three-foot reserve, that while the land hasn't yet been deeded to the province of Ontario from Metropolitan Toronto, the reality of life and the legal nature of the situation precludes the Allen Expressway being extended. While we certainly are going to meet those commitments, if the member studied the issue just a shade more he would understand that the possibility of the Allen Expressway extending south is really nil. It would require the government of this province to alter its position, and it has no intention of doing so.

Mr. Breithaupt: Which it is.

Mr. Nixon: Again.

Hon. Mr. Davis: Members opposite should not talk about altering positions, they really shouldn't. Somebody had a phrase for members opposite the other day.

Mr. Nixon: On a point of order, Mr. Speaker, just so the Premier can be prevented from misleading the House, the position of the Liberal Party at the time when he and his ministers had a signed commitment with the city of Toronto to build the Spadina Expressway right down to the waterfront, was that it should continue no further than Eglinton and that it should have a parking garage associated with it. That's been our position.

Hon. Mr. Davis: Mr. Speaker, in the last two or three days—

Interjections.

Hon. Mr. Davis: On a point of order, Mr. Speaker: The former member for Downsview Mr. Singer, was never in support of that position. Members opposite know it and I know it. The Liberals had six positions on Spadina within six months. They know it and I know it. Mr. Speaker, we are really getting in—I am sorry.

Mr. Speaker: Order, order. There's really nothing out of order, there's nothing out of order at all. A new question from the member for Hamilton East.

Mr. Nixon: The then Minister of Highways signed an agreement and the Premier repudiated it. Talk about division in cabinet.

An hon. member: Name the members.

Mr. Nixon: I don't want the Premier to mislead anybody, least of all himself.

Mr. Conway: Which isn't very difficult.

MEAT PACKING DISPUTE

Mr. Mackenzie: A question of the Solicitor General: I assume the Solicitor General is aware that some 2,600 packinghouse workers, members of the Canadian Food and Allied Workers, are being locked out of their work place in spite of their desire to go to work. Can the minister assure us that the police will be available in sufficient numbers to assist the workers to enter the plant to perform their jobs?

Hon. Mr. Rhodes: How did you ever get into the union?

Hon. Mr. Kerr: Mr. Speaker, the police will be there if necessary to maintain peace and order around the plant.

Mr. Deans: To open up the picket line.

Mr. Mackenzie: Supplementary, Mr. Speaker: Considering that the minister was willing

to use large numbers of police to assist the company to allow access to Fleck Manufacturing Plant by some of the workers to perform their jobs, would the minister explain why he would not offer the same assistance to workers who wish to work at Canada Packers? In the event he doesn't, is the minister prepared to withdraw the police from Fleck Manufacturing?

Hon. Mr. Kerr: Mr. Speaker, apparently the hon. member predicted my answer to his original question and he had the supplementary written out.

Mr. Deans: Well the Solicitor General is predictable.

Hon. Mr. Kerr: The honourable member knows very well, because I have a great deal of respect for his knowledge of labour matters, that a lockout situation with the plants he refers to is quite different from the situation at Centralia.

HOSPITAL BOARD REPORTS

Hon. Mr. Timbrell: On June 19, the member for York Centre (Mr. Stong) asked my colleague, the Provincial Secretary for Social Development (Mrs. Birch) in my absence that steps be taken to set, make known and enforce guidelines which would require hospital boards to be more accountable to their members in communities in terms of supplying general statistics concerning the numbers of, types of and procedures used in operations performed at their respective hospitals.

Mr. Speaker: If there were fewer interjections, we would all be able to hear better.

Hon. Mr. Timbrell: I would like to point out to the honourable member that our guidelines at the present time is that the ministry by means of its annual publication of hospital statistics releases annual data on number of diagnoses and procedures on a provincial basis only, for all of Ontario hospitals. It remains the decision of each hospital board to determine if any more detailed data will be released on specific procedures performed at the hospital.

OHIP BENEFITS SCHEDULE

Hon. Mr. Timbrell: Secondly, on June 13 the member for Hamilton West (Mr. S. Smith) inquired about OHIP policy regarding the payment for experimental and as yet unproven forms of treatment.

In the past year, few services have been deleted from the OHIP schedule of benefits, but there have been several description modifications. However, the specific service that the honourable member asked about in

the House has been neither deleted nor modified because it has never been a benefit. Moreover, to my knowledge, the Ontario Health Insurance Plan has never knowingly paid for any experimental procedures.

The act itself would exclude these services, both because of unproven medical necessity and because the Ontario Medical Association has never considered such procedures to be listed in its schedule of fees.

With regard to PUVA, the Ontario Medical Association was asked specifically about this treatment in August 1976. The OMA responded that this treatment was experimental and that no fee should be established; thus any claims for PUVA under code G467, which is for ultraviolet light treatment, have been inappropriate and incorrect. The wording in the interim schedule of benefits from OHIP under code G467, on page 100, simply reflects this opinion of the medical association. So OHIP's policy has not been changed but it is now stipulated in the schedule.

Further, in February 1978 the OMA again was asked about this treatment and an answer was received this week. The OMA is now of the opinion that treatment of psoriasis and other related conditions with "high intensity A-band ultra-violet light in conjunction with all medication" in other words PUVA, is still experimental and therefore inappropriate to claim.

Other dermatological ultraviolet light treatment may be appropriate and may be claimed under this code. Accordingly, the description in the schedule of benefits of ultraviolet light treatment will be altered to reflect this opinion.

The Ontario Medical Association has stressed that it expects the foregoing treatment to be approved by the Food and Drug Administration in the near future. At that time the OMA will consider again whether PUVA is any longer experimental and it will again be considered for inclusion under OHIP benefits.

Finally, should the honourable member wish a complete list of the deleted codes from the schedule of benefits, I will be more than happy to send it to him with a letter.

REPORTS

STANDING RESOURCES DEVELOPMENT COMMITTEE

Mr. Havrot from the standing resources development committee reported the following resolution:

Resolved: That supply in the following amounts and to defray the expenses of the Ministry of Agriculture and Food be granted

Her Majesty for the fiscal year ending March 31, 1979:

Ministry of Agriculture and Food	
Ministry administration	
program	\$ 5,178,000
Agricultural production	
program	\$109,519,000
Rural development program	\$ 13,922,000
Agricultural marketing	
program	\$ 13,133,000
Agriculture education and	
research program	\$ 27,115,000

MINISTRY OF AGRICULTURE AND FOOD ANNUAL REPORT, 1976-77

Mr. Havrot from the standing resources development committee presented the committee's report on the Annual Report of the Ministry of Agriculture and Food for 1976-77 and moved its adoption.

Mr. Laughren: The anti-farmer member from Timiskaming.

Mr. Havrot: The anti-Cassidy member from Nickel Belt.

Mr. Speaker: The honourable member has placed the Chair in a very difficult position. You are moving the adoption of a report that is not in the record. It contains 17 pages. If the honourable member wants the House to consider it, we are going to have to read it into the record. I am not going to put a question about which the House knows nothing.

Clerk of the House: Your committee, having considered the reference from the Legislature of the Annual Report of the Ministry of Agriculture and Food for 1977, submits the following report for consideration and adoption by the assembly:

The committee thanks its counsel, Mr. William Poole, for his submission and accepts his recommendations with the following amendments:

A. That item 1 on page 16 of such report be deleted and the following substituted.

That an inquiry be conducted under the Public Inquiries Act into the marketing of food in Ontario with respect to prices, price spreads, price discounts, rebates and allowances, trade practices, methods of financing and management policies relating to the marketing of farm products. The terms "marketing" and "farm products" to have the meaning provided by sections 1(b) and 1(e) of the Farm Products Marketing Act.

B. That item 2 on page 16 of the said report be deleted and the following substituted therefor:

That such inquiry be conducted by a Food Industry Trade Practices Commission com-

posed of (1) a nominee of the Ontario Federation of Agriculture; (2) a nominee of the Ontario section of the Consumer's Association of Canada; (3) a nominee of each of the Progressive Conservative, Liberal and New Democrat caucuses of the Legislature, and that the chairman of the commission be appointed from the above nominees by the Lieutenant Governor in Council.

(c) That the word "study" be substituted for the word "investigate" in item 4 on page 16 of the said submission.

Since May 24, 1978, I have attended all your sessions—

This is the report of Mr. Poole.

Mr. Nixon: On a point of order, Mr. Speaker, before the Clerk proceeds, I think you will find that the words the Clerk has already read, except for the recommendations in the report that is in his hands, and those recommendations that would be found on the last page—

Mr. S. Smith: Pages 15 or 16, as I recall.

Mr. Speaker: Is it acceptable to all members of the House to read only the recommendations appended to the report?

Agreed.

Clerk of the House: These are the recommendations:

First step:

1. The Milk Commission of Ontario should monitor the wholesale and retail prices of fluid milk in selected markets in Ontario on a regular basis, and not less than twice a year, to determine any significant changes in prices and margins and the existence or absence of effective competition in the market place.

2. The Milk Commission of Ontario should monitor on a continuing basis the types and amounts of discounts given by fluid milk processors and distributors to their various customers and assess the effect of this practice on the structure and competitiveness of the industry.

3. The Ontario Food Council should monitor the wholesale and retail prices of other foods in Ontario on a regular basis to determine any significant changes in prices and margins and the existence or absence of effective competition in the market place.

4. The Ontario Food Council should monitor on a continuing basis the types and amounts of discounts given by processors to retailers and assess the effect of this practice on the structure and competitiveness of the industry.

It is noted, for example, that Mrs. Shand, who appeared before us, is a member of the food council.

5. The milk commission and the food council should discuss any evidence of excessive margins, discount or discriminatory trade practices considered to be detrimental to the public interest with the offending parties and publicize any such evidence.

Second step:

1. That an inquiry be conducted under the Public Inquiries Act of Ontario, with both public and in camera hearings.

2. That such an inquiry be conducted by the Ontario Food Council to be constituted or reconstituted as to its members as is appropriate in these circumstances.

3. That appropriate legal and accounting personnel be retained to conduct a thorough investigation with power to summon witnesses and to examine books of accounts.

4. That such an inquiry investigate the British Columbia recent studies into discount practices; the Alberta situation with regard to vertical integration and loss of competition; and the American experience with reference to state laws re retail pricing.

Finally, my views on discount practices can be summed up in a phrase: If the chains have nothing to hide, they have nothing to fear from an inquiry; if they have something to hide, it should be exposed.

Mr. Speaker: Honourable members have heard those sections of the report they deemed advisable to have read into the record.

Hon. W. Newman: May I just make a few brief comments on the motion and on a few aspects of the inquiry?

As I interpret the standing committee's recommendation, the other parties want a public inquiry to investigate just about every conceivable aspect of the retail food industry in this province.

Mr. Foulds: Not a bad idea.

Mr. Nixon: That was a majority decision of the committee.

Mr. Swart: Difficult.

Hon. W. Newman: I said at the beginning and throughout the hearings that I wanted to keep an open mind on the subject. I said I wanted to have all the facts before committing my ministry or the government to any further investigation of the food chains. The question we have to ask ourselves is whether facts have been presented which would demand a further look into the food industry. I am not ruling out a public inquiry of some kind.

Mr. Breithaupt: However.

Hon. W. Newman: But I must remind members that any large scale inquiry, such as a public inquiry or a royal commission, is not to be lightly undertaken.

Mr. S. Smith: Like the LaMarsh commission.

Hon. W. Newman: In fact, a public inquiry into the aspects that the opposition wants investigated would probably be the longest, costliest and most complex study in the history of this province.

Mr. Roy: You are afraid of cost now.

Mr. T. P. Reid: Only if you employ Judy LaMarsh.

Hon. Mr. Rhodes: Just another spendthrift Liberal, that's what she is.

Hon. W. Newman: The number of commodities and items for sale in the average supermarket would guarantee that. We produce 200 commodities in Ontario that are sold in supermarkets.

Mr. Foulds: John Rhodes could have done it cheap when he was just a cop on the beat.

Hon. W. Newman: Most have their own set of production methods, handling requirements and marketing customs. The committee heard over and over again that people would not testify because they feared reprisals. Under the most highly confidential circumstances, Mr. Poole could still only get a few people to talk to him in private.

Mr. S. Smith: You were a great help.

Hon. W. Newman: The recommendations I made to the committee yesterday probably would have given producers and suppliers the opportunity to come forward and testify on a confidential basis. One of my main concerns was to provide a forum where people could be heard in confidence so they would not feel fear of reprisals.

Mr. S. Smith: Not if they don't say anything.

Hon. W. Newman: Before I go any further on this matter, I should like to review Mr. Poole's report further; a report and testimony of the British Columbia standing committee; and the actions taken or under way in other jurisdictions, including the activities of the federal Department of Consumer and Corporate Affairs. After I have fully studied the material already available to us, and if I find it desirable to launch a full scale public inquiry, I will not hesitate to recommend this course of action to cabinet.

Members should be reminded of the Premier's (Mr. Davis) comments earlier this afternoon, particularly on the question of representatives to such an investigating body from both political and partisan groups. If such a commission is established, it must be a completely independent commission.

Mr. S. Smith: Mr. Speaker, I am very pleased to rise and discuss this report. I

want to say at the outset that I was most impressed with the report given to the committee by its counsel, a counsel who if I'm not mistaken was recommended by the Minister of Agriculture and Food, and a person who the minister has even recommended might be the chairman of the committee that the minister would prefer to see in existence according to his own suggestion at the meeting of the standing committee on resources development. Clearly, he must have confidence in this individual, and I most certainly do as well.

The report given to the committee by the counsel was in the strongest conceivable terms. He as well as I and other members of the committee, with the exception of those who represent the government party, were very impressed with the kind of information that was put before the committee, the danger of excessive concentration of power within the food industry leading ultimately, if continued at the present trend and with the present practices, to the possibility of a very few large corporations, vertically integrated and horizontally powerful, being able to pretty well exact what they wish from the marketplace; furthermore, little by little, as the number of processors, canners and so on would be reduced in the province of Ontario, leaving the farmers pretty well as the captives of those few that remain.

That is a situation which we did not wish to see, and that is the reason the report was constructed the way it was constructed.

The suggestion the minister made to the committee and which he's repeated here today—and that's the only reason I address myself to it—is that rather than have a public inquiry, with the powers under the Public Inquiries Act to see the books of the companies, to have testimony under oath and so on, he would like to have, as he said again here today, a committee of three people that he recommended who presumably would be able to ask questions and presumably would be able to examine certain matters. They could certainly examine each other, I suspect, and possibly those other people who are willing to come forward and say what they please, but it would not have the power to examine the books of the companies, and consequently would be pretty well a useless exercise.

Our select committee met for a very long time. With the exception of one particular evening meeting I was there, I believe, for every minute of those meetings, and I certainly found them most fascinating. I tell you that the committee has come to a conclusion and it does not require now some

further committee to study the results of this committee. We're not dealing now with property tax reform, we're now dealing with something that can be dealt with in a straightforward and reasonable manner.

It's obvious that the Ontario Federation of Agriculture, people, whose opinions ought to be of some interest to the Minister of Agriculture and Food, have unanimously and enthusiastically supported the need for a full scale, independent investigation under the Public Inquiries Act.

There seems to be some question about this business of a nominee from the various caucuses. Let us be clear: it was never the intention, and this was made clear in the committee, that these would be members of the caucus nor even members of the party. They would merely be people knowledgeable in the food industry and suggested by all three parties. If that is in some way very objectionable, if some deep principle of parliamentary history that momentarily evades me bothers the Premier of the province, and he wishes to implement the report of the select committee in some way slightly different from that of the committee—in other words, with a nominee of the Ontario Federation of Agriculture, a nominee of the consumers' association and some other neutral person; and I don't think it has to be a judge, there's no allegation of illegality or anything that requires, necessarily, an advanced background in the criminal law or anything of this kind—it seems to me we would be willing to accept some reasonable point of view from the government in this regard.

But certainly we insist that an investigation be held; and that it be under the Public Inquiries Act, not under the Ontario Food Council. I'm sorry to say this: without meaning in any way to demean the worthy civil servants on that body and other representatives on the body, the testimony and the view of the federation is very clear that the food council is not the place for it. That was even the view of one of the members of the food council who represents the consumer interest in Ontario.

[3:45]

It's perfectly clear that what's required is a swift answer and the adoption of this particular report. I cannot understand why there should be this tremendous reluctance. The government is still free—as long as it complies with the spirit, meaning and intent of the report—it is still free, I am sure, to make small changes in its implementation, but very small indeed.

My view is that we would have much more impact if all parties voted together to adopt the report. Naturally, the vote was not unanimous in the committee because the government party had from the very start indicated a predilection in the other direction. Nonetheless, and we will divide, I assume, in this House, I presume that the report will be adopted. I most certainly hope so. Then, I presume and expect that the government will, in the democratic fashion comply with the basic wishes of the House, consisting as it does of democratically elected members representing the people of Ontario.

Mr. MacDonald: I am a little puzzled as to why we are having this debate. We have seen the whole issue. I don't know why the minister led off and started the debate. We have gone through this for three or four weeks. The minister has had all of his say. He said nothing new that he hadn't said two or three, four or five times in the committee, therefore we have nothing to do but respond in a repetitious way.

If the government is going to block this, they block it in the cabinet. Why are we wasting the time of the House in debating the thing when we have had such an exhaustive debate in the committee? Since we have had the debate, let me make two or three points briefly, Mr. Speaker.

Mr. Warner: Set a precedent, Don.

Mr. MacDonald: The purpose of that committee was to examine whether or not there was a prima facie case for a fuller investigation. The minister himself expressed some concerns about the two per cent discount that was revealed about six or seven weeks ago. He was sufficiently concerned about it that the chairman of his food council went to the supermarkets and persuaded them to withdraw it.

It's a very strange situation. It is not illegal, yet as soon as it is raised, they retreat from it. They did it in 1972, they have done it two or three times in the interval, they have done it again. If it isn't illegal, why do they retreat? If it isn't illegal, why does the minister get concerned about it as soon as the spotlight of public attention has been turned on it once again?

The two per cent discount is only one of a wide number of merchandising practices that were considered in the committee. I just want to reiterate what I said by way of a question to the Premier this afternoon. The summation of counsel, whose name was suggested by the minister, to the committee, and which the committee by majority view adopted, was that the thrust of the evidence that was given

publicly, and even more the confirmation of that evidence given privately to him in "in camera" sessions, was that there was a prima facie case for questionable practices, therefore we should have a fuller investigation.

What kind of an investigation? Independent is the key word. If it were going to be under the food council it would not be an independent inquiry because the food council—because of its very structure, made up of processors and wholesalers and retailers who presumably were going to investigate their own questionable practices—is obviously on the face of it not the way to go about it. It wouldn't be an independent inquiry.

What has been proposed is that there shall be a committee that will be representative of the Ontario Federation of Agriculture and the consumers, the producers of food and the consumers of food in this province, and a nominee from each of the parties.

Now I'm very interested in the political tack that the Premier has taken this afternoon; that this is not going to mean an independent inquiry, it is going to be prejudiced and with political bias. It is very fascinating that when the government party, the one party alone appoints them, presumably they are above politics, but if everybody makes an appointment so that you have a balance of any prejudice that might exist then that becomes partisan.

A few years ago, a well known lawyer in the city of Toronto on a CBC panel was discussing the impartiality of royal commissions. He made a flat assertion. He said that most people appointed to royal commissions are appointed to bring in the report that the government wants.

Hon. W. Newman: That's just nonsense and you know that.

Mr. Hodgson: We don't believe that.

Mr. MacDonald: Members don't believe that? I quoted from a distinguished lawyer who has observed and studied the situation.

Hon. Mr. Welch: What a slur on the commission.

Mr. MacDonald: We want an independent inquiry. We want it under the Public Inquiries Act. We want appointments from nominees who are going to be representative of a spectrum of view rather than just the views of the government. The plain fact of the matter is that through all of the operations of the resources development committee, the government members on the committee were a cheering squad for the supermarkets.

Hon. W. Newman: That is not true.

Mr. Eaton: That's a lie.

Mr. S. Smith: It is factually correct.

Mr. Speaker: Order. The member for Middlesex will withdraw that comment.

Mr. Eaton: Mr. Speaker, I will withdraw the comment that it is a lie that—

Mr. Speaker: Unequivocally.

Mr. Eaton: But he was interpreting our position on that committee to his own political advantage.

Mr. MacDonald: I want to make a final point in a comment on the remarks of the minister, and the Premier earlier, when he said something to the effect that this isn't the kind of inquiry that the OFA wants. The Leader of the Opposition has pointed out that the OFA and some of its key people attended the meeting yesterday, heard what had happened and at an OFA board meeting passed a resolution unanimously and enthusiastically supporting what the committee had done.

Let me read two paragraphs from the press release. "The recommendation for such an inquiry was given earlier in the day by the standing committee on resources development, which has been holding extensive hearings into the various merchandising practices of some supermarket chains. 'The OFA is very happy about the recommendation', said Mr. Hannam, OFA president. 'We feel it is a tremendous victory and we will certainly provide as much assistance as possible. It is now up to the government. The OFA simply will not accept anything less than an independent investigation.'"

Hon. W. Newman: Independent, not partisan.

Mr. MacDonald: That is an independent investigation that will be representative of the producers and of the consumers, and include three other people who will be nominated by each of the parties and not by the minister's party to serve his purposes.

Hon. W. Newman: They said an independent investigation, stop trying to play games with this report.

Mr. Eaton: I want to say a few words on this, because as was the case throughout the hearings—

Mr. Roy: The apologist for the chain stores.

Mr. Eaton: —the Leader of the Opposition tended to interpret things for people that were not their positions.

Mr. Samis: Whom are you defending now?

Mr. Eaton: He tended to say things during the discussion that people had said that they hadn't actually said.

Hon. Mr. Bernier: What else is new?

Mr. Eaton: He did it just now when he said that the members of our committee were not supportive of Mr. Poole's report.

Mr. Deans: That's right.

Mr. Eaton: I want to indicate to you, Mr. Speaker, that we did not vote against Mr. Poole's report; we indicated our objections to the amendments that the member for York South proposed to his report. He stands up, all the time and says how great Mr. Poole's report was. Then he takes a section out of it interprets it and does what he wants with it.

Mr. S. Smith: You want the food council and we don't.

Mr. Eaton: We were supportive of what Mr. Poole had indicated, that such an inquiry be conducted by the Ontario Food Council—

Mr. MacDonald: Did the member listen to the minister's questioning?

Mr. Eaton: —to be constituted or reconstituted as to its members appropriate in the circumstances. That meant the members of the food council who would have been serving on there would be unbiased in the situation that faces them at that particular time.

I would also like to register my objection to the statement of the member for York South, that we were supportive of the chain stores in that committee.

Mr. MacDonald: Did you ever listen to the member for Renfrew South (Mr. Yaka-buski)?

Mr. Eaton: We were trying to ask unbiased questions. We were not trying at any time, as the Leader of the Opposition did, to be rude or ignorant, or beat the people who were before the committee.

Mr. MacDonald: You didn't have to try.

Mr. Eaton: We were the ones who were being objective and fair during the whole debate.

Mr. Speaker: Does any other member wish to participate in this debate?

The motion before the House is for the adoption of the report. Shall the motion carry?

Some hon. members: No.

Mr. Speaker: All those in favour of the adoption of the report will please say "aye". All those opposed will please say "nay". In my opinion, the "ayes" have it.

Motion agreed to.

STANDING SOCIAL DEVELOPMENT COMMITTEE

Mr. Gaunt from the standing social development committee reported the following resolution:

Resolved: That supply in the following amounts and to defray the expenses of the Ministry of Colleges and Universities be granted to Her Majesty for the fiscal year ending March 31, 1979:

Ministry of Colleges and Universities	
Ministry administration program \$	5,903,000
University support program	853,705,000
College and adult education support program	422,454,000
Student affairs program	87,085,000

STANDING PROCEDURAL AFFAIRS COMMITTEE

Mr. Breaugh from the standing procedural affairs committee presented the committee's report which was read as follows and adopted:

Your committee has met with the three House leaders and wishes to report two agreements concerning the practices of the House.

1. If the adoption of the committee report is moved during routine proceedings and substantial debate is required, the chairperson of the committee presenting the report should move the adjournment of the debate on the motion for adoption. The time for the debate by the House will be determined by the House leaders in consultation with the chairperson of the committee, preferably on Thursday evening.

2. When a petition is presented pursuant to provisional order 7, Mr. Speaker should inform the House of the receipt of the petition and report the assignment of the petition to the committee requested. The chairperson of the committee concerned should then arrange the allocation of times for the examination of the concerned report.

SELECT COMMITTEE ON COMPANY LAW

Mr. Breithaupt: Mr Speaker, as chairman of the select committee on company law, I am pleased to present to the Legislature the committee's second report on the insurance industry. This report is again concerned with automobile insurance. Bound copies for each of the members will be received by next week. In the meantime, a summary of our recommendations is now being placed in the mailbox of each member and is being distributed to the press gallery.

The report deals with five particular areas. The first is that of implementing compulsory automobile insurance. The first report of the select committee recommended compulsory automobile insurance and the government has announced the acceptance of this matter in principle. The committee, accordingly, felt obliged to suggest a program to resolve the difficulties in this field, and we have done so.

We then considered the problems of automobile accident compensation and have recommended, by a majority, a modified no-fault scheme which would continue to allow non-economic losses generally for pain and suffering in certain defined situations.

The third area of our study was with respect to the government's presence in the automobile insurance industry. The committee has concluded that Ontario can be better served under a system of automobile insurance operated within the private sector than by the adoption of a government automobile insurance system. We do, however, make certain recommendations for a stronger presence in rate regulation so as to provide Ontario with the open competition form of such regulation.

Fourthly, we have reviewed the subject of marketing, administration and claims adjusting costs, and we have made recommendations to encourage premiums savings to the public.

Finally, we have considered the present rating classification system. We have concluded that the traditional classifications of age, sex and marital status are not adequate. We believe that such classifications would better be replaced by classes based on driving experience, driving record and miles per year driven. In addition, incentives for good driving must be more strongly adopted by the insurance industry, in our opinion.

Mr. Speaker, your committee will now turn to the other lines of general insurance, namely, property and casualty. We encourage public and industry comment on problems in those fields, and we look forward to the public hearings which will begin here at Queen's Park on those subjects on July 18.

[4:00]

I would like to take this occasion to express the appreciation of our committee to Mr. George Ness, QC, who has served as counsel to the committee, and to Mrs. Frances Nokes, who continues as our clerk. Both Mr. Ness and Mrs. Nokes are in the gallery. As well, Mr. Paul Boddy, Mr. Peter McKelvey and Miss Ludmilla Jagiellicz, all of Woods Gordon, have been of great value as consultants to our committee.

STANDING PUBLIC ACCOUNTS COMMITTEE

Mr. T. P. Reid from the standing public accounts committee presented the committee's interim report.

Mr. T. P. Reid: I wonder, Mr. Speaker, if I might have two words. One is that this is the second interim report from the public accounts committee. We will be tabling our final report in the fall and would ask that it be debated at that time.

I would also like to inform the House, sir, that there is a subcommittee of the public accounts committee set up, with the member for Carleton (Mr. Handleman), the member for Sudbury (Mr. Germa) and myself as members, to look into the procedures of the public accounts committee and to make recommendations to the committee and the House.

STANDING ADMINISTRATION OF JUSTICE COMMITTEE

Mr. Philip from the standing administration of justice committee presented the committee's report, which was read as follows and adopted:

Your committee begs to report the following bills with certain amendments:

Bill 7, An Act to revise the Securities Act.

Bill 8, An Act to regulate Trading in Commodity Futures Contracts.

Bill 9, An Act to amend the Business Corporations Act.

Ordered for third reading.

MOTIONS

COMMITTEE SUBSTITUTIONS

Hon. Mr. Welch moved that substitutions be made on the committees of the House as follows:

Select committee on company law: Mr. MacBeth for Mr. Gregory and Mr. Blundy for Mr. Stong.

Select committee on Ontario Hydro affairs: Mr. Hennessy for Mr. Jones and Mr. Deans for Mr. Samis.

Select committee on the Ombudsman: Mr. Grande for Mr. McClellan and Mr. J. A. Taylor for Mr. G. Taylor.

Standing administration of justice committee: Mr. Gregory for Mr. Cureatz, Mr. J. A. Taylor for Mr. MacBeth, Mr. Pope for Mr. Sterling, Mr. Walker for Mr. G. Taylor, Mr. Belanger for Mr. Williams.

Standing procedural affairs committee: Effective July 1, Mr. M. Davidson for Mr. MacDonald, Mr. Wildman for Mr. Grande and Mr. G. Taylor for Mr. J. A. Taylor.

Standing social development committee: Mr. Hennessy for Mr. Elgie, Mr. G. Taylor for Mr. Villeneuve.

Motion agreed to.

SUMMER RECESS

Hon. Mr. Welch moved that when the House adjourns for the summer recess it do stand adjourned until a date to be named by the Lieutenant Governor by her proclamation.

Motion agreed to.

Mrs. Campbell: No, a specified date.

Mr. Kerrio: When does it recess?

INTRODUCTION OF BILLS

LINE FENCES ACT

Hon. Mr. McKeough moved first reading of Bill 135, An Act to revise the Line Fences Act.

Motion agreed to.

Mr. Ruston: You want an election on that, eh, Darcy?

Mr. Breithaupt: You have been given all the important jobs.

Hon. Mr. McKeough: Mr. Speaker, in introducing the Line Fences Act, 1978, today for first reading, I would like to say that this bill is the result of lengthy discussions with a number of interested parties, particularly with representatives of the Ontario Federation of Agriculture and the Rural Ontario Municipal Association.

It was agreed by all that revisions to the present act were necessary to deal with present-day circumstances. A simpler and quicker method for settling fencing disputes in both rural and urban areas, and in agricultural and non-agricultural areas was needed, one that ensures that the interests of each of the adjoining owners are dealt with equitably. Honourable members will find a summary of the revised method of arbitration attached to their copies of this introductory statement.

At this time I would like to outline very briefly where the two bills differ. In the new bill as opposed to the present Line Fences Act the distinction between occupied and non-occupied land is being removed. A line fence will no longer be mandatory in every case but only where one adjoining owner wants a fence. Where adjoining owners cannot reach agreement, one owner may simply notify the clerk of the local municipality that he wants the fence viewers to arbitrate the dispute. If, however, the municipal council has passed a bylaw providing that the clerk is not to be involved, the owner will have to arrange the arbitration himself, as with the present act.

The options of the fence viewers in making their award are being clarified and broadened. The appeal of either owner from the fence viewers' award will be to the small claims court rather than to the county or district court. If one owner fails to obey the award and the other owner does the work and wants to recover the value of that work, he will have the fence viewers reconvene to certify the amount owed him by the defaulting owner rather than having to take action in the small claims court.

In addition to the methods of the existing act for collecting the amount owed him by the defaulting owner, the other owner will be able, if the municipal council provides by bylaw, to collect the amount from the municipal treasury. The municipality will then collect the amount from the defaulting owner as taxes with interest.

Mr. Speaker, in developing this legislation, we have not been able to incorporate every recommendation submitted. However, the bill does reflect the many agreements and compromises reached during the discussion and I believe it will receive very considerable support from interested residents, municipalities and associations. Government looks forward to receiving and discussing comments and recommendations for changes to the bill over the summer months and for consideration by the Legislature in the fall.

CONSTRUCTION INDUSTRY EMPLOYMENT ACT

Hon. B. Stephenson moved first reading of Bill 136, An Act to Stabilize Employment of Tradesmen in the Construction Industry.

Motion agreed to.

Hon. B. Stephenson: Mr. Speaker, this act is in fact enabling legislation where in the opinion of the Minister of Labour it is necessary to eliminate or reduce instability in the employment of tradesmen in the construction industry or to promote employment in that industry. The minister, subject to the approval of the Lieutenant Governor in Council, may in fact enact or bring into effect a code or codes of employment practices establishing some measures and procedures respecting the employment of tradesmen in construction, including provisions that tradesmen permanently resident in Ontario shall be given preference in employment.

METRIC CONVERSION STATUTE LAW AMENDMENT ACT

Hon. Mr. Rhodes moved first reading of Bill 137, the Metric Conversion Statute Law Amendment Act, 1978.

Motion agreed to.

Hon. Mr. Rhodes: Mr. Speaker, the amendments in this act have been requested by the private sector and municipalities, through the national sector plans, to ensure that the conversion process in Canada, as established by the national body, is not inhibited by Ontario legislation. The use of an omnibus bill is to save the House time since all acts included in the bill are being converted for the same purpose. The conversions in the act are mathematical in nature and do not change the intent or policy of the individual acts.

Some changes have been rounded off to avoid large figures of several decimal places. All conversions are explained in the bill, and where a number have been rounded off, the exact metric equivalent is included in the explanatory notes. Altogether there are 57 different acts that are involved in this bill for amendment, coming from 10 different ministries.

The act comes into force on a date to be proclaimed by the Lieutenant Governor. Parts of the act can be proclaimed at different times on the recommendation to cabinet by the responsible minister.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Mr. S. Smith moved first reading of Bill 138, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to.

Mr. S. Smith: The purpose of the bill is to give each of the area municipalities, in the municipality of Metropolitan Toronto the status of a city municipality. The newly-established cities of East York, Etobicoke, North York, Scarborough and York would continue to receive provincial aid for a 10-year period as if they were township municipalities.

HOSPITAL ABORTIONS PROCEDURES ACT

Mr. Sweeney moved first reading of Bill 139, An Act respecting Hospital Administrative Procedures relating to Abortions performed in Ontario.

Motion agreed to.

Mr. Sweeney: The bill establishes several administrative procedures governing the manner in which Ontario hospitals provide services and facilities for the performance of abortions in Ontario.

The bill requires that a patient be provided with information concerning the life condition of the unborn child, the risks to her and

the social services available to care for the child, before consenting to an abortion.

Where a physician determines that an unborn child has the potential to remain alive outside the womb of the mother, the physician shall use medical procedures designed to maintain the life of the child. A second physician must be in attendance in these circumstances.

The bill provides that hospital facilities and services shall be made available if the continuation of the pregnancy is likely to endanger the life or cause serious and permanent injury to the physical or mental health of the patient. The bill further provides for continuous review by the Minister of Health of abortions performed in Ontario to ensure compliance with the laws relating to the performance of abortions.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Welch: I wish to table the answers to questions 99, 100, and 103 standing on the notice paper. I wish to table as well the answers to questions 101, 102 and 108 standing on the notice paper. (See appendix, page 3846.)

[4.15]

ORDERS OF THE DAY

PRIVATE MEMBERS' BUSINESS

CONSUMER PROTECTION AMENDMENT ACT

Mr. B. Newman moved second reading of Bill 100, An Act to amend the Consumer Protection Act.

Mr. B. Newman: Mr. Speaker, in rising to make comments concerning Bill 100, I would like to start by informing the House that my comments in no way indicate that I oppose the principle of computerizing "checking out" in a supermarket.

My whole interest is in the fact that the consumer might not have the opportunity for comparison shopping.

For some years now, with the increasing concentration of the retail food business into fewer and fewer hands, the increasing size of food stores, the increasing number of check-out counters, and the longer and longer check-out lines, it was only natural the retail industry would have to look to automation to speed up the check-out time of the individual shopper. Failure to do so would prompt the shopper to take his or her business to the retailer providing the better service.

In this new electronic age, with the advent of the laser beam and scanning devices, and

the development of product identity codes, a way to speed checking out was finally devised. The new method of the UPC—the universal product code—finally reached the market. But as it did, Mr. Speaker, the retailer assumed that the universal product code was sufficient, and so he decided not to mark individual items with a price tag.

This led consumer groups, as well as the labour union movement, to become seriously concerned—consumer groups, because comparison shopping by the elimination of individual item pricing; and labour unions, because automation could eliminate or substantially reduce employee numbers. Both concerns were very legitimate.

I don't oppose the use of the universal product code and quicker checking out, or even the use of the computer. In my own community, the concerns of the consumer were expressed back in 1977. In fact, on April 15 I received a communication from a Mrs. A. Ashwell, who was writing to me on behalf of the London Conference of the United Church Women.

Their recommendation was: "Since the supermarket industry is concurrently in the process of introducing the use of the universal product code on all items sold in their stores, which would result in the possible elimination of individual item pricing, thereby denying the consumer the right of comparison shopping, we ask you to petition your government to enact adequate protective legislation to ensure the rights of the consumer to the privilege of comparison shopping by individual item pricing".

That resolution was approved by the Devine Street United Church of Sarnia. It was also approved by the St. Paul's United Church Women's Group in Harwich Township, Kent County, and also by another United Church group in Charing Cross.

Naturally, they would have contacted me, Mr. Speaker, because I am probably not within their geographic area, but because I introduced legislation back early in 1977.

The labour unions, on hearing the action taken by the United Church Women, also decided they would urge laws covering price tags. As a result, the Windsor and District Labour Council decided they would press government for government legislation that would force retailers to retain individual prices on all items sold.

The council—that is, the Windsor and District Labour Council, which represents 38,000 area trade unionists—adopted that approach after hearing a report from a Mr. Ron Varley, president of Local 14045, United Steelworkers of America.

Mr. Varley, whose local represents Dominion Stores Limited workers in Windsor and Amherstburg, argued that the removal of individual price labels in supermarkets would create "the biggest consumer rip-off this country has ever seen".

He said that the universal product code, which makes computerized check-outs possible, is now on most items, and that it is only a matter of time before prices are shown only on store shelves. Mr. Varley said most supermarket unions now have contract protection against layoffs because of computerization, but remain concerned, as consumers, about the effects of ending individual pricing.

Even the Minister of Consumer and Commercial Relations in a press release of July 14, 1977—the minister of that time was the honourable Sidney Handleman—is quoted as saying: "Over the last year and a half my colleagues and I have received literally thousands of communications ranging from expressions of mild concern to outright alarm over any suggestion to remove individual pricing." However, no action was taken by the ministry. As a result, I had research check with the federal authorities, that is with the Ministry of Consumer and Corporate Affairs. They told us there was no legislation pending and they didn't know if they contemplated introducing legislation.

In checking with the Ministry of Consumer and Commercial Relations—at that time, the honourable Sidney Handleman—likewise, we were told that there was no indication of legislation being introduced on this matter. At no time did anybody say this matter was not a provincial matter. As a result, on April 25, 1977, I introduced the legislation we are debating this afternoon, that is, An Act to amend the Consumer Protection Act.

Certain events intervened immediately after that. As a result, when we did come back, on July 7, 1977, I reintroduced the original bill. Today, approximately one year since its last introduction, we have An Act to amend the Consumer Protection Act.

It is a very simple act. It defines the computer code. The definition reads: "The computer code means a marking that is designed to be read and recorded by a computer device for the purpose of calculating the purchase price of a product offered for sale and includes the universal product code."

The act requires individual purchase marking and section 2 of section 47(a) reads: "No retail seller shall offer for sale a product that is marked with a computer code unless the individual purchase price of such product is clearly expressed on the product, its wrapper or its container." The purpose of that is so

the individual would have the privilege of comparison shopping.

Just to point out to those who may read this debate, I wanted to let the public know the universal product code is that symbol on boxes, cans or jars represented by 10 numbers and a series of lines and spaces. The first five numbers represent the company marking the product and these numbers are assigned to each company in the United States and Canada by a data bank. The last five numbers are selected by the manufacturer to represent a certain product. For example, the symbol 5700000305 is the code. 57000 represents the H. J. Heinz Company. The code 00305 is the code for Heinz ketchup in the 11 ounce bottle.

Each of the numbers in the universal price code is represented by two black lines and two white spaces. The scanner reads the width of the lines and the width of the spaces. It does not read the numbers. Even though stores are not ready to use the universal price code system most manufacturers in Canada have included them on their product labels.

When the federal government bill was passed requiring them to have bilingual labels, rather than to change labels two or three times—which is very costly—most manufacturers made all of the changes at one time so that the labels were now bilingual, in metric measurement and contained the universal product code.

There are no prices on the UPC, universal product code. The universal product code only identifies the manufacturer and the item.

As a completely computerized operation the cashier passes each of the customer's items over a scanning unit. The unit identifies the symbol on each item. The scanner is connected to a computer terminal in which the symbol items and prices are stored. As the scanner identifies each item the terminal automatically retrieves the item's name and price.

The terminal also displays a description of the item and its price at the cash register, performs all the calculations for tax, and takes into account store and manufacturers' coupons, figures out the total, calculates the change from the cash offered; and its final function is to print a customer receipt containing description of all items, prices and total and so on.

What are some of the advantages of the scanning system? Well, consumers will not be able to deface the symbol or switch prices. The lines and spaces are correlated and the coding system and price are dependent on each other.

If a consumer does try to alter the lines or spaces, the scanner will not accept the symbol and a beep sound will warn the cashier that the item has not been accepted.

The scanning operation will likewise cut check-out time by perhaps as much as one half. The cashier will not be able to ring in the wrong price because she won't be ringing in prices.

Consumers will get itemized tape receipts as an aid to planning food budgets and future shopping and keeping up with the trend in food prices.

Another of the plus features is one manufacturer and stores are very cautious about—reducing the risk of food poisoning.

If any item is found to be bad, manufacturers notify stores and the stores must take all the suspicious stock off the shelves.

There is a risk, though, of a customer in the store buying the item before the stock boys get the items removed. With the new system, the UPC code would be deleted immediately from the computer program. Then when the cashier passes the item over the scanner, a beep will sound a warning to her that the item is not acceptable. The stock would be removed from the shelves as well and this would eliminate any possibility of a customer walking out of the store with a potentially dangerous product.

The store manager could also determine how much of any given item he had sold and on what days, and so on. The scanning system would also allow the store manager to determine what hours and days are the busiest, and how many check-out lines they should have open, thereby eliminating long, long lineups.

The scanner would read the code even on dented cans and packages and the computer would correctly print out the description of the item and its price.

Occasionally a black felt pen is used to cross out most of the lines and spaces, leaving only a small portion of the symbol for the scanner to read.

The scanner again correctly can read the symbol, print out the description and the price. The system is fast and it is accurate, but how about protection for the consumer in the advent of all of this new technology?

It is the store's thinking at present that they don't have to unit price the articles because they will have the price listed on the shelves. However, we also know that the elderly quite often have difficulty bending down the shelves to simply notice the price listed on the shelves. It would be much better to have it on each individual item since the retailer quite often wishes to record the price

only on the shelf, but not on each individual item. I pointed out a lot of savings when using the computer, so there must be some type of trade-off. It will save on employee help; it will computerize the whole check-out process; it will get the customer through the lines more quickly, but we likewise want to have the opportunity of comparison shopping in return for that.

[4:30]

Miracle Food Marts in Toronto have two stores, I understand, equipped with a computer, but they still put individual item price stickers on the majority of their products. If not item priced, then we will find that the consumer just cannot comparison shop.

Will there be safeguards built into UPC? Yes; safeguards not only on the prices going into the computer but also on the person programming the computer, so say those who operate the supermarkets. Remember, it is dependent on the person programming the prices into the computer and it is also dependent on the stock person. He or she has to put the right size of can in the right place on the right shelf with the right shelf-price. That is if there is no individual item price. There are many possibilities for human error that that is practically impossible to do. As a result, individual item pricing is an absolute requisite.

Itemized receipt tapes are excellent. Even though they may be excellent, they still don't indicate, in many instances, the weight of the item purchased. For example, they do not identify between a 10-ounce can or a 19-ounce can of the same item. So the customer may be paying for a 19-ounce can, or have purchased a 19-ounce can when he or she wanted only a 10-ounce can.

In the United States, there was a big hue and cry about the system when it was first implemented. Maryland immediately, on hearing that hue and cry, passed legislation making it mandatory for all stores to unit price all items and now many other states are trying to pass similar types of legislation.

There is another problem too with computerization when individual pricing is not adopted by a retailer. The retailer could very easily change prices in the middle of a day, through the computer, but if items are individually priced, he cannot do that. He cannot double stick, double label, double tag, or the individual item, because that is contrary to federal legislation.

With the computer price only, there would be no way an individual could check the retailer to determine whether he had changed his prices in the middle of the day or at the

beginning of the day, even though he may have advertised certain items at a given price.

The state of Michigan attempted to pass a bill in 1976. Because it was complicated, it was put off. The governor of the state vetoed it. However, the Detroit Free Press wrote an editorial headlined "No-Frill Pricing Bill Needed", on July 11, 1976, as a result of the governor's veto. I am quoting from the editorial:

"We believe that there is a legitimate public interest in assuring that retailers, in embracing the universal product code, do not abandon the price marking of an individual item on their shelves. The marking of individual items is an essential aid to intelligent shopping. The universal product code can produce worthwhile efficiencies even if the individual prices are retained. In fact, grocery chains have begun backing-off their original intention to abandon individual price posting."

By the way, since that time the state of Michigan has passed legislation that does require individual item pricing even though their legislation exempts certain high volume items such as milk from the requirement of individual purchase pricing.

I don't have statistics for the Ontario area to the same extent as I have them for the U.S. In the city of Detroit, there are only five supermarkets with scanners. But they foresee the scanner having such a tremendous advantage to them as far as inventory control—

Mr. Deputy Speaker: The hon. member's time has expired.

Mr. B. Newman: Twenty minutes? Mr. Speaker, I could carry on at some length, but I would like to close by saying that even though price marking does cost money, labour savings more than offset that difference.

Mr. Deputy Speaker: The hon. member's time has expired.

Mr. B. Newman: I will pass on the balance of my material to the member for Niagara Falls (Mr. Kerrio).

Mr. M. N. Davison: Mr. Speaker, I would like to personally congratulate the member for Windsor-Walkerville for bringing forward this bill. I think it is a very important piece of legislation dealing with an important issue. It is much more important than the last debate the member and I had on supermarkets, which involved the menace created by housewives careering about recklessly in supermarkets with shopping carts without signal lights. This, however, is really important.

It is interesting to note from where we sit that this bill should be brought forward by a

member of the Liberal Party, because the federal Liberal Minister of Consumer and Corporate Affairs, some two years ago, said he would protect consumers from any problems that might arise from this new pricing system, but after the chain stores had had a chance to twist his arm and whisper in his ear, he backed off, and the federal Liberals sold out the consumers to the chain stores on this matter. So I trust the members will put a word in the ear of the federal Liberals so they might better understand the problems presented by this new system.

Bill 100, An Act to amend the Consumer Protection Act, reflects the policy of the New Democratic Party. Some time ago, at one of our conventions, the following resolution was passed: "Resolved: that the Ontario New Democratic Party will press the Ontario government to bring in legislation to protect consumers requiring the supermarket industry to continue the practice of marking the purchase price on each item for sale." The New Democratic Party has indeed done this over the past number of years, and my colleagues the members for York South (Mr. MacDonald) and Beaches-Woodbine (Ms. Bryden) particularly, have done so with singular skill on a great many occasions, and I would congratulate them.

For anyone who has not been doing any shopping over the past couple of years perhaps an explanation of what the UPC system is, should be put on the record. The UPC system is identical, of course, to the Canadian grocery product code, or the CGPC. It is a stamp-sized rectangular black and white group of lines on the product package, and with its vertical lines of varying width and a 10-digit identification number, it can provide something in the order of 10 trillion individual machine-readable numbers. Those then are read by the electric scanner at the checkout, which is then informed by a computer of the current price in the store.

While most products at the supermarket carry the UPC, only a handful of stores in Canada actually make any use of it. The system is very unpopular, both with individual consumers and with consumer groups such as the Consumers' Association of Canada. Because of that, Steinberg's, which is the first store to adopt the computerized system, has decided it will continue individual price marking on its packages, even in the stores that are using the system.

In Ontario, as the member for Windsor-Walkerville pointed out quite correctly, we have lagged very far behind on this issue. In the United States a large number of the states, and an even greater number of the

cities, have passed legislation requiring that the individual item pricing be maintained in those jurisdictions.

Frankly, I believe the industry would be far from unwilling to accept the intent of this bill and maintain item pricing, even if it continues with the computerized checkout and the use of the UPC. The Grocery Products Manufacturers of Canada have stated: "Even in the event that the government action is taken regarding price marking of merchandise, there is no reason to expect the elimination of the electronic store system and universal product code. Deducting the 19 per cent for the saving in price marking, GPMC estimated, yearly savings would be \$97,000 on an equipment investment of \$150,000. Thus other economies would be sufficient for the program to advance as planned."

There is no guarantee whatsoever that any savings resulting from the new system will be passed along by the industry to the consumers, and I suspect that as usual the extra money will go into extra profits for the large chain stores. I further have serious doubts about the capacity of some stores to be able to keep shelf pricing accurate and up to date.

Without item pricing the consumer has no knowledge of or protection against instantaneous price changes in a store. Without item pricing, consumer price consciousness at the time of product use will be greatly lessened, and I don't think that's a useful direction to go in. Without item pricing, comparison shopping will become so complicated a procedure that it will be almost impossible.

For all of those and other obvious reasons, I and my party oppose the adoption of the computerized checkout UPC system to the exclusion of item pricing. Therefore, we will be quite pleased and happy to support this bill on second reading.

Mr. Williams: Mr. Speaker, I am pleased to rise and participate in the debate this afternoon on Bill 100. I am particularly pleased to involve myself in this debate, bearing in mind that the sponsor of the bill is the member for Windsor-Walkerville, whose bills in the past I have always found to be fundamentally sound in principle. I have always admired the logic he displays in the issues he brings before the House, such that I think we can overlook his shortcomings such as one finds in his choice of partisan political affiliations.

I recall having supported in principle his bill dealing with the recognition of support for the physically disabled in the Ontario Human Rights Code. Although at the time I opposed the structuring of the bill, I certainly

didn't oppose the principle. Here too I wish to express support for the bill presented today by the member for Windsor-Walkerville.

Not only I but, I am sure, a lot of consumers are concerned about the impact the universal product code's implementation would have on the public if it were to negate, do away with and replace the use of the unit pricing system. I know that the Consumers' Association of Canada has expressed a great deal of concern in this area. At this point in time, it continues, and rightfully so, to oppose any removal of unit pricing from the marketplace. That particular body has been monitoring the introduction of the universal product code and the automated checkouts over some period of time. Certainly the views they have expressed are based on a thorough review and monitoring of this situation.

I have been quite impressed with the extent to which the sponsor of the bill has researched his subject. I found it most interesting to get an understanding and appreciation of how the coding system works. I must be quite candid: I wasn't fully appreciative of how the system works. In fact, the member went into such great detail on the subject that for a moment I thought—

Mr. Kerrio: He was in the business.

Mr. Williams: —he was considering that at the time he retires from his present occupation he might take up a position as a salesman with one of those companies that have developed this system. He certainly makes a convincing argument. I realize that in making that argument, he shows there is some merit to the system but it shouldn't be implemented at the expense of the consumer public. His point is well taken.

The fact is, of course, that there is a fundamental principle here that must not be overlooked. That is the fact that when a consumer goes to purchase a product in a food store, he must have the ability to determine what the price of that particular commodity is. There are three essential concerns to any purchaser of a product, and in particular a food product, whether it's in a food chain store or in the individual corner market. The person must be able to reasonably determine the quantity of the product, the quality of the product and the price of the product and to compare all three of those factors against other similar competitive products on the shelves in these stores.

[4:45]

To eliminate any one of those opportunities is prejudicing the position of the individual

consumer. For this reason, until such time as a mechanism can be devised to take advantage of the universal product coding system and yet preserve some element or means by which the individual purchaser can have an awareness of the individual unit price, this type of legislation is needed to bridge that gap period. I'm satisfied, however, with technology being such as it is, some means will be found to meet both needs and that if such legislation should come on to the books in future years, it may prove itself to be redundant.

It's quite apparent today when one goes into a supermarket that the present pricing of goods on shelves leaves something to be desired because of the great quantity of individual products on the shelves and the variety of products on the shelves. With the shelves themselves being stacked, it's hard to determine which price relates to which shelf and to which commodity from the way they're presently labelled on the shelves. If individual units are not priced, it is not sufficient under today's circumstances to rely solely on the tagging they use on the shelves in the stores because of the confusion created in the purchaser's mind.

An interesting development, however, which I've noticed in recent times in supermarkets and which may prove to be one of the compromises that could be arrived at, short of the necessity of this type of legislation, would be the establishment of more individualized bins which would clearly contain only one product and which would through a central post or whatever, have a clearly marked single price for all of the commodities within that bin. That would be physically separate and apart from an adjoining bin that would have a competitive product with the price posted and perhaps the size of the canned goods or whatever that are in that bin. They would then be easily ascertainable to the purchaser to do comparative shopping without the confusion that presently exists with all the competitive products crammed together on one shelf and with the pricing labels between shelves confusing the public as to whether they relate to the goods below or above.

That is a possibility that I'm sure the chain stores are examining. I agree with the member that we don't want to discourage improvement in efficiency in their operations so long as it doesn't prejudice the consumer.

The other consideration that might eventually lead to such legislation becoming redundant would be something further into the future and is one which, I gather, has been delved into on an experimental basis in the

United States. I think it was down in one of the eastern seaboard states. It received a great deal of publicity a year or two ago. That is the fact that supermarket purchasing may eventually reach the point where it will all be done by a closed-circuit television. The person would not even need to go physically to the local store to make the purchase but would simply be able to make the purchase through a shoppers' list made available throughout the community in the proximity of the market place.

One could simply through the pushing of buttons place an order through the closed-circuit television process. The order would be made up immediately and automatically in the store, bundled and sent out to the near proximity of the store and picked up by the customer without ever entering the store or it might even be delivered to the purchaser's home.

That of course is somewhat futuristic but it's being experimented with now, and in that way may more greatly justify the use of the Universal Product Code system and in that situation of course there would be no need for the unit pricing requirement there is today. But as I say, Mr. Speaker, that particular observation is related to something obviously some distance in the future.

The other option that I refer to is something that's more readily obtainable and perhaps something that's in the immediate future, whether in fact it's—

Mr. Deputy Speaker: The hon. member's time has expired.

Mr. Williams: —it's something that the supermarket chains themselves have to resolve in their own minds, but in the meantime, Mr. Speaker, there is justification for giving support to this legislation.

Mr. Deputy Speaker: The hon. member for Niagara Falls.

Mr. Kerrio: Thank you, Mr. Speaker.

Mr. Deputy Speaker: I would like to inform the member that he has until 4:58.

Mr. Kerrio: Until 4:58? You are on the computer as well, are you, Mr. Speaker?

Mr. Deputy Speaker: Correct.

Mr. Kerrio: Thank you very much, Mr. Speaker.

The member for Oriole made mention that it's usual that any bills put forth by my fellow member for Windsor-Walkerville are usually well advised and make a lot of sense. I have to think that in this particular instance it's a bill that makes a great deal of sense, particularly to those people who are confronted with the possibility of shopping

in the future without prices being printed on the products.

I am very pleased to hear the kind of reception that's been given the bill on all sides. I think it's particularly timely when the price of foods are increasing at the rate that they are, that those people who would avail themselves of the savings by spending a little more time shopping will be able to be guided by the sort of bill we are debating here today. That is, having all individual articles priced except possibly for those items that are very difficult to price or need not be priced, such as the soft containers of milk or things that could have the prices posted.

I think a very significant thing among shoppers is the ability to comparison shop. To have printed-out receipts with all of the articles marked so that one can compare them is the only possible way that consumers, if they are willing to take the time to study those articles that are reduced somewhat as loss leaders to encourage people to go and buy, can save. I would certainly agree with the large supermarkets that, in the overall picture, they have to make the whole operation pay. I think it's considered quite acceptable that some articles could be marked very low and very possibly as loss leaders to encourage people to come and buy at those supermarkets. I can't believe that those people who take advantage of those lower priced items from store to store wouldn't be able, at this time when prices are so high in the food industry, to save themselves money by being able to comparison shop.

It's usually good advice to study in other jurisdictions legislation that we might be putting into place in order for us to do a little comparison with what happens in those areas. I have before me some reports in various other jurisdictions. There are not so many in Canada; I guess because Canada is rather in its infancy in universal product coding. It was thought in some areas this was going to catch on like wildfire. Such has not been the case because it seems very difficult, particularly in our jurisdiction, where we see these huge chain stores vying for the average shopper's business and talking about not putting brand labels on all cans as they relate to certain products. If they are going to encourage people to shop, certainly they can't do it if they are going to eliminate pricing on the individual article.

As far as the system is concerned, there is a substantial amount of saving, as the member for Windsor-Walkerville pointed out, in the ability of the large stores to maintain very accurate records of their stock, of their sales, and to have very small losses as they

relate to mistakes in prices being read as opposed to the printout on the universal price code. But I am sure that as a service to the public most of them would be willing, in face of the substantial savings being made, to pay back some small portion of the saving by conveniently marking all items.

As I suggested before, the universal pricing code has not caught on. I think the large chain stores themselves have read the resistance of the buying public to making purchases without being able to do proper comparative shopping. With individual price labels, one is able to remember the cost of items for purposes of comparison. One of our former ministers, as was pointed out before, suggested that if we went to the universal pricing code we could carry along a pencil and mark things as we went and thereby have our own marking system.

I am pleased to see that in most jurisdictions where scanners have been put in, legislation has been passed for stores to retain individual pricing. Such has been the case in many US states. If we see fit to support Bill 100 that is before us, to take a very responsible position that would convenience people who avail themselves of reasonable comparisons in their shopping day so that they can cut the costs of providing food for their families, we will be performing, I think, a very valuable service.

It goes without saying, then, that individual price posting could very well go along with universal product coding; by providing both to the citizens of Ontario we will be providing them with a very valuable ability to do proper comparison shopping.

Mr. Acting Speaker: There are several minutes left for this debate. The member for Beaches-Woodbine, for about two minutes.

Ms. Bryden: Thank you, Mr. Speaker. I rise to support this bill, but I am somewhat disappointed that we haven't had this kind of legislation two or three years ago when the universal pricing code was first introduced on products in the market place. It seems to me that was the time we should have had some indication from the government they were concerned about protecting consumers with the introduction of this new legislation.

Particularly, we should remember that the consumer is the most beleaguered person in our society today. He faces constant increases in prices with a current inflation rate of nine per cent. He has little control over the choice of goods offered on the shelves, and the recent hearings before the resources development committee indicated that his choice may be affected by the willingness of

producers to pay kickbacks or accept discounted prices. Therefore, the consumer has to shop very carefully and must have the opportunity for comparison shopping. This is particularly important for senior citizens whose meagre pensions do not keep up with the rate of inflation, and even for others who are restricted to wage increases of six per cent under the Anti-Inflation Board, while food prices went up 3.3 per cent in the last month alone.

[5:00]

The consumer's voice is unfortunately very weak, and it is the government's responsibility to see that his interests are safeguarded in the market. But the government appears only to hear the voice of the supermarkets; its boasts about consumer protection program become hypocritical cant when one views the inaction to date in this field.

I hope that the member for Oriole will persuade his colleagues to support this bill and to see that it goes through to third reading, because it is long overdue.

Mr. Acting Speaker: The time for debate on this bill has expired.

LABOUR RELATIONS AMENDMENT ACT

Mr. Ziemba moved second reading of Bill 107, An Act to amend the Labour Relations Act.

Mr. Acting Speaker: The member for High Park-Swansea for up to 20 minutes.

Mr. Ziemba: Thank you, Mr. Speaker. I would like to reserve 10 minutes, more or less, to wrap at the end of this debate.

I am pleased to introduce Bill 107, An Act to amend the Labour Relations Act. This bill will provide a first collective agreement when a bargaining unit has been certified but when negotiations for a first agreement fail or one of the partners requests such action. For example, it would end the Fleck strike. In fact, if this legislation had been in place, the Fleck strike would not have gone this far. We could have saved the taxpayers more than \$1 million in police costs, not to mention the untold human cost.

What we are talking about in this bill is whether an owner like Fleck will accept a union and a contract in a civilized way or whether workers must continue the politics of the street. Workers place their faith in the Ontario Labour Relations Board. Why wouldn't they? In the Fleck case, the board found that 87 per cent of the workers had joined the union; 117 out of 134. The bargaining unit was granted automatic certification. This should have been the end of

the union's fight for recognition, but it was not so; it was only the beginning.

Not only at Fleck but more than 25 per cent of initial organization attempts never result in a first contract. In 1977-78, of 629 certifications 291 went to the ministry for conciliation and 161 of these were no-board decisions; in other words, they did not end up with a signed contract. This is not simply because of a lack of legislation. Some managements simply put their branch plants on wheels and move away to avoid unionization, and very often they receive government resettling grants in the bargain. Others hire expensive lawyers to frustrate certification and first agreements, and their high fees are written off as a business expense.

British Columbia enacted first-agreement legislation in 1974. The labour relations board chairman reports that there are about the same number of first contracts negotiated each year in BC as in Ontario but there have been only three requests in the past two years to have the first contract imposed by the BC board.

The prospect of imposed agreements acts as a deterrent to bad-faith bargaining, and this is the key to the legislation. The fact that it is there forces employers to bargain in good faith.

It is a disgrace that the anti-scab bill that was introduced here last week by my colleagues the members for Oshawa (Mr. Braugh) and the member for Bellwoods (Mr. McClellan) did not pass. Professional scabism is a weapon of anti-union management and the substructure of lawyers, union-busting consultants and so-called security organizations who thrive on this horrendous social confrontation of denying people the right to organize.

Last week the Minister of Labour lectured us on this anti-scab debate and stated that the anti-scab bill would fly in the face of the democratic principles upon which the Labour Relations Act is founded. What nonsense. She's been sitting over there, hatching the occupational health and safety bill for over a year. We're told now we might get it in the fall.

Mr. Lupusella: In a reasonable period of time.

Mr. Ziemba: Injured workers, their families and survivors were deliberately kept waiting three years for a deserved Workmen's Compensation Board increase. The money was in the fund all this time and she knew it. But she let them suffer.

Hon. B. Stephenson: No, I did not.

Mr. Ziemba: You didn't know how much money you had in your fund?

Hon. B. Stephenson: I did not know that that money was available, no.

Mr. Ziemba: The Minister of Labour—

Mr. Lupusella: The report was not even necessary.

Mr. Ziemba: —seems to enjoy provoking confrontation, as she did with the Union of Injured Workmen.

Mr. Lupusella: You have been responsible.

Hon. B. Stephenson: I did not provoke any confrontation with anyone.

Mr. Lupusella: With your position, it is your responsibility.

Mr. Ziemba: First agreements are a great opportunity—

Mr. Lupusella: She has been responsible, and irresponsible in her actions.

Mr. Ziemba: First agreements are a great opportunity to establish the basic principle that employees in a work place should have the right and responsibility to determine their health and safety. The first agreement can also enshrine a meaningful standard grievance procedure giving all employees a right to a fair hearing, proper representation and arbitration.

BC, Quebec, and as of June 1, the federal government, have first agreement legislation. Although it is not perfect, it is an honest attempt to deal with an important injustice in our society. I hope that this assembly will have the concern and courage to deal favourably with this bill.

Mr. Acting Speaker: The member for High Park-Swansea has 14 minutes left. Does he wish to reserve all the time or just 10 minutes?

Mr. Ziemba: I would like to reserve that time.

Mr. Acting Speaker: The 14 minutes?

Mr. Ziemba: Yes.

Hon. B. Stephenson: As Minister of Labour, I am as concerned with the problem of successfully resolving first-contract disputes as is the member for High Park-Swansea. While I share his concern, I do not feel the solution which he proposes in Bill 107 will adequately deal with this problem. Therefore, I really cannot support the bill.

The bill proposes to empower the Minister of Labour—

Mr. Lupusella: What do you propose?

Hon. B. Stephenson: Just listen for a minute.

Mr. Turner: You might learn something.

Mr. Swart: I doubt it.

Hon. B. Stephenson: The bill proposes to empower the Minister of Labour with the authority to settle the terms and the conditions of first collective agreements upon the request of either party to the dispute.

This bill appears to have been inspired by legislation involving the same principle which has been adopted in British Columbia, in Quebec, and recently, by the federal government. While the principle is similar, there are several procedural differences between this bill and the legislation in those previously mentioned provinces. The procedure in this bill is the least desirable of the various legislative alternatives available. Under the BC labour code and the Canada labour code the Minister of Labour may refer a first-agreement dispute to the respective labour relations board. The labour relations board may determine the terms and conditions of the first agreement, giving consideration to whether the parties have bargained in good faith.

Under Quebec legislation, the Minister of Labour may submit the dispute to an arbitration council for settlement. The arbitration council can consider the absence or presence of good-faith bargaining by either party.

But Bill 107 involves the resolution of first-contract disputes by the Minister of Labour. It does not require a finding of a failure to bargain in good faith by either party as a precondition for the minister's involvement; nor does it direct the minister to consider the extent to which the parties have bargained in good faith. As a result, this bill involves a far greater interference with the collective bargaining process than does the legislation of either of the other provinces or the federal jurisdiction.

The enactment of this bill could undermine rather than strengthen the system of free collective bargaining which, I submit, is the cornerstone of our labour relations policy in this province. In Ontario we are attempting to deal with first-contract disputes through a process which attempts to strengthen—

Mr. Breaugh: How?

Mr. Mackenzie: Where and when?

Mr. Breaugh: Give us an example.

Hon. B. Stephenson: —the bargaining relationship between the parties, rather than to undermine it or pre-empt it.

Mr. Breaugh: Give us an example.

Mr. Mackenzie: That's exactly what you're doing. You're undermining it. You're spreading Fleck sickness in Ontario.

Hon. B. Stephenson: The Ontario mediation and conciliation service has developed an approach involving preventive mediation to reduce industrial conflict. Such an approach involves devoting particular attention to first-contract negotiations so that assistance can be offered when it appears that the parties are encountering some difficulty.

The preventive mediation initiative is relatively new. Therefore, it is really too early to evaluate its effectiveness statistically. However, the staff of the conciliation and mediation service have indicated that it truly does hold great potential for the fostering of better collective bargaining relationships. The experiences of the jurisdictions which have adopted first agreement arbitration is really inconclusive. The legislation is a relatively recent act in Quebec and for the federal government, but it has been in place in British Columbia since 1974.

As of the end of 1977, the Minister of Labour has referred 27 first contract disputes to the labour relations board. Of these 27, the board has imposed agreements in only eight cases.

Mr. Mackenzie: Do you know how many have reached agreement because of the legislation being there?

Hon. B. Stephenson: Of those eight cases, in only one instance were the parties able to negotiate a second agreement. In four of the eight cases the union's bargaining rights were terminated, while in two cases the imposed contract was still in effect. In the remaining case, no new agreement was signed, although there has been no termination of the union's bargaining rights.

These statistics, I will agree, may be open to interpretation, but it appears that the BC legislation has not been particularly successful—

Mr. Ziembra: What nonsense.

Hon. B. Stephenson: —in encouraging the development of sound bargaining relationships.

Mr. Breaugh: Compared to yours?

Hon. B. Stephenson: I have no reason to believe that the results of such a provision would be any more conclusive in that direction in this province. Therefore, I am not persuaded that we should adopt the principle introduced in Bill 107 at this time. The implementation of the provisions of Bill 107 would be inappropriate without thorough and thoughtful consideration of its implications for the industrial relations system in the province of Ontario.

Mr. Lupusella: You need another study to be sure about it.

Hon. B. Stephenson: I do believe that the experience in British Columbia, in Quebec and within the federal government merits serious study at the same time.

Mr. Breugh: Someone should lock you out.

Mr. Foulds: You make Mackenzie King look like a man of action.

Hon. B. Stephenson: I feel that the approach which has been taken in Ontario of preventive mediation has considerable potential for our industrial relations climate.

Mr. Grande: So you're going to study it for three years.

Mr. Lupusella: How can you repeat the same things all the time?

Mr. O'Neil: It is quite interesting to note that the Minister of Labour says that this type of legislation is not required at the present time.

Hon. B. Stephenson: I didn't say it wasn't required. I said it wasn't appropriate.

Mr. O'Neil: It wasn't appropriate at the present time. I just wonder why she would make a comment like this if she was so much against this legislation. As the member for Erie (Mr. Haggerty) just said to me a few minutes ago, the whole problem seems to be with the problems we are encountering within the Labour Relations Act itself. Possibly the minister should be thinking about having a committee of this Legislature set up to review the act to make those changes that are required in it. I think she herself agrees that there are many changes that are required.

Hon. B. Stephenson: We are reviewing it now.

Mr. O'Neil: The problem is when the minister is reviewing it now it doesn't really give the members of this party or the members of the third party the input that is required.

Hon. B. Stephenson: The opportunity is there.

Mr. Haggerty: It takes a private member's bill to get a review.

Hon. B. Stephenson: No.

Mr. Acting Speaker: Order.

Mr. O'Neil: As far as this party is concerned and I think the third party also, we would certainly like some input into those changes that are made in the Labour Relations Act so that we do have that input.

I suppose one of the reasons this bill appears before the Legislature as a private member's bill is the problem we have at Fleck. I can see why the member for High Park-Swansea (Mr. Ziemba) would be quite concerned, as I would believe all members of

this Legislature are, that a strike of this type should go on for the amount of time it has. It shows some sort of a weakness in the system or in the Labour Relations Act when we haven't been able to bring it to a close and have at least some satisfaction from both the sides of labour and management. As I say, that's one of the reasons that this bill is before us now.

[5:15]

We see some advantages with the bill. I think we see that the threat of government involvement would act as a strong incentive for settlement. It might bring the parties to an agreement sooner. We see that it could possibly reduce the possibility of prolonging disputes, as in the Fleck case, as I have just mentioned. It could provide an effective remedy where a company refuses to bargain in good faith.

Mr. Foulds: As in the Port Arthur clinic strike.

Mr. O'Neil: That's another example that I suppose you could use also. Mind you, we do see some disadvantages with the bill.

An hon. member: Action is not your motto.

Mr. O'Neil: The minister has mentioned some of those. I think the members of the third party who are supporting this bill should look at it very carefully because I don't think it's the consensus of the labour movement across this province that they are totally in agreement with a bill of this sort at this time.

Mr. Breugh: Federation policy.

Mr. O'Neil: The federation has changed its mind a couple of times on this too. It hasn't always been along the same line that it would support it. There are even some members of the NDP who I feel sort of look at it a little bit.

Mr. Swart: Get it to committee.

Mr. O'Neil: The thing is that once you get government involved in a matter that should be restricted to management and labour, too much government control, you end up with further problems. I can see the unions might be the first to object to this. I wouldn't blame them one bit for having too much government involvement. I think this possibly is one of the things this bill is asking for.

Mr. Breugh: Those Fleck people think there is a little too much government involvement too.

Mr. O'Neill: Well, I mentioned Fleck. I can see, as I say, we are as worried about it as you are. We don't like to see it have gone on as long as it has.

This is one of the situations where I feel that if there were changes in the Labour Relations Act, we wouldn't have that problem. The thing is that when you throw these two together or they can't get together like this, and you ask the government to get in and fix it, it's like a shotgun marriage. We see other disadvantages—

Mr. Foulds: Some shotgun marriages turn out to be very happy.

Mr. Turner: Is that right?

Hon. B. Stephenson: Speaking from personal experience?

Mr. O'Neil: I can't speak from experience on this but maybe the member can. The Ontario labour relations legislation is based on the establishing of framework within which both parties, both management and labour, are then left free to establish their own relationship. Again, with government involvement, we would lose this.

Voluntary negotiation of contract is generally preferred by both parties. Both parties, particularly labour, have legitimate concerns when this policy has been departed from, sometimes for good reasons, as in the case of compulsory arbitration or the imposition of the anti-inflation program for another example.

This bill would permit the minister to settle the terms and conditions on the first collective agreement. A number of problems might arise. When should the minister decide to intervene? If she intervenes too quickly or too frequently, free collective bargaining would be destroyed. Just the notion that a settlement could ultimately be imposed might lead one or both parties away from a meaningful bargaining towards posturing. We know what the feeling is towards compulsory arbitration in some cases.

Another question is how should the minister intervene? What sorts of clauses and wage rates should be chosen? A pro-labour or pro-management minister can impose an agreement totally irrelevant to the economic strength and interest of the parties involved. Why should ministerial intervention be limited to the first collective agreement? What about subsequent agreements? Should the government have the power to intervene there as well? Again, I don't feel that it should. I don't think the majority of the members of this Legislature feel that either.

The minister has mentioned the example of British Columbia. It has had such legislation for some time but rarely continued on voluntary basis for a second agreement.

Mr. Kerrio: They also had a socialist government.

Mr. O'Neil: We currently have provisions in the Labour Relations Act to deal with employers who bargain in good faith. The remedy for a breach of that section may be inadequate. A more adequate remedy, perhaps substantial damages, might resolve the type of problem that the bill attempts to address without leading to the threat of ever-increasing government regulation which could benefit neither management nor labour.

As I mentioned in my preliminary remarks, we can see some of the reasoning behind the member for High Park-Swansea introducing this bill. It might be that some of the advantages and disadvantages that I have mentioned could be discussed if the bill were to go to committee. We will look forward to hearing further comments by the members.

Mr. Mackenzie: Mr. Speaker, I don't intend to spend a long time on this bill because I don't think it is necessary.

Mr. Haggerty: It is embarrassing, isn't it.

Mr. Mackenzie: I intend to support the bill, and I can assure the member to the right of Mitch Hepburn that the labour movement in Ontario is very happy to have this kind of bill before us at this time, and that is just about unanimous.

Hon. B. Stephenson: That isn't what I heard this morning.

Mr. Mackenzie: The minister is so right, just as she was right on the statements about BC. I think Paul Wyler told her where she stood, and that is that she was so wet behind the ears it wasn't even funny.

Hon. B. Stephenson: The facts speak for themselves.

Mr. Mackenzie: She also makes the comment about all of the attention she is giving the first agreements. It is a bit of a joke, because we have a problem in the province now, and it is a growing and spreading problem. That problem is basically good faith bargaining, which doesn't exist at this time unless you are awfully strong and awfully well-organized.

If you happen to have a small back-alley plant it is probably worse today than it was 10 or 15 years ago. I can tell the minister something about that, because I went through an organizing campaign myself, as an organizer, in back-alley sweatshops in Windsor. In a period of about eight months we organized nine of them—and there were some rough ones: the East Side Plating I can remember, Arcan Steel, a small Black and Decker tool and die plant, a whole number of them in that area. A year later we had three contracts.

We are lucky in some cases today in some of the industrial ghettos in Toronto if we have three contracts out of 10 organizing attempts a year later.

If you get a management, and especially if they have been coached by somebody like Stringer or some of the lawyers who make a damn good living at doing a job on the labour movement and on organizing drives and—

Hon. B. Stephenson: Don't look at me. I don't have anything to do with Stringer.

Mr. Mackenzie: —on the attempts to negotiate.

Well, you give them all kinds of leeway to operate—

Hon. B. Stephenson: Who gives them leeway to operate?

Mr. Mackenzie: —and you sure as heck let the strikebreakers operate, you let the police be used to add their weight against the workers such as you see at Fleck, and it becomes a bit of a joke. The scales are not balanced in this province. The scales are heavily weighted against workers in the labour movement. We are not having special attention to first agreements; we are not getting them.

Hon. B. Stephenson: Yes we are.

Mr. Mackenzie: She may be giving the attention—it has then become a joke. She is going to have as much credibility there as she had with injured workers for three years in this province.

The primary problem is one of anti-union managements. When one gets a time in society, and we get them occasionally, such as now, when one has a bit of a fear, and a bit of a swing, and the whole government program of restraint and cutbacks adds to it, people become afraid. Managements that don't like unions to begin with, take advantage of that kind of situation.

Hon. B. Stephenson: This is not a solution.

Mr. Mackenzie: That situation is one of the reasons we need a bill like this at this time.

Mr. Foulds: Let the minister give us a solution.

Mr. Mackenzie: Occasionally, the Labour Relations Act, or the Labour ministry, should be thinking in terms of assisting workers; most workers don't feel that is the case at any point in time.

Does the minister think I make a mistake on this? I have had, I guess, eight or nine letters in the last couple of weeks about situations. Let me read the most recent one that just arrived on my desk yesterday:

“Bob, can I ask you a favour? As you can see from the enclosed documents the union is having some difficulty at Alcan. There is one plant that is apparently the last one in the Alcan chain to be organized by any union anywhere in the country. It looks as if the Fleck illness”—this is a senior staff member of one of the unions writing to me—” is spreading. Perhaps you could ask the Minister of Labour whether she favours this kind of bargaining, and whether she intends to do anything about it.

“This is another example where the union organized practically everybody in the plant. More than 80 per cent of the hundred workers signed union cards, yet several months later the company is still opposed to clearcut union security or, indeed, union security in any form. This means the company still hopes one day to return to a world that never existed before the plant was organized. You can get additional information from the staff rep that we have servicing the local and attempting to reach a first contract. The name and phone number is given.”

The contract submitted—the basic first contract, and not as good as the general one that we have in the Alcan chain across this province—has some 60 or 70 clauses in it. The company early in the game agreed to about 10 of them; most of them don't mean very much. They are standard clauses in that contract, and from that point on their attitude and in particular where it comes to union security or any kind of checkoff their attitude is: that is the bottom line; we don't intend to negotiate these matters with you; we have given you what we are going to give you.

Where do we go from here? We have been months stymied in that situation. We have been months in the Fleck situation. We have gone through the situation at the Brampton Daily Times over modified union security. We have it time and time again, and the staff reps tell me it is growing around this province.

What are we going to do about that kind of a situation? There is no help from the Ministry of Labour in these situations. We just can't get any action. The minister doesn't want to interfere. I personally don't particularly like interference in the collective bargaining process either. But when one gets a position where one has that kind of very strong—I call it right-wing attitude—in your community, and where one has a decision made that, by God, we are going to hold the wages, we are going to set these unions back, they are the culprits, they are easy to blame

right now and some of the government actions add to that kind of an anti-union sentiment—

Hon. B. Stephenson: What?

Mr. Mackenzie: Yes, some of the government actions do. When one gets that kind of attitude abroad in the community it encourages those managements, those companies that don't want the union in the first place, to take this kind of attitude.

Hon. B. Stephenson: What government actions?

Mr. Foulds: You promised action two years ago and you have done nothing. What kind of assistance?

Hon. B. Stephenson: I didn't promise. I said we would look to see. The review is under way.

Mr. Foulds: You have done nothing.

Mr. Mackenzie: I am simply asking the minister what kind of protection or what kind of assistance do we give? The fact is, in terms of that legislation now being tried in Quebec, and in particular the BC legislation, it has had some effect.

Hon. B. Stephenson: As a deterrent effect, yes.

Mr. Mackenzie: Not in the three or four or eight cases that the minister is talking about but, as I think Professor Wyler, the chairman of the board, pointed out very clearly, about 1,000 first contracts are negotiated each year in his province, approximately the same number of new bargaining units certified in Ontario annually. There have been only three requests in the past two years to have a first contract imposed by the BC board. That shows how minimal the problem has become. I took the trouble to phone out there the other day and talked to Ron Douglas, one of the staff reps who does a lot of negotiating with new, small plants in the Vancouver area and the lower BC mainland.

The fact that two or three of the earlier decisions, where there was clearly a case of an anti-union company or anti-union management resisting an attempt to get a first contract with the union, where the first contract was imposed and where that contract more or less met the standards for that particular kind of an operation in that area, the shock waves went out through the entire industrial community.

You didn't necessarily get the same thing from then on. Rather than risk going to that first agreement, they seriously negotiated. Because they value their ability to be independent and to do their own negotiating in the trade union movement, that was an assist that meant we really didn't have to resort

to that legislation. That is the kind of effect that legislation has had in BC.

It is not the particular clauses and whether it is the best written bill here or not; it is the fact that we don't see the Labour minister in this province, or the Ministry of Labour, moving to offer this kind of assistance to working people, where you have a clearcut attack on organized working people in this province today. That is what worries me—the fact that rather than assist, you would seem to ride that kind of bandwagon. That worries me considerably.

For that reason I think this bill is a good step. If the minister is not prepared to accept this, then she should be bringing in a bill with some teeth in it that does give us something with which we can say to management like Fleck, and I don't know of many worse—or some of these others, Alcan and the current attitude they have there, and the attitude the Thomson chain had at the Brampton Daily Times—that is going to be able to say to them, "Look, you are going to have to bargain seriously; that is the name of the game. That means you are going to win some and lose some of the points you are asking for across the bargaining table, but at least you are going to sit down and honestly bargain."

That is not going on, particularly in new plants, and even in some of the old plants, with fairly well-established unions. For the first time we are seeing companies coming in and saying, "You may have had this for five or 10 years as something you fought to gain, but you don't necessarily hold it in this round of bargaining."

That even goes to an attempt to roll back union security clauses. We have had two plants within the past couple of weeks going into negotiations in Hamilton where they have had union security clauses for years and the company has attempted to open that up again on the bargaining table.

When that happens, you are asking for a confrontation and real problems over the next year or two in this province. I am suggesting to the minister, and I say it with some unease and even some fear, and I mean that seriously, that she is asking for some real trouble in the labour relations field in the next couple of years. She should be taking a good look at this kind of legislation.

Mr. Lupusella: When is the minister going to learn?

Mr. Acting Speaker: The honourable member for Peterborough—you have seven minutes.

Mr. Turner: Thank you, Mr. Speaker.

Mr. Kerrio: Six now.

Mr. Turner: Thanks, Vince. As a member for a riding—

Mr. Breaugh: That's enough.

[5:30]

Mr. Turner: As a member from a riding in which there is a strong union representation within the industrial base, I am pleased to have the opportunity to participate in this debate. In my view, Bill 107 is an interesting proposal but I am not convinced that the amendments to the Labour Relations Act put forward by the member for High Park-Swansea are the most effective way of assuring that a first collective agreement will be reached between a trade union and an employer.

Mr. Deans: What do you recommend?

Mr. Turner: Just listen for a while.

Mr. Deans: I am trying. Get to the point.

Mr. Turner: I can understand and appreciate the member's desire to find a suitable mechanism through which a duly certified union can achieve its first agreement with management. I do not believe that the collective bargaining process would be enhanced by establishing through legislation, or government interference of any kind actually, a procedure that would automatically involve the minister in a dispute upon the request of one party or the other.

The minister has already stated the intent of the proposed bill does bear a similarity to existing legislation in British Columbia, Quebec and within the federal jurisdiction. In each of these jurisdictions the minister may refer a dispute to an arbitration agency, which in turn is empowered to consider the extent to which the parties have bargained in good faith. None of these jurisdictions involves the minister directly in resolving the dispute.

With respect to the present Minister of Labour, it is not an area in which I believe the minister should be involved. In British Columbia, as an example, the role of the Minister of Labour under the Labour Code of British Columbia is directed to strikes that are against the public interest. Relying on the prestige of his office and the advice of his staff, the minister may play a significant role in resolving public interest disputes. But it should be emphasized that the role is not one of a mediator providing binding arbitration. Rather, the role of the minister in public interest disputes is to introduce mediation into a dispute that has not had the benefit of that service.

Also, I would like to point out that mediation is a voluntary service in British Columbia. If neither party wants mediation, then

the right to strike is not barred. If the minister, however, deems it to be in the public interest, he can appoint a mediation officer. Such situations may arise when neither party wants to show weakness and is asking for mediation, or when there is a massive disruption of public service. When a mediation officer is appointed, a statutory strike bar comes into effect.

Mr. Deans: John, what do you recommend? Don't give me the history of it; tell me what you recommend.

Mr. Acting Speaker: Order.

Mr. Turner: Just listen and we'll get some background.

Mr. Deans: You've only got three more minutes. What do you recommend?

Mr. Turner: A statutory strike bar comes into effect, as I said, Mr. Speaker, until the mediator reports to the minister.

Mr. Deans: You have only got two and a half minutes now. What do you recommend?

Mr. Samis: Throw the speech away, John.

Mr. Turner: The period in which the mediator's appointment remains in effect may be extended at the discretion of the minister, thereby extending the strike bar.

Mr. Deans: Fine. Now, what do you recommend?

Mr. Acting Speaker: Will the member for Wentworth cease interjecting?

Mr. Deans: I doubt it. But I'll try.

Mr. Turner: This practice, however, has been used with restraint. I would like to point out that in 1974 there were 17 referrals to a mediator by the minister, in 1975 there were nine, there were none in 1976, and in 1977 there was but one.

An hon. member: That doesn't mean a thing.

Mr. Deans: That's good. We are delighted that's the situation.

Mr. Turner: I'm glad to hear it, because I think that is the whole gist of it.

Mr. Deans: Now, what do you recommend?

Hon. B. Stephenson: Why don't you just shut up?

Mr. Turner: If I read this bill properly, there appears to be no provision to determine whether the parties have indeed been bargaining in good faith. It simply states that after a given period of time the minister may intervene at the request of either party.

Mr. Mackenzie: It's the hardest thing in the world to prove. You should know that.

They just have to make one offer and they are bargaining in good faith.

Mr. Turner: In my view, this will have three effects. First, it introduces an element of compulsion into the collective bargaining process, and I believe that is wrong.

Mr. Deans: Now we know what you don't want, what do you want?

Mr. Turner: Second, it may provide a disincentive on the part of one party or the other to resolve their dispute without arbitration. Third, and perhaps most important, it will not ultimately guarantee the strength of the union as a bargaining unit for the employees.

Mr. Deans: You've only got two minutes.

Mr. Turner: I would like to deal with that latter point first, because it is often argued that one method of assuring union recognition in a case where an employer refuses to recognize a trade union is by imposing a first agreement upon the two parties involved. It seems to me, however, that there are two principles involved here. The first, of course, is the question of the freedom of contract. The second is the question, does it really solve the problem?

Mr. Deans: Now that we know what you are opposed to, what are you for?

Mr. Acting Speaker: Order.

Mr. Deans: You have only got a minute and a half.

Hon. B. Stephenson: He's not going to have any time left if you don't shut up.

Mr. Acting Speaker: Would the member for Wentworth please cease interjecting and allow the member for Peterborough to continue?

Mr. Makarchuk: If he's not for very much, he's got enough time to tell us.

Mr. Turner: As I said, this bill would indeed introduce an element of compulsion into the bargaining process and this would manifest itself in that section of the bill which states that the arbitration resulting from the involvement of the minister would be binding on both parties. In cases where the arbitration is not satisfactory to one party or the other, it would mean there would be renewed difficulties upon negotiating a second contract. In effect, as the British Columbia experience would indicate, the provisions put forward in this bill would not appear to be a guarantee of union stability—

Mr. Makarchuk: They say, "Take it or we will move out of town." What kind of condition is that?

Mr. Turner:—once a first contract has been negotiated. Moreover, it involves the Minister of Labour directly in the bargaining process and extends the ministerial role beyond any other legislation of this nature in other jurisdictions of the country.

Mr. M. Davidson: That's our next bill, John.

Mr. Turner: In other words, it extends the role of the minister beyond that of protecting the public interest. For these reasons, Mr. Speaker, I, unfortunately cannot support this bill.

Mr. Deans: You said when you started you would let me know what you were for. What are you for?

Mr. Turner: You interrupted me so much that I cut it out. I will be pleased to talk to you.

Mr. Mackenzie: You don't even have a suggestion.

Mr. Acting Speaker: Order, order.

An hon. member: Allan Pope did the same thing last week. He couldn't read his speech either.

Mr. Acting Speaker: Order. The member for High Park-Swansea has reserved 14 minutes. Does he wish to use that time?

Mr. Ziemba: I would like to yield part of my time, Mr. Speaker, to Mr. Breagh.

Mr. Acting Speaker: I am sorry. If you do not wish to use your time, I will take the next speaker on the list. Time is not transferable.

Mr. Ziemba: On a point of order, Mr. Speaker.

Mr. Acting Speaker: Order. Other members have not used the total time. The honourable minister didn't, the member for Quinte didn't and they are not transferable.

Mr. Ziemba: On a point of order: I reserved time at the end of the debate, not halfway through the debate.

Mr. Kerrio: You haven't been here long enough.

Mr. Acting Speaker: I would point out to the member for High Park-Swansea you have, if you wish to use it, the balance of the time in this debate. If you do not wish to use it, I will take the next speaker on the list. Do you wish to use the time?

Mr. M. Davidson: On a point of order, Mr. Speaker; I am asking you if you are saying to the member for High Park-Swansea that he has 14 minutes before time has expired on the debate of this bill.

Mr. Acting Speaker: That is correct.

Mr. Turner: He has 12 now.

Mr. M. Davidson: Last week, I don't know whether you were in the chair or not, sir, but the member for Bellwoods deferred his eight minutes in my favour. He was allowed to do so by the Speaker and I spoke on the bill.

Mr. Kerrio: It was a mistake.

Mr. M. Davidson: Now a precedent has already been set in participating in the debate.

Mr. Turner: Two wrongs don't make a right.

Mr. M. Davidson: It has been recognized by the Speaker of this Legislative Assembly that the final speaker can, in fact, defer his remaining time to another member of his own caucus. I would urge you, sir, before you make the decision, to check Hansard and check with the person in the chair at that time.

Mr. Acting Speaker: The floor now belongs to the member for High Park-Swansea, if he wishes to use the time. If he doesn't need the whole time, we will then decide who is the next speaker. Does he wish to take the floor now?

Mr. M. Davidson: No, no.

Mr. Ziembra: Mr. Speaker, I have reserved the balance of my time for the end of this debate.

Mr. Turner: Which you would use.

Mr. Ziembra: Mr. Speaker, I would like to speak on this point of order.

Mr. Acting Speaker: The member for High Park-Swansea reserved 14 minutes for himself. He has 20 minutes. It is the practice of this House, if a member does not use his entire time, we move to the next speaker. The time is divided by persons.

Mr. Ziembra: There are only 14 minutes in this debate, is that what you are saying, Mr. Speaker?

Mr. Acting Speaker: Yes. There are now 12 minutes in the debate. It is your time.

Mr. Ziembra: Fine. I am yielding that 12 minutes to Mr. Breaugh.

Mr. Acting Speaker: I am sorry. The next speaker on the list is—

Mr. Ziembra: Mr. Speaker—

Mr. Acting Speaker: Yes, I am the Speaker.

Mr. Ziembra: —it was agreed to last week at this time by the Speaker at that time.

An hon. member: It was done on my bill too.

Mr. Acting Speaker: Is the member for High Park-Swansea—

Mr. Ziembra: I am going to challenge the ruling of the chair, Mr. Speaker.

Mr. Acting Speaker: Does the member for High Park-Swansea wish to speak at this time?

Mr. Ziembra: I challenge the ruling of the chair.

Mr. Acting Speaker: I have asked you, do you wish to speak at this time?

Mr. Ziembra: I challenge the ruling of the chair, Mr. Speaker.

Mr. Acting Speaker: Fine, fine. The chair has ruled that the member for High Park-Swansea has the floor. If he does not wish to speak, the floor will revert to the member for Essex South (Mr. Mancini). The member for High Park-Swansea has challenged my ruling.

Mr. Foulds: On a point of order, Mr. Speaker: I would ask if you could, having made that decision, cite any of the rules in the standing orders, particularly under section 35 in the—what is it called?—italic type at the beginning in the provisional orders which indicates any support. I would also suggest that where there are no clearcut standing orders, provisional or otherwise, precedent is what governs the procedures in the House. I would earnestly suggest that the precedent that has been established last week when the member for Bellwoods ceded his remaining time to another colleague is the practice of the House.

I draw to your attention, Mr. Speaker, that there won't be many precedents in that the rules are provisional and have not been in effect for very long. I would very much recommend to your considered and wise judgement the precedent that was established last Thursday.

Mr. Acting Speaker: Does the member for Cambridge wish to speak on the point of order? I would remind the members that they are using up time that may be used for speaking.

Mr. M. Davidson: On a point of order, Mr. Speaker: I quote from Hansard of Thursday afternoon, June 15 where the Speaker said: "The member for Bellwoods has reserved eight minutes. That means there is only one minute left for any other member. Does the member for Bellwoods intend using the full eight minutes?" The member for Bellwoods responded: "I intend to yield my eight minutes to the member for Cambridge. If another member wishes to use up the minute, feel free." The member for St. Catharines (Mr. Bradley) declined the one minute he

was allowed. I proceeded to stand up and speak and the Speaker allowed me to do so.

Mr. Acting Speaker: The member for High Park-Swansea has indicated that he does not want to speak at this time. I have indicated as Speaker that if he does not wish to speak, I will take the next speaker, who is the member for Essex South. The member for High Park-Swansea has challenged my ruling.

[5:45]

The House divided on the Acting Speaker's ruling which was upheld on the following vote:

AYES	NAYS
Ashe	Bounsall
Auld	Breaugh
Belanger	Bryden
Bennett	Cassidy
Birch	Charlton
Blundy	Cooke
Breithaupt	Davidson, M.
Cunningham	Davison, M. N.
Drea	Deans
Eakins	Di Santo
Eaton	Dukszta
Epp	Foulds
Gregory	Germa
Haggerty	Gigantes
Hall	Grande
Handleman	Laughren
Havrot	Lupusella
Hennessey	Mackenzie
Hodgson	Makarchuk
Johnson	Martel
Jones	McClellan
Kennedy	Peterson
Kerrio	Philip
Lane	Renwick
Leluk	Rov
Maeck	Samis
Mancini	Swart
McCaffrey	Van Horne
McCague	Warner
McEwen	Ziembra-30.
McGuigan	
McNeil	
Miller, G. I.	
Newman, B.	
Newman, W.	
Nixon	
Norton	
O'Neil	
Parrott	

AYES

- Reed, J.
- Reid, T. P.
- Rhodes
- Riddell
- Ruston
- Scrivener
- Sterling
- Sweeney
- Taylor, G.
- Taylor, J. A.
- Timbrell
- Turner
- Villeneuve
- Walker
- Welch
- Wells
- Williams
- Wiseman
- Worton
- Yakabuski-60.

Ayes 60; nays 30.

Mr. Nixon: I wonder, Mr. Speaker, since your ruling has been upheld whether you might have the breadth of judgement in this connection to indicate that the procedural affairs committee might look into some of the minutiae and ramifications of these rules. I would suggest you might take that matter under advisement.

Mr. Acting Speaker: The Speaker will take the matter under advisement.

The hour of 5:50 having arrived, the time for debate on Bill 107 has expired.

CONSUMER PROTECTION
AMENDMENT ACT

Mr. Speaker: Mr. B. Newman had moved second reading of Bill 100.

Motion agreed to.

Ordered for standing administration of justice committee.

LABOUR RELATIONS AMENDMENT
ACT

Mr. Speaker: Mr. Ziembra had moved second reading of Bill 107.

Sufficient members having objected by rising, a vote was not taken on Bill 107.

Hon. Mr. Welch: Mr. Speaker, when the House resumes at 8 o'clock, we will carry on with consideration of Bill 126.

The House recessed at 6:04 p.m.

APPENDIX

(See page 3828)

ANSWERS TO QUESTIONS ON
NOTICE PAPER

TENANT PROTECTION

99. **Mr. J. Duksza** (Parkdale): Will the Minister of Consumer and Commercial Relations (Mr. Grossman) table all submissions made to him by government ministries or agencies pursuant to his requests for submissions on the green paper on tenant protection and condominiums? [Table June 7, 1978.]

See sessional paper 157.

OPP OVERTIME

101. **Mr. R. Mackenzie** (Hamilton East): Would the Solicitor General please provide the following information: 1. the number of hours and cost of overtime for the OPP for the months of January, February, March, April, May, 1978; 2. the number of hours and the cost of overtime for the months of March, April and May, 1977. [Tabled June 8, 1978.]

Hon. G. A. Kerr (Solicitor General): The hours and cost of Ontario Provincial Police overtime are:

	*Actual Hours	Amount \$
1977 March	25,995	325,088
April	24,746	298,709
May	32,883	436,422
1978 January	22,744	300,631
February	19,645	259,307
March	29,718	387,911
April	39,716	566,374
May	34,344	474,169

*The hours shown are the actual hours. The memorandum of understanding with the Ontario Provincial Police Association calls for actual hours to be multiplied by one and a half and paid for at the regular rates.

PASTORIA HOLDINGS LIMITED

102. **Mr. R. McClellan** (Bellwoods): Will the Minister of Consumer and Commercial Relations indicate how many complaints were received by the HUDAC new home warranty program since its inception against Pastoria Holdings Limited and its related companies? What is the nature and substance of each of these complaints? What was the disposition of each of these complaints? [Tabled June 9, 1978.]

Hon. L. Grossman (Minister of Consumer and Commercial Relations): The HUDAC new home warranty program is the non-profit corporation designed to administer the Ontario New Home Warranties Plan Act. This act, which represents a major initiative in the direction of industry self regulation, protects the purchasers of all new homes bought since January 1, 1976.

The warranty corporation is responsible for its own daily operation and policies within the framework of the governing legislation. As minister I do not second guess its administrative decisions but rather monitor its overall operation to ensure that it administers the plan fairly and with full regard to the consumer interest.

However, as a courtesy to the member for Bellwoods I can advise in response to his question that 52 complaints have been received by the warranty corporation since its inception against Pastoria Holdings Limited and its related companies. The complaints relate to a wide variety of matters.

Thirty-three of these complaints have been resolved. Of the 19 unresolved complaints 13 are of very recent origin (none earlier than May) and the remaining six are in conciliation. I am advised that a consumer service department has been established and that complaints have generally been dealt with on a current basis.

GWA EMPLOYABLE CASE LOAD

108. **Mr. McClellan**: Would the Minister of Community and Social Services table the 1978 and the 1979 forecast of the general welfare assistance employable case load for the province of Ontario? [Tabled June 14, 1978.]

Hon. K. Norton (Minister of Community and Social Services): The following information from the ministry's 1978-79 program and resources summary (page 55) provides the answer to question 108 on Order Paper 74, tabled by Mr. McClellan, June 14, 1978:

EMPLOYABLE CASE LOAD

	1976-77 Actual	1977-78 Estimated	1978-79 Forecast
Total cases	21,187	23,141	26,792
Dependents	24,320	28,559	27,008
Total beneficiaries	45,507	51,700	53,800

DOW CHEMICAL

100. **Mr. R. F. Nixon** (Brant-Oxford-Norfolk): What were the costs of the legal action undertaken by the government against Dow Chemical in regard to mercury pollution? [Tabled June 8, 1978.]

103. **Ms. M. Bryden** (Beaches-Woodbine): With regard to the government's lawsuit against the Dow Chemical Company, will the Attorney General (Mr. McMurtry) table the following information on costs related to the lawsuit for each fiscal year since the inception of the suit to date: (a) names and addresses of each lawyer and/or law firm receiving payments, and amount of payment to each; (b) names and addresses of consultants and technical personnel and/or consulting and

engineering firms receiving payments, and amount of payment to each; (c) other disbursements (specify recipient's name and address and amount if amount is over \$100 per fiscal year); (d) estimated cost of time spent on the lawsuit or in preparation for it by personnel employed by the government? In addition, will the Attorney General table the following: (e) copies of legal and technical opinions received by the Attorney General prior to inception of the lawsuit advising him on the prospects for a successful action against the company; (f) names and addresses of persons and/or firms receiving payments for the opinions referred to in (e) and the amounts paid to each person and/or firm? [Tabled June 13, 1978.]

See sessional paper 158.

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Welch, Hon. R.; Minister of Culture and Recreation, Deputy Premier (Brock PC)
Wells, Hon. T. L.; Minister of Education (Scarborough North PC)
Williams, J. (Oriole PC)
Ziemba, E. (High Park-Swansea NDP)



No. 95

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Second Session, 31st Parliament

Thursday, June 22, 1978

Evening Sitting

Speaker: Honourable John E. Stokes

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

THURSDAY, JUNE 22, 1978

The House resumed at 8 p.m.

WORKMEN'S COMPENSATION AMENDMENT ACT

Resumption of the adjourned debate on the motion for second reading of Bill 126, An Act to amend the Workmen's Compensation Act.

Mr. McClellan: Mr. Speaker. I don't intend to take more than five minutes to conclude my remarks on the second reading debate.

I had a few short points that I had begun to make, some of which arise out of a tentative understanding of some of the conclusions of the Wyatt report, which I will need to study a lot more, as all of us will.

The first of these is that the workmen's compensation program must be maintained as an insurance program and it must not be allowed to become a welfare program. It must not be financed out of general revenue. It must be financed out of an adequate assessment.

I have a concern that the increases that are being granted in this bill, hopefully today, or as late as tomorrow, are being financed simply by running up the liability in the accident fund even higher. If that practice continues, it threatens the insurance nature of the workmen's compensation program. Sooner or later that money will be gone and then you will have no choice but to turn to general revenue. I don't think any of us in this House want the fund to move away from the insurance principle.

The second point I want to touch on briefly, even just allude to, is a very distressing reference in the Wyatt report regarding the matter of the relationship between work incentive and benefit levels. I want to say very clearly to the minister again, this is not a welfare program, this is an insurance program, and she should not try to set the rates at punitive levels.

I do not believe that the compensation board benefits are anywhere close to a level where one can say that there is a disincentive to work. That is not my experience, on the basis of having dealt with many hundreds of workmen's compensation cases since I was elected here. The people that I deal

with want to work. They want to get off compensation. They want to get back into a job, whether it's their old job or a new job which they can do, even in the light of the disability. I don't believe that there is any ground at all for raising the bogeyman of disincentive.

The third issue I want to touch upon very briefly is simply the issue of work for injured workers. That is still a program area in compensation in this province that is inadequately dealt with. I speak as one representing a constituency, by and large, of construction workers who, when they experience a disability, become totally destroyed from the possibility of returning to their occupation. We are going to have to face up to the fact that our existing work placement and work rehabilitation programs are inadequate in this province and that we need to start moving quickly into a serious program, which includes both affirmative action and job creation and, I believe, the establishment through statutory right in legislation of a statutory guarantee that injured workers will be found a place in this economy.

The final point I want to make very simply is that in the long run the workmen's compensation program will have to be replaced by a program of universal accident and illness insurance. This is not a matter that relates solely to workmen's compensation. If the minister will talk to the Minister of Community and Social Services (Mr. Norton), she will learn that something in the order of 40 per cent of the people who are on social assistance in this province are there by virtue of an incapacity to work due to sickness or disability.

Hon. B. Stephenson: Some of it is congenital disability.

Mr. McClellan: No. The minister is wrong. I invite her to look at a study of Ontario's social assistance recipients that was done, I think about a year ago, by the Social Planning Council of Metropolitan Toronto with the co-operation of the ministry. It's a good study and a simple descriptive study. It tells who is on social assistance and why they are there. It would be illuminating for her.

I think that logic, if nothing else, will move us, I hope not too slowly, in the direc-

tion of the provision of a universal accident and illness insurance program which will serve to rationalize the present hodge-podge of income security programs which now cover those who are dependent by virtue of sickness, accident, illness or disability in a partial and inadequate way.

We heard the other day again from the Minister of Community and Social Services in response to a question about the substantial number of injured workers who are receiving both permanent and partial disability allowances from the pensions from the Workmen's Compensation Board and social assistance allowances from the Ministry of Community and Social Services. I would guess as well that the majority of them would be receiving allowances through the Canada Pension disability program. All of these programs together add up to inadequate benefit levels.

To conclude, simply and for the sake of brevity, I think that the needs of our citizens who suffer by virtue of a condition of dependency caused by sickness, accident, illness or disability will only be addressed when there is one single universal program to replace the hodge-podge of programs that serve them so badly today.

Mr. Laughren: I agree with that.

Mr. McClellan: Instead of engaging in a fruitless ideological dispute on this issue, I hope that the minister will simply look at the problem, try to assess it and try to develop a solution to the problem.

Mr. Laughren: It's obvious that there is going to be general support for this bill. My colleague from Windsor-Sandwich outlined the position of this party extremely well in some detail concerning the principles of the bill, and it is one that certainly none of us would disagree with.

Primarily we support the increases. We are concerned about three or four areas of the bill, and we very much hope that the minister will accept the amendments in the spirit of minority government. We very much hope that the Liberal Party would view it the same way. We are disturbed because of the minister's reaction to the will of minority government concerning Bill 70; quite frankly that bothers us a great deal, that despite the wishes of minority government as expressed in the amendment that came out of that committee, the minister's unwillingness to proceed with that bill as it was amended indicates an attitude towards the will of minority government that is not becoming to her as a minister of the crown.

On this particular bill, we are worried about the ceilings that have been established

and the small increase of eight per cent or so that raised the ceiling from \$15,000 to \$16,200 on which compensation benefits are computed. We are worried about the spouse's benefits. We don't think that \$365 is appropriate, if you think for a moment what that means. Certainly in the Sudbury area we have had ample opportunity to think about what it means to a spouse, and in the Sudbury area with the mining it is invariably the woman who is left to raise a family when the husband is killed in the mine. The husband might have been earning anywhere from \$14,000 to \$20,000 a year, depending on what his job was in the mine and to what extent he was into the bonus mining operations.

To say to someone like that that, "You are going to now live, at the present level, on around \$4,000 a year," we think that's just a bit much; \$365 a month is simply not enough. That should be and could be raised. As the Wyatt report points out, the board is not bankrupt and they should proceed to pay the levels that are just.

The third major problem is the whole question of how we ensure that the same thing that happened in the last three years does not happen again. It is simply not right that workers would wait three years to have an increase in the level of benefits. I know the benefits are retroactive; that is as it should be. On the other hand, there are people who during those three years should not have been subjected to the level of benefits they were receiving.

At some point the government is going to have to deal with the principle of workmen's compensation—the whole question of how it is that we in this society expect people to work. We eulogize the work ethic; we encourage the work ethic; we say to people that it is right to work, and we all benefit because of the labour of people. Then, when they become injured in the pursuit of their careers or of their jobs underground or on construction, wherever it might be, we penalize them in a financial way.

At some point we have to say, "That is simply not right. It is not right to expect people to do dangerous work." The level of income is not important when we are talking about the principle of compensation. When people work, they should not be expected to be penalized in a financial way if they get injured because of their work.

It is difficult for me to understand how a government so committed to the whole free enterprise concept can substantiate their position over the years on workers' compensa-

tion. That's something that the Wyatt report does not seem to understand.

[8:15]

As a matter of fact, the Wyatt report bothered me a great deal.

I would hope that at some point we will have a wide-ranging and comprehensive debate on the Wyatt report. I would hope, when we come back in the fall session, the minister will have a comprehensive statement on the views expressed in the Wyatt report, and what the intentions are of this government in implementing some of those recommendations. I think we need that.

The minister would be the first to agree, I suspect, that there's a lot of feeling out there in the community about workers' compensation. One of my colleagues—I think it was the member for Bellwoods—talked about the violence that occurs occasionally. It happens from year to year. It doesn't happen in any other area or jurisdiction in the province of Ontario, except to people who are subjected to inadequate levels of income under workers' compensation.

At some point we shall have to deal with this, and the government will have to take a look at the situation and say, "What is it that we are doing so wrong? Why do we have the Union of Injured Workmen? Why do we have the Injured Workers' Consultants? Why is it that MPPs who live in industrialized areas, whose offices are in industrialized areas, are besieged by workers' compensation problems?"

I was in my constituency office not too long ago when an officer from the Workmen's Compensation Board in Sudbury phoned and wanted to know what percentage of my constituency office assistant's time was spent on workers' compensation problems. I expected a response of 50 to 60 per cent. Her response was 90 per cent. This is not an exaggeration. I see a couple of the members opposite looking as though they don't believe this.

Mr. Hodgson: I didn't say I didn't believe you. What else do you have to do up there?

Mr. Laughren: You might ask yourself who is responsible for that, too. Who is responsible for the fact that we don't have that kind—

Mr. Hodgson: You have wanted to close down Inco for years.

Mr. Laughren: Who wants to close down Inco?

Mr. Hodgson: You guys.

Mr. Deputy Speaker: Order. I wonder whether the honourable member could return to the content of the bill?

Mr. Hodgson: The member for Sudbury East (Mr. Martel) has been yacking here for years.

Mr. Laughren: I will try, Mr. Speaker, but the member for York North is deliberately misleading this chamber when he says the member for Sudbury East has been trying to close down the mining industry in Sudbury.

Mr. Hodgson: He has not.

Mr. Deputy Speaker: Order. Would the honourable member withdraw that?

Mr. Laughren: I will withdraw the remark if the member for York North will withdraw his remark.

Mr. Deputy Speaker: Would the member for Nickel Belt withdraw?

Mr. Laughren: On a point of order, Mr. Speaker. I wonder whether you heard the remarks of the member for York North?

Mr. Deputy Speaker: Would the honourable member withdraw the remark?

Hon. B. Stephenson: Misleading the House.

Mr. Hodgson: Misleading.

Mr. Deputy Speaker: The honourable member used the term "deliberately misleading".

Mr. Laughren: Yes, I did.

Mr. Deputy Speaker: Would the honourable member withdraw that?

Mr. Laughren: You put me in a very awkward position, because I deliberately heard the member for York North say that one of my colleagues had said we were trying to close down the mining industry in the Sudbury area. That is misleading this chamber.

Mr. Hodgson: I have been here a lot longer than you.

Mr. Deputy Speaker: Will the honourable member withdraw?

Mr. Laughren: He was misleading.

Mr. Renwick: No. He will resign his seat and contest it in a by-election.

Mr. Eaton: Are you volunteering your seat?

Mr. Renwick: All right. We will test you on it.

Mr. Deputy Speaker: Will the member for Nickel Belt withdraw the words "deliberately misleading"?

Mr. Deans: What else do you say when that is what he did?

Mr. Eaton: He expressed the wrong information.

Mr. Deans: He didn't express the wrong information. He deliberately misled the House.

Mr. Renwick: We will fight him on that.

Mr. Laughren: Before I decide to withdraw or not withdraw, could I ask you for a ruling? Would you please—

Mr. Hennessy: Show some guts.

Mr. Laughren: Would you please tell me whether the member opposite can say something misleading and not have to withdraw it? Will you please give me a ruling on that?

Hon. Mrs. Birch: Shame on you!

Mr. Deans: It is not shame on him, it is shame on him.

Hon. Mrs. Birch: No, it is shame on him.

Mr. Deputy Speaker: I appreciate the honourable member asking the chair a question. However, there was an interjection made, I believe, by an honourable member, and then the member who had the floor stated that that member had deliberately misled the House. That is what I heard, and I have asked the member to withdraw.

Mr. McClellan: It was accidental.

Mr. Yakabuski: Just say, "Yes, I withdraw."

Mr. Laughren: Could I say—

Hon. Mr. Timbrell: No, no you can't.

Mr. Laughren: You do put me in a difficult position. Could I, Mr. Speaker, withdraw the remark "deliberately misled" and say instead he deliberately misinformed the House? Thank you.

What I was trying to say was that the whole concept of compensation in this province continues to be a very serious problem. I understand why members who live in certain areas of Metropolitan Toronto might not understand the seriousness of the problem. They do not understand the problem of an injured worker and all that it means when that worker gets injured and doesn't get a cheque. I understand that.

Mr. Hodgson: I don't live in Metropolitan Toronto.

Mr. Laughren: And I understand what the member is trying to do in deliberately misinforming this legislative chamber, too.

Mr. Hodgson: I don't live in Metropolitan Toronto.

Mr. Laughren: I understand that very well.

Hon. Mr. Snow: You don't understand much.

Mr. Laughren: Is that the member for—

Mr. Hodgson: I don't live in Metropolitan Toronto or any part of it.

Mr. Deputy Speaker: Would the member for York North please refrain from interjecting?

Mr. Hodgson: I will, Mr. Speaker.

Mr. Laughren: I would say that he's showing his true colours with his interjections, Mr. Speaker; and that at least is worth something, because he usually is afraid to do even that.

Some hon. members: Oh, oh.

Mr. Hodgson: Mr. Speaker, on a point of order—

Mr. Laughren: Nothing's out of order.

Mr. Yakabuski: What that supper hour—
Interjections.

Mr. Deputy Speaker: Order.

Mr. Laughren: Mr. Speaker, I ask you, what could be out of order?

Mr. Yakabuski: Can that supper hour ever fortify some people.

Mr. Deputy Speaker: Order. Your point of order?

Mr. Hodgson: The statement was made that I very usually never speak and I'm showing my true colours tonight.

Mr. Samis: "Very usually"?

Mr. Hodgson: I've always spoken up for my constituents and for other constituents in Ontario, but I don't normally run off at the mouth.

Mr. Deputy Speaker: Order. The honourable member doesn't have a point of order. That's a point of view.

Mr. Foulds: And a misinformed point of view, too.

Mr. Samis: You've struck out twice in a row now, Bill.

Mr. Laughren: I am very happy to have been here and to have heard the member's maiden speech. I am very impressed by his contribution.

Mr. Samis: What's the matter with the yakkor over there?

Mr. G. Taylor: He's made a greater contribution than you have made in all your years here.

Mr. Laughren: Mr. Speaker, I am trying not to be provocative, but it's very difficult.

Mr. G. Taylor: Then sit down.

Mr. Laughren: Hey, would you back off?

Mr. Germa: How about a little decorum?

Mr. Laughren: I'll tell you something, Mr. Speaker. The whole question of workers' compensation is distressingly similar to the whole question of occupational health and safety. If there's one area out there that says we still have a class system in Ontario, it's occupational health and compensation.

Hon. B. Stephenson: Absolute bunk!

Mr. Laughren: There's nothing else that indicates how large the chasm is between us and the government of Ontario. Nothing else says it so clearly.

Hon. B. Stephenson: Talk about deliberate misinformation and deliberately misleading—

Mr. Samis: Deliberately misleading?

Mr. Deans: I beg your pardon. What did you say?

Mr. Laughren: Would you repeat that?

Hon. B. Stephenson: I said, "Talk about deliberate misinformation or deliberately misleading."

Mr. Laughren: I'd be glad to. The Minister of Labour is an expert on that.

Mr. Deans: We could talk about that and quote her all day.

Mr. Laughren: If the Minister of Labour thinks that is not right, perhaps when she replies, which she may decide to do, she could tell us who it is that suffers under a bad compensation system in Ontario.

Hon. B. Stephenson: It's not a bad compensation system.

Mr. Laughren: Is it the people in the office towers down at King and Bay? Or is it the workers in the mines at Sudbury and Elliot Lake or on the construction jobs across this province? The minister knows who suffers from a bad compensation system; she administers it. She knows who it is.

Hon. B. Stephenson: We don't have a bad compensation system. We have a good compensation system.

Mr. Laughren: When was the last time you represented an injured construction worker before the Workmen's Compensation Board?

Mr. Renwick: There aren't any in York Mills.

Mr. Laughren: That's right. The minister knows, it's a class system, and I know it's a class system, just like occupational health is.

Hon. B. Stephenson: There is no class system in Ontario.

Mr. Laughren: The minister knows, and that's what makes her nervous about it.

Hon. B. Stephenson: No, it doesn't.

Mr. Renwick: Of course it does.

Mr. Laughren: That's exactly what makes her nervous about it. I want to tell you, Mr. Speaker, we on this side understand very clearly why we have an inadequate compensation system in Ontario. It's very clear. We understand why it is that the Minister of Labour is not bringing forth Bill 70 this

session. It's the same reason she delayed not bringing forth Bill 70 this session. It's the same reason she delayed three years on the improvements to the Workmen's Compensation Act.

Mr. Deputy Speaker: Order. Would the honourable member return and make his remarks in regard to Bill 126?

Mr. Laughren: Yes.

Mr. Deputy Speaker: Thank you.

Mr. Laughren: One of the things that the bill fails to do which I think it should do, because it's certainly within the ambit of the principle of the bill—to return to that, which I know you're most anxious to do, Mr. Speaker—is to deal with the administrative problems of the board not some attitudinal problem. The Wyatt report which I know we're not debating, Mr. Speaker—

Hon. B. Stephenson: Will you sit down?

Mr. Hodgson: Or something.

Mr. Laughren: If the Minister of Labour has something to say let her rise in her place and I'd be glad to give her a moment.

Mr. Hodgson: If you sat down she might say something.

Mr. Laughren: Mr. Speaker, I can hardly wait for the member for York North to get up and express his views on the workmen's compensation system in the province of Ontario.

Mr. Hodgson: Come on, say something.

Mr. Laughren: This I've got to hear. It will be a first in this chamber.

Mr. Hodgson: I would not want to speak for a half an hour and not say anything.

Mr. Laughren: I want to tell you something.

Mr. Deputy Speaker: Order, please. Would the honourable member address his remarks to the chair and please disregard the interjections?

Mr. Laughren: Yes. You're much less provocative than the members opposite, I must say.

The bill itself is one, and you may find this hard to believe, which we are going to support. But, I'll tell you, it's not without some anguish. And for those reasons my colleague from Windsor-Sandwich has prepared some what I think are excellent amendments. As a matter of fact, they may be irresistible.

Mr. Eaton: Is all the party going to vote on it or are you going to split on that?

Mr. Laughren: Oh, when it comes to workmen's compensation we understand what we

need to bring in a good compensation system.

That reminds me, Mr. Speaker, now that the member has triggered something in my own mind, that what the minister should be doing right now is taking a long look at the compensation system in Ontario. My colleague from Bellwoods touched on it when he said that what we really should be debating is whether or not we want the present system of compensation in the province of Ontario or a system that the chairman of the Workmen's Compensation Board recommended a long time ago and that's a comprehensive social insurance scheme—

Hon. B. Stephenson: That is not what he said.

Mr. Laughren: —that would protect all people in the province regardless of where they were injured.

Mr. McClellan: Of course I did.

Hon. B. Stephenson: No, you didn't.

Mr. Laughren: The member for Bellwoods said it and the chairman of the Workmen's Compensation Board said it as well.

As a matter of fact, if you talk privately to the people on the Workmen's Compensation Board, which I do on a regular basis, they will tell you that what we need in the province of Ontario is a whole different concept of compensation, the way they have it in New Zealand, the way that the province of Saskatchewan has recommended.

Mr. Deputy Speaker: Order. I'd just like to remind the honourable member for Nickel Belt that Bill 126 contains reference only to the increase in compensation rates. I'd ask him to contain his remarks within that context.

Mr. Laughren: Thank you, Mr. Speaker, I shall do that, and I shall do it very briefly.

Mr. C. Taylor: It's the best scheme in the world.

Mr. Bounsall: Oh, no it isn't.

Mr. Laughren: I'll tell you, Mr. Speaker, I would have been finished now if it hadn't been for the silly interjections from the other side. First of all, let's lay it to rest once and for all: we do not have the best system of compensation in the world. Let's put that to rest right now. We have an inadequate system of compensation in this jurisdiction. That's it, plain and simple. We don't have a good compensation system in Ontario.

Mr. Hodgson: Why do you come here? Why don't you go to New Zealand?

Mr. Laughren: What could be a better example? Mr. Speaker, one section of this

bill deals with the maximum ceiling on which compensation benefits are computed. The old level was \$15,000 a year. Full compensation is considered to be 75 per cent of \$15,000 a year. The ministry has raised that level to \$16,200. That's the new maximum on which compensation benefits will be computed. And we say, if you really believe that people should not be penalized because of being injured on the job, you simply take away that ceiling.

I'm going to listen very carefully to the minister's rationale, and the Liberal Party's rationale, as to why you need a ceiling on earnings to compute the level of compensation benefits? There is simply no justification for that ceiling.

In the province of Saskatchewan, which is, incidentally a socialist province—

Mr. Eaton: Wait until the next election there.

Mr. Bradley: It's the only one left.

An hon. member: You don't have many seats in BC.

Mr. Foulds: You haven't seen the latest polls, have you?

Mr. Laughren: We're proud of what we've got.

An hon. member: Of what we've done, anyway—

[8:30]

Mr. Laughren: Mr. Speaker, as in Saskatchewan, this is what the minister could have done, very simply. As a matter of fact, that was one of the reasons I gave her the model from which to work in a private member's bill in my name, which we debated here earlier. Personally, I would be quite happy to have no ceiling and regardless of someone's earnings, compute their compensation benefits on that level.

In Saskatchewan, they say any time more than 10 per cent of the claimants are earning in excess of the existing ceiling, which with this bill would be \$16,200, then they bump up the ceiling \$1,000. There's nothing illogical about that. There's nothing unreasonable about that, nothing that would bankrupt any compensation board. But what does the minister do? She sets an arbitrary level of \$16,200, an eight per cent increase over the level established in July 1975.

How does she justify that? I am going to listen very carefully for her rationale because either one believes that workers should not be penalized for being injured on the job, or one believes they should be. That's really what it comes down to. So there's no

doubt in my mind—I am not being provocative, I am not even being ideological—when I say the compensation system in Ontario is a class system. I mean it most seriously and the Minister of Labour understands that. She has been subjected to the lobbying a lot more than I have. She understands very clearly, on this just as with the occupational health issue, that's exactly what it boils down to. The minister knows it.

Mr. Speaker, we will support this bill, but I want to tell you it could be a lot better. I am most anxious to hear the minister's response on how she justifies a ceiling of \$16,200; secondly, how she justifies a spouse's pension of \$365 a month.

Mr. Foulds: Top limit.

Mr. Laughren: Well, I want to tell you that's a doctor speaking. That's a doctor speaking—

Mr. Warner: Not a Minister of Labour.

Mr. Laughren: —who will never have to worry about living on \$365 a month.

Hon. B. Stephenson: I did for years. You don't know anything about me.

Mr. Laughren: I don't like to be personal, but I want to tell you, Mr. Speaker—

Hon. B. Stephenson: You have been personal for the last year.

Mr. Laughren: —no one who has had to live on even twice that income would ever suggest that someone should have to live on half of it. It's not possible and it is fundamentally, morally and ethically wrong to ask a spouse to live on that kind of income. Doesn't the minister think there are enough problems in the home already without subjecting a spouse to an income of \$365 a month? And the minister doesn't need to talk to me about the dependant's allowance. I know what that is. But there might also not be any dependant's allowance beyond the spouse's allowance, so that's an irrelevant argument. I will be surprised to see the amendments. I can tell you, Mr. Speaker, there's nothing at all unreasonable about the amendments to be put in the committee stage by the member for Windsor-Sandwich, extremely reasonable.

The third point is the whole question of indexing. Why do we subject ourselves to this every two years, three years?

Mr. Foulds: Five years.

Mr. Laughren: Why can we not have an indexing system so workers in the province of Ontario who get injured through no fault of their own, are automatically compensated in a fair and reasonable way? How does the minister justify this nonsense of going

through the anguish of this every three years? You know, some day we might end up with a Minister of Labour who doesn't care about workers.

Mr. Speaker: Order.

Mr. Warner: Another one?

Mr. Speaker: I have listened very carefully to what the member for Nickel Belt has had to say. Since I took over the chair, you have been on the mark. Now you are talking about something that is not in the bill.

Mr. Haggerty: Again.

Hon. Mr. Timbrell: Still.

Mr. Hodgson: That's what I thought half an hour ago.

Mr. Laughren: Well, the principle of the bill is to raise the level of benefits for workers. I am just suggesting a way to improve what's in the bill. I am suggesting to you, Mr. Speaker, that the increase in the level of benefits, while we are going to support it—because it terrifies me to think what this Minister of Labour would do if we didn't support it—we are not entirely satisfied with it.

Mr. Foulds: Probably withdraw it.

Mr. Mackenzie: Withdraw it for another year.

Mr. Laughren: Well, exactly. She's quite capable of withdrawing this bill the way she did Bill 70 and that's something we are not prepared to tolerate.

Mr. Lupusella: That's how you play your own game.

Hon. B. Stephenson: Bill 70 isn't withdrawn.

Mr. Laughren: Don't give me that nonsense. You have withdrawn Bill 70 to all intents and purposes. I will be surprised if it's recognizable when it comes back before this chamber in the fall.

Mr. Lupusella: That's a vicious game.

Mr. Laughren: I will conclude by urging as strongly as I can that the Liberal Party cast aside its class biases and support the amendments that will be put forth by the member for Windsor-Sandwich.

Mr. di Santo: I would like to speak at this point in support of my colleague's amendments to the bill introduced by the Minister of Labour. I cannot refrain from saying this bill is only a very small step towards what injured workers have been waiting for for three years since July 1, 1975.

With this bill, the Minister of Labour realizes perfectly well that she hasn't solved the problems of the injured workers of the province of Ontario. On that side of the

House, they can use all their rhetoric in saying this is the best system in the world, but there are no other countries in the world where seven injured workers have to face the court, as they have in Ontario, because of fighting for three years against the government.

There is no other democratic jurisdiction in the world where injured workers are disposed of, as this government is doing with them, as useless people who cannot contribute anymore to the economic machinery of this province.

Hon. B. Stephenson: That is not true.

Mr. Laughren: It is true. We understand power. We understand you are in power.

Mr. Lupusella: She should resign as minister.

Mr. di Santo: That is what you are doing. We have been fighting on this side of the House.

Mr. Lupusella: How can we cope with this situation for so many years?

Mr. Speaker: Will the member for Dovercourt stop interrupting his colleague from Downsview?

Mr. Samis: He is helping.

Mr. di Santo: Thank you, Mr. Speaker. The support of my colleagues is most helpful.

Mr. Bradley: You are not very selective about your assistance.

Mr. Laughren: But the quality is there.

Mr. di Santo: If I had to select, I could mention the extremely important speech made by the member for Niagara Falls (Mr. Kerrio) who was speaking against the bill of my colleague for Nickel Belt—

Mr. Lupusella: Shame on the Liberal Party.

Mr. O'Neil: You should have him here so he can defend himself. He hasn't a chance to defend himself.

Mr. di Santo:—who proposed, incidentally, exactly what this bill said. He spoke on April 13 at 4:50 p.m. in this House and said that was the most irresponsible piece of legislation he had seen in this House.

Mr. Laughren: Exactly right. I remember it well.

Mr. di Santo: I am not concerned with the attitude of the Liberal Party. We know exactly where they stand.

Mr. O'Neil: We are glad you do.

Mr. Laughren: It is irrelevant.

Mr. Eaton: It is usually hard to tell.

Mr. di Santo: For them, the injured workers are only political pawns as long as it doesn't disturb the peace with their small-

enterprise, narrow-minded mentality and approach.

Hon. B. Stephenson: Is this the principle of the bill?

Mr. Foulds: They are dogmatic, too.

Mr. Sweeney: The member is sinking to the level of his radical colleagues.

Mr. Hall: Are you on Bill 70?

Mr. Bradley: You are being encouraged by the wrong people over there. The member for Nickel Belt has warped your mind.

Mr. Laughren: He required no help.

Mr. Eaton: That came out wrong.

Hon. B. Stephenson: I hope Hansard recorded that.

Mr. di Santo: Bill 126 responds only to some limited needs of the injured workers. In fact, the increases which have been explained at length by my colleagues are not even adequate, do not even correspond with the increase in the cost of living in the meantime.

What we would have seen from a Minister of Labour with some sensitivity, who would not act with that spirit of prevarication that she has used in this House and with the workers in the last three years.

Hon. B. Stephenson: I have not.

Mr. di Santo: We would have expected the Minister of Labour would have responded to some of the major problems the injured workers are faced with, and the problems are not only those of compensation although compensation is important. We know it is humiliating for the injured workers to keep fighting and standing in front of the Legislature at the beginning of every session because the Minister of Labour doesn't want to increase their benefits. We know there are more important problems, the problems of their human dignity.

We are talking here of numbers, 25 per cent increase in the benefits and 37 per cent increase in the cost of living, but what we are not talking about is the human dignity of thousands of people who are hurt every day when they happen to have an accident on the job.

Mr. Laughren: None of them are doctors either.

Mr. di Santo: That is something your bill doesn't speak about. We are not talking in this bill of the thousands of workers who, once injured, are not able to return to a profitable job because this system and this government doesn't want to take into account the fact that there are human beings who may not be totally productive, because productivity is one of the ideas the government

cannot relinquish, that could be useful to themselves and to their families.

Personally, with my colleague from Beaches-Woodbine (Ms. Bryden), I have tried several times to introduce a bill which is the law in many countries of the western world, as we like to call it, a law which would provide injured workers, disabled people, with an opportunity to have employment by way of making it compulsory for the government and for the private sector to hire a certain number of injured workers.

I would like to tell you, Mr. Speaker, if that were the case in the province of Ontario, with a working force of four million people and 34,000 or 35,000 partially disabled workers with partial disability pensions, we could solve the problem if a bill were passed which made it compulsory to hire one per cent injured workers in the total working force of Ontario.

Of course the Minister of Labour doesn't respond to this. We have seen that several times in the committee debating the Workmen's Compensation Board report every year. We are not hopeful at this time that the callousness of the government will be removed by the reality because they don't look at the reality, and also because I think the government is convinced the injured workers are not a pressure group strong enough to make its weight felt at the ballot box.

I want to tell the Minister of Labour that we will keep fighting. This is a human problem and whether she likes it or not, she has to come to terms with us, she has to come to terms with the injured worker, because this is a permanent problem in our society that she doesn't want to solve and she will be forced to solve it.

If the minister doesn't want to solve it, we will fight for it and make the people of Ontario aware of the problem, which is not a partisan problem, that is what the Minister of Labour doesn't understand. This is not a partisan problem. It's a problem that has to be seen in human terms, as it is in many other jurisdictions of the world.

[8:45]

The bill doesn't address itself to another major problem, which is one of my greatest concerns.

Mr. Speaker: Order. You're not going to express that concern on this bill, because I've given the honourable member as much leeway as I can. Under the rules of the House, when you deliberately set out to say "another principle that this bill does not address is" you're clearly admitting that you're not speaking to the principle of the bill.

Mr. di Santo: Thank you, Mr. Speaker. I would have liked to have seen this bill solve one of the other major problems that we are faced with with the Workmen's Compensation Board. That is, all those workers who end up in the so-called rehabilitation system of the Workmen's Compensation Board, and who, for some strange reason, end up being examined by psychiatrists.

On May 5, the Minister of Labour, answering one of my questions, gave me this account, which is quite appalling: "From 1974 to 1977, 4,254 injured workers, disabled workers, were referred to psychiatrists." This is a tragedy in many families, because we are confronted every day, the members—

Mr. Speaker: Which section of the bill are you referring to?

Mr. di Santo: This is the principle.

Mr. Speaker: What section?

Mr. di Santo: This is the principle of the bill.

Hon. B. Stephenson: It has nothing to do with the principle of the bill.

Mr. Speaker: The honourable member inform me what section of the bill he's talking about?

Mr. Warner: The principle, the explanatory notes.

Mr. di Santo: This is the principle of the bill in the explanatory notes, if you allow me.

Mr. Laughren: Talk about the principle of the bill. It is not clause by clause.

Mr. di Santo: This is part of the benefit the minister has increased, only momentarily. We don't think the financial part is the only important part, because this is an aspect which is crucial. You referred 4,254 injured workers through the Workmen's Compensation Board to psychiatrists because, I suspect, the board has a vested interest in saying that those workers were disabled, not because of the accident, but because they had psychological or psychiatric problems. This is one of the worst features of the Workmen's Compensation Board that you should have corrected in this bill.

Mr. Speaker: Order.

Mr. Laughren: Section 1.

Hon. B. Stephenson: The proportion is less than it is in the general population.

Mr. Speaker: Order. If the honourable member insists on straying from the principle of this bill, I'm going to have to ask him to take his seat and recognize the next speaker. If he can confine his remarks to the principle of Bill 126 I will allow him to con-

tinue, otherwise I'll have to ask him to take his seat.

Mr. T. P. Reid: Throw him out.

Mr. di Santo: It was my impression that I was referring myself to section 1 of the bill, but I accept your ruling and I move further, because I want to talk about another aspect of the bill that I think is really important, and which was not dealt with by the minister in 1974 and 1975. That is the rate of compensation. I'm referring myself to section 1 of the bill now.

As my colleagues have said before, the increases introduced by the minister are quite arbitrary, not only because of the percentage chosen by the minister, but because of the whole system on which the compensation is based. As you know, Mr. Speaker, a pension is based on the earnings of an injured worker 12 months before the accident.

It happens that with this bill there is an increase in the pensions of the injured workers starting from 1975 with the percentage spelled out by the bill. But what the bill doesn't take into account is that if the worker had an injury or became disabled 20 years ago, in this bill we are giving him an increase on the basis of his 1975 pension. We are not making any relation whatsoever to the wages of the workers who are performing a similar job today. I think that's wrong and I think that the minister should recognize it.

Mr. T. P. Reid: Have another drink. That's the best part of the speech.

Mr. Laughren: What's that supposed to mean?

Mr. di Santo: Certainly, the member for Rainy River is not one of the persons who can speak on this bill. In fact, nobody on that side of the House is speaking.

Mr. O'Neil: Oh come on now, that's not right.

Mr. Laughren: When you do speak you want to lower the level of benefits.

Mr. Bounsell: Your speech was an appeal to give you time to read the report.

Mr. T. P. Reid: They never let the truth be known.

Mr. Laughren: There is the clown from Rainy River.

Mr. di Santo: Mr. Speaker, I think that in all fairness we should recognize that if a worker has an injury today 20 years from now we shouldn't give him compensation on the basis of what he's earning today. Be-

cause, if he had the chance—I'll repeat it for the minister.

Hon. B. Stephenson: I think you've got it backwards, but I know what you mean.

Mr. di Santo: The minister has it wrong. I'd like to tell the minister that for the last three years everything that I heard from her has been wrong, and I can quote from Hansard if she wants.

What I'm saying is that if the worker has an accident today we shouldn't attach his pension to what he is earning today. Because 20 years from now if he had the chance he could have improved himself and he could have earned what the workers in the same group and in the same category would have earned. That is what is happening today with this bill. We are giving a totally disabled worker \$500 regardless of the fact that he could be earning \$15,000 or \$20,000 today. I hope the minister realizes that this is an injustice.

Mr. Laughren: Kerrio is going to speak. The member for Niagara Falls is going to speak.

Mr. di Santo: There is another section of the bill that I'd like the minister to explain to us, and that is section 3(2) where it says: "Subsection 9 of the said section 42, as re-enacted by the Statutes of Ontario, 1975, chapter 47, section 6, is repealed and the following is substituted therefor"—

Mr. Kerrio: Did he put that in the record again? That's looney. That's ridiculous.

Mr. di Santo:—and it says that that section doesn't apply to lump sum payments.

Mr. Samis: Calm down, Vince.

Mr. Kerrio: That's a disgrace.

Mr. T. P. Reid: What he is saying is they don't have the ability to make their own decisions, but the NDP will make them for them.

Mr. Foulds: With the shape you're in tonight, somebody should be making your decisions for you.

Mr. Laughren: Go back to the party, Reid.

Mr. McClellan: Go back to your party and talk about trees.

Mr. T. P. Reid: I know more about trees, Ross, than you know about children's services.

Mr. Laughren: Go back to your party.

Mr. di Santo: I would like to remind the minister that in 1974, before we both were elected, when the amendment was introduced this section was applied also to the commuted pensions. In 1975, when the amendment was introduced, the amendment was not

applied to the commuted pensions and she is doing the same now.

I could give the minister many examples. When the Workmen's Compensation Board also increased the commuted pensions after the amendments introduced in 1975, for some arcane reasons I didn't understand they decided they should comply with the amendments of 1975. As a matter of fact I had to go to the Ombudsman because I had some cases in which the increases were given and some cases in which they were not granted.

I would like the minister to clarify for us why it is that for an injured worker who had his pension commuted because his pension was rated by the Workmen's Compensation Board less than 10 per cent, he should not be qualified for an increase that the minister is granting to all the other injured workers who have a pension granted more than 10 per cent. I think that's really an injustice. It's one of the injustices that should be corrected.

I think that my colleague, the member for Windsor-Sandwich, will introduce an amendment and I hope that the minister will accept it because I don't think this is controversial. I think it is understood by everybody that somebody who has an injury, it doesn't matter the rating—five, ten or 15 per cent—if we think at this time that there is a need for an increase in the benefits because of the increase in the cost of living in the interval, it should cover all the injured workers. It should not discriminate against those injured workers who had chosen for their personal reasons to have their pension commuted or because the Workmen's Compensation Board had commuted their pension because it was rated less than 10 per cent. I hope the minister will explain—

Mr. Speaker: Order, order. I have been just about as patient as I am going to be with the honourable member. If the honourable member can tell me what section of this bill deals with that aspect of workmen's compensation that you are talking about now, I will allow him to continue. Otherwise I will call on another member.

Mr. di Santo: Mr. Speaker, it is section 3—

Mr. Bradley: Section 10.

Mr. di Santo: Section 3, subsections 2 and 9.

Mr. Kerrio: Mr. Speaker, on a point of personal privilege.

Mr. Speaker: Point of privilege.

Mr. Kerrio: I have a translation of a letter written to an Italian newspaper in the city of Toronto, and I would like to read to you the words of the member who's on the floor right now.

Mr. Samis: Is that relevant?

Mr. Sweeney: The member wasn't here and he made some comments.

Mr. Kerrio: He made some comments about this member.

Just be quiet and you might learn something, George.

At the end of the letter, after he had talked about increases in workmen's compensation and widows' pensions, the member has written: "In conclusion, I would like to point out to you the attitude of the Liberal representative from Niagara, Vince Kerrio, who has rejected the law proposal by calling it irresponsible. Since he is of Italian origin, he should understand that after three years, the invalids and the widows are not irresponsible in requesting that their benefits be raised."

[9:00]

Mr. Laughren: What is your point of privilege?

Mr. Kerrio: The point of privilege is that I have before me everything that was entered in Hansard where I participated in the debate. I challenge that member now to stand on the floor and suggest anywhere in the debate in which I participated that I addressed myself to anything other than the bill before me—

Mr. Laughren: You are making an ass of yourself. You're making a fool of yourself.

Mr. Eaton: Mr. Speaker, make him withdraw that.

Mr. Kerrio:—and suggested anywhere in all the remarks that I made that the portion where I referred to his irresponsibility was in the funding of the increases.

Mr. Laughren: Oh Vince, go home.

Mr. Kerrio: The member for Nickel Belt is just making a lot of noise because he doesn't know what he's talking about. He would be wise if he kept his big mouth shut.

Mr. Laughren: You are making a fool of yourself.

Mr. Kerrio: I'd like to tell you, Mr. Speaker, that I'm quite disturbed about this. I would very well have liked to let it rest at that juncture. But the member saw fit to come before the Legislature and repeat it, and that is something I am not going to buy.

Mr. Bradley: When you were not here, by the way.

Mr. Kerrio: Subsequent to his participation, the minister has seen fit to raise—

Mr. Samis: Is this a speech?

Mr. Makarchuk: Is this the principle?

Mr. Kerrio: I'm talking on a point of privilege, if you'd like to know, Mr. Yahoo. The

point that really disturbs me is that I was referring to the irresponsibility of that member's bill when he did not know who was going to fund the increases.

Mr. McClellan: Yes, he did.

Mr. Kerrio: Nowhere in all of the responses that I made did I not concur that I was in full accord with raising the funds to people who were invalidated, widows and everyone else that was suffering in Ontario. I defy him, I ask him right now to point out one place in this debate where I made any point other than what I am suggesting here on my point of personal privilege.

Mr. Bradley: Ask him to retract.

Mr. Kerrio: I ask him to retract.

Mr. di Santo: On the point of privilege, Mr. Speaker.

Mr. Riddell: Show your honesty and integrity now.

Mr. Laughren: What would you know about that?

Mr. Riddell: I will match mine with yours any day.

Mr. di Santo: We have to deal with the Fleck workers.

Mr. Kerrio: Read from Hansard.

Mr. di Santo: On April 13, 1978, Hansard no. 36, on page 1498, it say: "Mr. Kerrio: I will not address myself to any of the interjections because that is a ploy of the socialists to get you to leave your theme. As far as I am concerned, this is a most irresponsible piece of legislation."

Mr. Kerrio: Read on.

Mr. Warner: Case rested. That's the case. Case closed.

Mr. Sweeney: Don't confuse me with the facts.

Mr. O'Neil: Give the whole chapter; don't take it out of context.

Mr. di Santo: I can read on.

Mr. Kerrio: Are you not going to read any more? You took one sentence out of context, didn't you?

Mr. Foulds: It's not out of context and you know it full well.

Mr. Speaker: Order. The member for Niagara Falls has had his say. He explained what he thinks is a point of privilege. Allow the member for Downsview to speak.

Mr. di Santo: Thank you, Mr. Speaker. Will all due respect, I quote again from the member for Niagara Falls: "As far as I am concerned, this is a most irresponsible piece of legislation."

Mr. Kerrio: Go on.

Mr. di Santo: The piece of legislation which we were discussing that day addressed itself to three points: One, that the benefits be increased according to the cost of living; two, that widows' pensions be increased to \$400; and—

Mr. Kerrio: You are not reading from Hansard.

Mr. di Santo: —three, that dependants' allowances be increased to \$100. That was the principle of the bill.

Mr. Kerrio: Are you not going to read the rest?

Mr. di Santo: The member for Niagara Falls said that was a most irresponsible piece of legislation.

Mr. Sweeney: Read Hansard. Read the record.

Mr. Kerrio: Look at the experts down there trying to find something. Look at the two of them—a fine combination.

Mr. Warner: The member for Niagara Falls should withdraw.

Mr. Kerrio: You have used this Legislature. A yoyo like you.

Mr. di Santo: Mr. Speaker, if the member for Niagara Falls has any dignity at all, he should stand up in this House and apologize to the injured workers.

Mr. Kerrio: Have the two experts down in front come up with something from Hansard?

Mr. di Santo: But going back to—

Mr. Speaker: The member for Rainy River has the floor.

Mr. T. P. Reid: Mr. Speaker, I rise to speak on this matter of privilege. I have had the opportunity to glance very briefly over Hansard and to see what was said. It seems to me that my friend who has just spoken and who has the opportunity that most of us do not have to edit and publish a newspaper—

Mr. di Santo: You are not able to do that. You are almost illiterate.

Mr. Sweeney: You are not able to make the distortions that you do.

Mr. T. P. Reid: —has taken what we used to call poetic licence—

Mr. di Santo: It was a quote; it was not licence.

Mr. T. P. Reid: —to interpret what was said in this Legislature to his own means. My reading of the matter is that my colleague from Niagara Falls said that what was in the particular bill as proposed by the member was particularly irresponsible—

Mr. di Santo: Right. Exactly.

Mr. T. P. Reid: —but he went on to list what he felt was due to the people who unfortunately found themselves in that position as a result of accidents that had happened. It seems to me that particular member has used his position, not only as an MPP but as an editor of a newspaper, to select, if I may say that—

Mr. Bradley: Misrepresent.

Mr. Samis: Where's the point of privilege?

Mr. T. P. Reid: —perhaps I might go so far as to say, in my opinion to misrepresent the opinions as expressed by the member for Niagara Falls—

Mr. Makarchuk: Like the Toronto Sun.

Mr. T. P. Reid: —and to mislead those people who might have occasion to read that particular newspaper.

Mr. Speaker: Order. I have heard enough from the member for Rainy River. Is he suggesting that I have the authority and responsibility to edit every newspaper that appears?

Mr. T. P. Reid: Mr. Speaker, I am sorry; I didn't mean to indicate that you had that authority. But if I may preface my remarks in response to that, I do feel—and I say this with due respect to all members—we have seen judgements handed down by the chair, with all due respect, and by the procedural affairs committee and others, that indicate to me, quite frankly, that the privileges of members of this House seem almost non-existent.

If we look at the record in the last six months, the privileges of the members of this House, at least as I as a member understood them—

Mr. Laughren: As an elitist.

Mr. T. P. Reid: —are non-existent; there are no privileges before this House that exist as individuals in the community. It is something you and I have spoken about, Mr. Speaker, and it disturbs me greatly. I would agree with your comment that perhaps you do not have the authority to address yourself to a newspaper, whether it's edited by Mr. Malone of the Globe and Mail or my friend Odoardo di Santo—

Mr. Laughren: What is this? Do we have to listen to this nonsense?

Mr. Samis: Where's the point of privilege?

Mr. T. P. Reid: —but I say to you, that I think we have an obligation, to see that comments made by a member in this House are not slanted or misinterpreted but are taken at face value. I think there is a special obli-

gation when a member of this House also has the responsibility of being an editor and publisher of a newspaper; he has more of a responsibility than the editor of the Globe and Mail or the Star, or even the Sun, if I may bring that into it, to be a little more honest and straightforward in his opinions.

Mr. Speaker: Is there anybody else who hasn't already spoken who wishes to speak to this alleged point of privilege?

Mr. di Santo: I would like to speak to that.

Mr. Speaker: You have already spoken.

Mr. di Santo: But—

Mr. Speaker: You have already spoken.

Mr. Kerrio: Sit down. You have done enough damage.

Mr. Foulds: Frankly, I don't know what all the fuss is about from the member for Rainy River and the member for Niagara Falls. I would like to read the full quotation into the record right now and just let people decide what in fact the member said.

He said: "As far as I am concerned, this is a most irresponsible piece of legislation," referring to the bill brought forward by the member for Nickel Belt. "The member hasn't addressed himself to the real truth of real involvement, of real responsibility."

Mr. Kerrio: Hasn't addressed himself to the truth.

Mr. Foulds: That is what I said. I said "hasn't."

Mr. Kerrio: Be very clear about it.

Mr. Foulds: He said: "It is one of the real things I say about government." I don't know what that means, so I won't put a gloss on it.

Then Mr. McClellan interjected: "Vince, you are not real."

Mr. Kerrio: Keep reading on.

Mr. Foulds: Mr. Kerrio continued: "Priorities are very significant and important. We cannot look after a person injured in the work place to the exclusion of someone who happens to be injured on his way home from work. I don't have to go around and be defied by people who would suggest that because I would vote"—and I am underlining this—"against such a bill as this, that doesn't make any sense at all, that I am against the worker. Nothing could be further from the truth—"

Mr. Kerrio: You hit the key line.

Mr. Foulds: —"and I would like to see members who say so make that stick."

The comment I would like to make after reading the full quotation is that the mem-

ber did make two statements that are clear and unequivocal. I do not believe his privileges have been breached.

The two statements that are clear and unequivocal are, one, he says: "As far as I am concerned, this is a most irresponsible piece of legislation," and two, "I would vote against any such bill as this."

Mr. Bradley: Two well selected passages, I might say.

Mr. O'Neil: What about the third one?

Mr. Foulds: I just underline those two selected passages in the context of what I read.

Mr. Breithaupt: Yes, you selected them.

Mr. Bradley: Nice choice.

Mr. Speaker: Order. I have heard—

Mr. Breithaupt: Sufficient.

Mr. Speaker: Sufficient is right. I have heard the honourable member who raised the alleged point of privilege. I have heard from his colleague from Rainy River. I have heard from the member for Downsview and the member for Port Arthur.

Clearly, there is a difference in the interpretation of what was said and what was meant. Notwithstanding the comments of the member for Rainy River, I don't think there is any privilege that is contained in the standing orders that the chair needs to address itself to at this time.

Clearly, there is a difference of opinion, and a difference of interpretation. I fail to recognize a privilege of this House that has been abrogated in any way. Is the member for Quinte challenging my ruling?

Mr. O'Neil: No, I am not challenging, but I would like to say something on it.

Mr. Laughren: Dig yourself in deeper.

Mr. Speaker: I think we have had enough discussion on it. This can go on ad infinitum and we are not going to resolve the situation. There is clearly a difference of opinion.

Mr. T. P. Reid: Let Hansard show that this is a difference of opinion and not a matter of fact.

Mr. Speaker: The member for Niagara Falls has stated what he said and his interpretation of what he said. There is clearly a difference of opinion. I don't think it is a breach of privilege.

Mr. Breithaupt: Let us proceed.

Mr. Speaker: The member for Downsview.

Mr. Kerrio: You would be wise to stick to the bill and mind your business, and the rest of you too. You make a big monkey of this Legislature in doing what you want here.

Mr. Warner: Did you have dinner at Dineley's?

Mr. Makarchuk: You have come unzipped.

Mr. Kerrio: You are a big yapper.

Mr. Speaker: Order. The interjections don't help one iota.

Mr. di Santo: If the member for Niagara Falls would accept the defeat graciously, it would help us to keep debating the bill.

Mr. Sweeney: No such thing.

Mr. Kerrio: You want to keep the fire going.

Mr. di Santo: You have to come to terms with your leader.

Mr. Speaker: Order. It would help also if the member for Downsview would address his remarks to the chair.

Mr. di Santo: I would like to sum up what I said before. I would like to tell the Minister of Labour—and I am referring again for your benefit, Mr. Speaker, to section 3(2)—that I would have loved to see the commuted benefits also included in this bill and not deliberately excluded as they are.

[9:15]

Mr. Speaker: Order. I've warned the honourable member not to refer to something that has been omitted in the bill. He has just said that he is chagrined because something is not in the bill. You must address your remarks—how often must I remind you—that you can only talk to something that is in the bill, not something that is not in the bill.

Mr. T. P. Reid: Contempt of the Speaker, I call it.

Mr. di Santo: Yes, I'm sorry, Mr. Speaker. It's section 1(6) that excludes the commuted benefits.

Mr. Speaker: I couldn't care less what section excludes it from the bill. You have to address yourself to something that is contained in the bill, a principle of the bill.

Mr. Makarchuk: But it's excluding the commuted payments.

Mr. McClellan: It's in the bill, Mr. Speaker.

Mr. Speaker: He says it isn't in the bill.

Mr. di Santo: It is.

Mr. McClellan: Section 1(6) excludes the—

Mr. Foulds: Mr. Speaker, if I could clarify.

Mr. T. P. Reid: He is obviously confused, Mr. Speaker, and we beg your indulgence.

Mr. Bradley: The circus has come early.

Mr. di Santo: Section 1(6) says that the amounts payable under clauses (c) and (d) of subsection 1 of the said section as re-enacted do not apply to a lump sum award or the

payments due prior to the effective dates. My opinion is that it should apply also to those injured workers who had a lump sum payment.

Mr. Kerrio: You are on your way out and you don't even know it.

Mr. di Santo: In summing up my remarks, we support this bill because we know what will happen if we tried to amend it the way we want. The same thing would happen that's happening to Bill 70. I hope the other members will accept the very minor amendments that my colleague from Windsor-Sandwich will introduce in the spirit of making this a better bill, and in the conviction that the whole Workmen's Compensation Act should be changed. Eventually we should go to what even the chairman of the Workmen's Compensation Board thought was a good idea—a universal system of insurance for injured people. Thank you.

Mr. Laughren: Point of order. I wonder if the Speaker would rule on the fact that there has been a number of New Democrats speaking in succession on this bill—whether or not he would rule that it's time for a Liberal speaker to—

Mr. Speaker: It's not a point of order.

Mr. Laughren: Okay.

Mr. Bradley: It's a point of sarcasm.

Mr. Haggerty: I rise to support the principle of Bill 126. I was interested in the comments of the previous speakers on the bill. I say that perhaps we've lost contact with ourselves tonight.

Mr. Laughren: Have you come unhinged, Ray?

Mr. Haggerty: I suppose we can look to the other side over there and say it's the usual practice by the present minister and the previous ministers to bring in a bill of such importance at this late date, when the House perhaps will adjourn tomorrow. I think that more consideration should be given to the Legislature so we can have reasonable debate on such an important bill. To put a time limit on it doesn't give the speakers and those interested in it a chance to put in the approach they should in consideration of the bill.

I look at the bill there and the amount of money that's going to be increased to the persons who are injured and in particular I look at section 1 of the bill that applies to the widow or widower as the sole dependent of monthly payments. It may seem that from \$318 to \$365 is a substantial increase.

Mr. Laughren: Going to support our amendment, Ray? We have got support for the amendment.

Mr. Haggerty: In comparison I suppose, I could comment on the Wyatt report—

Mr. Bradley: Keep it up and they'll move you to the back benches over there.

Mr. Haggerty: —which, I suppose, is open for much dialogue later on in the session. I can only read the one comment in the report and I'm not too happy with it. It says, "We do have sympathy for the working poor."

Mr. Laughren: They don't want sympathy.

Mr. Haggerty: I hope when the amendments do come forward concerning the Wyatt report that they have more than sympathy for the working poor. If you look at the Canada Pension Plan and old age supplement—

Mr. Speaker: That's not a principle of this bill.

Mr. Haggerty: I'm using it as an example when it comes to the terms of benefits paid. When you apply it to two spouses under old age security and the supplement, you have an income of almost \$7,330, Mr. Speaker. I'd like to have the minister, or anybody on that side, show me where any person is in receipt of workmen's compensation of \$7,330 a year. The minister does not match that at all. The minister is frowning over there.

I think about a person with a permanent disability who has no other source of income who will receive approximately \$7 a month increase on a \$70 or \$80 pension. It's most pitiful that we talk about assisting those injured workers here in Ontario.

I don't know why there is such misinterpretation of section 42(5) of the Act by members of this Legislature and those persons who are responsible for looking after it at the Workmen's Compensation Board. When a person goes out with a disability pension and a rating of 10 per cent and \$70 a month and they do obtain some light modified job such as a school crossing guard, even now they're taking action to say that's not good enough. They say they should be applying for a job in some other community across the province.

So I say to the minister, with the section that applies to those persons who have been injured before 1975 as suggested in the bill, that more consideration should be given to the persons who were injured previously. They can't get by on what is given to them through workmen's compensation. They have less chance, in the first place, to obtain full employment.

There are grey areas perhaps where persons who are receiving benefits today also

are in good standing with a good job. Perhaps we should be looking at that and saying that maybe some of that money should be passed on to those less fortunate—some of the working poor. But I say to the minister that we welcome the suggestions in here that there will be some increase, but it just doesn't go quite far enough.

If you look at the single person receiving old age pension and the supplement, there is the basic \$3,665 per year. Again, if you look at what you're offering some of these people here, that source of income for a disabled person will not even match the \$3,000. I can cite case after case, as the member for Nickel Belt has mentioned. I think I also spend much of my time looking after persons who have been injured and who have problems with the Workmen's Compensation Board. I spend quite a bit of my time down at the board with a number of appeals. I find that the difficulty is there.

I said before to the minister I can only assume that all persons actually receive today who are on partial, permanent disability is the interest on the amount of money that is set aside by the Workmen's Compensation Board that applies to the industry. It says that for a 10 per cent rating, or something like that, there is a \$14,000 assessment against that industry. All that you're giving them is that interest on the \$14,000 per year.

No wonder the minister can come in and say that they've had the money all along. I'm sure she's had the money for the last three years. Then she comes in now and says that she's going to give them a measly increase to workmen's compensation.

Hopefully, when the fall comes and we will have ample time to get into this Wyatt report, there are comments in there that are really debatable and are contentious.

I suggest to the minister that the intent of the resolution introduced by myself and supported by the government and members of the Liberal Party is that we want to see fair compensation under the Workmen's Compensation Act. Until those changes come about, it is not a fair program for many, many injured workers in the province of Ontario. And I hope the minister will have time, perhaps, with a committee of the Legislature to report and deal with this matter in full detail, as well as all the other necessary information that has been handed to the Wyatt firm that did the study. But I suggest to the minister and to members of the House that we have no other choice but to go along with the minister in her recommendations for an increase to the workmen's compensation.

However, there are many areas where this aid can be improved. I thought after three years we would see some vast improvements in assistance given to injured workers across Ontario.

I still have strong reservations about the rehabilitation program, and of course it's not here. But it does have, Mr. Speaker, some serious effect on the benefits that are applied to the injured worker. I support the bill in principle, and that's about all I can do, because it does not go quite far enough. I wish the minister had the time to go through my files—I have almost four cabinets filled with workmen's compensation cases—and, perhaps like other members, we could travel across Ontario to assist in the cause of workmen's compensation.

This measly increase doesn't go far enough. And I suggest to the minister that if the money was there three years ago, then perhaps there is more now that can be given.

I understand that my colleagues to the left have certain amendments to put forward. Some of these amendments, perhaps, might be of interest to a number of us here. I don't know whether we shall be able to support them, but I shall take a serious, close look at them.

I suggest that there are many improvements that have to be made in some direction by the minister to the board under section 42(5). There definitely has to be a clear-cut line on this particular section from the minister or from the Legislature on how to interpret that particular section of the act. I notice that section 41—I think it's 41(8)(c)—relates to the 1975 increase of the two per cent for a number of years. The increase now will be 11 per cent in that particular area.

For a person drawing a small pension, it means nothing to him, except greater hardship, perhaps. I suggest to the minister that the Wyatt report should be debated some time in the fall, and that there should be some key amendments to the workmen's compensation.

I think we are looking for a universal program covering any person injured in Ontario. This is my goal, and I am sure it is the minister's too, and I trust we eventually come out with a workable program that will provide sufficient means to support and sustain a decent living for many injured workers and their families.

I support the bill in principle.

Mr. Lupusella: I rise in support of this bill, Mr. Speaker, and share the particular position taken by so many members of this Legislature, particularly by the New Democratic Party members, that this bill is not

really going far enough to represent and solve the problems of injured workers in Ontario.

[9:30]

I am supporting this bill because I am really sorry about the physical, social and economic conditions under which injured workers have been living in Ontario since 1975. I am supporting this particular bill not because the government and the Minister of Labour in particular have been quite generous in solving the problems faced by injured workers in Ontario, but because the injured workers have been suffering the consequences of the constant inaction of this government, not just since 1975 but since 1914, when the Workmen's Compensation Board was formed in Ontario to represent the interests of employers and not the interests of employees, especially not the workers of Ontario. That's the kind of principle I want to emphasize tonight.

The Minister of Labour has been playing with injured workers' lives since 1975. I think it is time this government and the Minister of Labour, in co-operation with the Liberal Party, stopped this game. We are dealing with human beings. I don't think this bill really reflects the financial needs of injured workers. This government has an obligation to recognize the great contribution made by workers, and especially those people who have been injured on the job in making this contribution, to the economic growth of this province.

I don't think the Minister of Labour and the Liberal Party have been really concerned about recognizing this contribution made by injured workers in Ontario to building this great province called Ontario. In some ways I feel sorry and upset and frustrated; I really don't understand why the member for Niagara Falls should be resentful of the criticism raised by my colleague—

Mr. Bradley: Because it's a distortion.

Mr. Kerrio: On a point of personal privilege, Mr. Speaker—

Mr. Lupusella: —because both parties have been suffering a political—

Mr. Kerrio: Point of privilege, Mr. Speaker—

Mr. Lupusella: —in relation to the needs of injured workers in Ontario.

Mr. Deputy Speaker: Order.

Mr. Kerrio: Point of privilege, Mr. Speaker—

Mr. Deputy Speaker: What's your point of privilege?

Mr. Kerrio: My point of privilege is that they keep reading something into the record that shouldn't be there.

An hon. member: I agree with you, Vince; you shouldn't have made the statement.

Mr. Kerrio: I would like to set the record straight. I would like to relate what was actually said.

Mr. Lupusella: Are you trying to delay the progress of this bill?

Mr. Kerrio: I want to refer to that, Mr. Speaker. If you are going to allow them to debate that particular bill, which was debated on April 13—

Hon. B. Stephenson: And defeated.

Mr. Kerrio: —then I should be allowed to make some remarks in response to their remarks. I would like to read into the record my remarks on the bill as recorded at page 1497 in Hansard.

Mr. Laughren: You've already done this.

Mr. Deputy Speaker: Order. Is this—

Mr. Kerrio: I'm going to read one paragraph, Mr. Speaker.

Mr. Laughren: You already did that.

Mr. Kerrio: I listened to you. I listened to you kooks.

Mr. Deputy Speaker: Order.

Mr. Laughren: How many points of privilege are you going to have tonight, Vince? Every time you are quoted accurately you rise on a point of privilege.

Mr. Kerrio: And what's he doing sitting down in a front seat? He's sitting out of his place and making a remark.

Mr. Laughren: Every time you are quoted accurately—

Mr. Deputy Speaker: Order. Will the honourable member take his seat? Do I understand this point of privilege to be exactly the same as the point of privilege discussed earlier?

Mr. Kerrio: No. It relates to what he said now.

Mr. Deputy Speaker: Let me hear your point of privilege.

Mr. Kerrio: My point of privilege is that they are reading something into Hansard and I would like to correct the record.

Mr. di Santo: He didn't read anything.

Mr. Kerrio: I would like to say what was said at that time. He has made remarks about the member for Niagara Falls and he wants to have it on the record.

Mr. Bradley: That's right.

Mr. Kerrio: I want to read what was said. If I can't, I shan't; it's up to you to make the decision, Mr. Speaker. But I would like to read into the record something that is quite important:

"I would like to take a most responsible position as I relate my feelings to this bill. I suggest to those assembled that the injured workers of Ontario certainly deserve the support of the legislative body here, and I'm the first to suggest that that's uppermost in my mind."

Mr. Germa: Then you voted against the bill.

Mr. Kerrio: Then I went on to explain: "I ... cannot support this bill, for a ... good reason."

Mr. Laughren: You speak with a forked tongue.

Mr. Kerrio: Mr. Speaker, it only related to who was going to pay. It had nothing to do with what that member said and what the member that moved the bill said.

Mr. Bradley: They are masters of distortion.

Mr. Kerrio: I have to make the point very clear to this assembly that I supported their bill in principle.

Mr. Laughren: No, you didn't.

Mr. Kerrio: I was only relating to the fact that they did not care who had to pay.

Mr. Laughren: Your friends are going to pay. That is what bothered you.

Mr. Kerrio: I reinforce that position now. I would prefer that they would make their points without referring to the member for Niagara Falls.

Mr. Deputy Speaker: Order.

Mr. Kerrio: You guys ruined the country you came from and now you are over here trying the same damn thing.

Mr. Deputy Speaker: Order!

An hon. member: You stand condemned with your own words.

Mr. Deputy Speaker: Order. Would the honourable member for Dovercourt continue?

Mr. Lupusella: Mr. Speaker, on a point of privilege, would you please invite the member for Niagara Falls to withdraw the statement which he has just mentioned?

Mr. Bradley: Do you mean you've got the gall to ask him to withdraw after the non-sense here tonight?

Mr. Deputy Speaker: I'm sorry, I did not hear the honourable member for Niagara Falls.

Mr. Kerrio: I will repeat it. You ruined the country you came from and you are trying to do the same thing here.

Mr. Laughren: That's the point. Are you going to let him say that, Mr. Speaker?

Mr. Kerrio: What is wrong with that statement?

Mr. Deputy Speaker: Would the honourable member for Niagara Falls withdraw?

Mr. Kerrio: What, Mr. Speaker?

Mr. Germa: The offensive statement.

Mr. Kerrio: The country they came from is in dire trouble because of the socialist activities over there.

Mr. Deputy Speaker: Order. Would the honourable member withdraw?

Mr. Kerrio: What?

Mr. Laughren: Let him say it.

Mr. Deputy Speaker: The comments that you just made in regard to the member who has just spoken.

Mr. Kerrio: I don't see anything wrong with the statement I made.

Mr. Laughren: Let him say it. It's valuable on the record.

Mr. Kerrio: Let it go on the record.

Mr. Deputy Speaker: I will ask the honourable member once more to withdraw.

Mr. T. P. Reid: Mr. Speaker, on a point of order, could you specify exactly what it was that the member said that you find offensive.

Mr. Lupusella: It is really clear what he said. He should withdraw it.

Mr. Laughren: You've given him his ultimatum.

Mr. Bradley: You are great pitchers and lousy catchers over there.

Hon. B. Stephenson: Mr. Speaker, I wonder if we might calm this entire proceeding down just a little if we were to allow the honourable member for Dovercourt to complete his remarks briefly and then proceed to clause by clause.

Mr. Laughren: No, the member was given an ultimatum.

Mr. Lupusella: Mr. Speaker, before I am going to continue with my remarks, again I would like to invite the chair to invite the member for Niagara Falls to withdraw the statement because it was really offensive.

Mr. Kerrio: I don't see anything offensive about it. The socialists have ruined your country. What do you want me to say?

Mr. Lupusella: You didn't say that.

Mr. Bounsall: You are castigating all of Italy.

Mr. Deputy Speaker: I asked previously if the honourable member would withdraw the remarks he made.

Mr. Kerrio: There is a little misunderstanding here, Mr. Speaker.

Mr. Laughren: No, there isn't.

Mr. Lupusella: It's very clear what you said.

Mr. Kerrio: I am suggesting that the socialist government has ruined a great country in Italy.

Mr. Laughren: That is not what you said.

Mr. Kerrio: They have done the same thing in Britain. And I am suggesting that the socialist movement is attempting to do the same thing in Canada. If you take that as a personal insult and you would like me to withdraw directing that to any individual, Mr. Speaker, I will. But I will make the statement and I will say it standing in my place that you socialists have ruined every jurisdiction you have ever touched.

Mr. Warner: You have ruined Niagara Falls.

Mr. Laughren: What are the Liberals doing to Canada?

Mr. di Santo: Mr. Speaker, on the point of privilege, just for the record, the member for Niagara Falls said before that he had supported the bill on principle with some specifications.

Mr. Bradley: Write to the newspaper.

Mr. di Santo: Not everybody is able to write to a newspaper.

Mr. T. P. Reid: No, that's the problem.

Mr. Gregory: You have your own.

Mr. Kerrio: You sure made your points with the people you want to and in the wrong way. Now it is coming out.

Mr. di Santo: On that point of privilege, I would like to submit that the member said that he voted against this bill.

Mr. Kerrio: Clean up your act.

Mr. Lupusella: I was really immersed, in my mind, on the context and within the context of this particular bill.

Mr. Deputy Speaker: Order. I thought the member was speaking further to the point of privilege.

Mr. Lupusella: No, Mr. Speaker.

Mr. Nixon: He's continuing his speech.

Mr. T. P. Reid: Mr. Speaker, could I address myself to the point of privilege? I made some remarks earlier about the fact that the privileges of the members seemed to be almost nonexistent in this House. It was my

impression that an actual point of privilege was in fact where something was said or done that impugned not only a particular member, but also had a reflection on all members of the House.

These are the privileges that were designated as a result of his or her being a member of this House, the traditional privileges from our British heritage and through our House of Commons in Ottawa and our parliamentary tradition in the Ontario Legislature. It seems to me, Mr. Speaker, that your predecessor in the chair only 10 or 15 minutes ago ruled that in fact what had been said was an honest difference of opinion.

I would submit quite frankly that what my colleague from Niagara Falls has said is simply his opinion. Perhaps he doesn't have the benefit of having a newspaper or some media organ to make his opinions known, but certainly he is as entitled to his opinion about what is going on here as is the member for Downsview. I would suggest if my friends from the NDP had any concept of what they were about, they would be attacking the government and not the Liberal Party.

Mr. Laughren: There is no difference. We know that and you know that.

Mr. Deputy Speaker: Previously I asked the member for Niagara Falls to withdraw the language he used in regard to another member. I believe he withdrew that.

Mr. Kerrio: Yes, Mr. Speaker.

Mr. Deputy Speaker: I was calling him to order because he was using what I felt was insulting language. Since that was withdrawn, I will now ask the member for Dovercourt to continue.

Mr. Bounsall: Just further to the point of privilege—

Mr. Breithaupt: It is over. The Speaker has ruled on it.

Mr. Bounsall: On a further point of privilege then.

Mr. Deputy Speaker: What is the further point of privilege?

Mr. Bounsall: I would like to point out that in the withdrawal of his remarks he indicated that Italy was ruined by the activities of the socialists. I would like to point out for historical reasons that Italy has never been governed by the socialists but rather by the right-wing Christian Democrats for years.

Mr. T. P. Reid: We are all very interested in yellow bird's opinions but they are no more relevant than anything else he has ever said in this House.

Mr. Deputy Speaker: Order. Will the member for Dovercourt continue in regard to this bill?

Mr. Lupusella: Thank you. I really don't understand what the Liberal Party is talking about, nor do I understand what the member for Niagara Falls is talking about. As my colleague emphasized just a few seconds ago, the Christian Democrats have been ruling Italy for 35 years.

Mr. T. P. Reid: Are you supporting the Red Brigades? Is that what you are saying?

Mr. Deputy Speaker: Order. I would like to inform the members that the House is now considering the workmen's compensation bill. If the member for Dovercourt continues on the principle of that bill, I will not have to call grave disorder for a few moments.

[9:45]

Mr. Lupusella: Mr. Speaker, on a point of privilege again: I should use your indulgence because the Liberal Party tonight is not really keeping its remarks in relation to the bill. They talked about the socialists and the Christian Democrats—

Mr. Deputy Speaker: Order, order.

Mr. Eaton: Ignore their interjections.

Mr. Deputy Speaker: Order, would the honourable member please be seated. That's not a point of privilege. Would the honourable member continue on the bill.

Mr. Lupusella: Mr. Speaker, would you please invite the member for Rainy River to withdraw the statement which he made just a few minutes ago?

Mr. Bounhall: About us being in support of the Red Brigades.

Mr. Laughren: Make him withdraw it. That's not proper.

Mr. Deputy Speaker: Would the honourable member continue with Bill 126.

Mr. Laughren: On a point of privilege, the member for Rainy River suggested that the New Democratic Party was supporting the Red Brigades. That is false and misleading and he simply must withdraw that remark.

Hon. B. Stephenson: No, he didn't. He asked a question.

Mr. Laughren: You cannot allow that to happen in here. He's not allowed to say that.

Mr. Deputy Speaker: Order. I appreciate the comments made by the member for Nickel Belt. I did not hear those comments.

Mr. Laughren: It's all going to be in Hansard.

Mr. Deputy Speaker: I will certainly look tomorrow in Hansard and see if they were made.

Mr. Laughren: Fine, we will take it up tomorrow.

Mr. Lupusella: I hope the Liberal Party tonight is going to contain its remarks and you are going to keep those members under control.

Mr. Gregory: Why don't you get on with the bill, for heaven's sake?

Mr. T. P. Reid: Do you notice that they feel they can say anything and not be—

Mr. Deputy Speaker: Order.

Mr. Lupusella: Getting into the main principle of this particular bill, I emphasized previously that the government really didn't use the right approach to reflect the economic and social needs of injured workers through each clause of this bill. I can understand why. I can also understand the position of the Liberal Party. I can also understand the position taken by the Progressive Conservative Party in 33 years of this government. The fact is that both parties are supporting the interests of employers in the province of Ontario.

Mr. Bradley: What a distortion.

Mr. Lupusella: That's why certain members sitting on that side, on the right side of this House, are really taking two stands when they are talking about injured workers.

Mr. Breithaupt: Put it in the paper.

Mr. Bradley: That's not on the principle of the bill.

Mr. Lupusella: Of course they want to support them, but on other side they don't want to upset employers.

Mr. Laughren: Try a little harder.

Mr. Lupusella: The Liberals cannot have it both ways, nor can the Progressive Conservative government.

Mr. Kerrio: Certainly you can have it both ways in this country. You can have all the advantages on both sides. How else can you have it?

Mr. Bradley: Another pile of socialists.

Mr. Lupusella: That's why the clauses contained in Bill 126 do not reflect the problems or the needs and this particular bill won't solve the problems of injured workers in the province of Ontario.

Mr. Kerrio: Thank the good Lord for what you've got here.

Mr. Lupusella: Just to give an example, the increase in the cost of living since 1975 up to 1978 has been 30 per cent. What is

contained in this bill? Just 25 per cent. The Progressive Conservative government and the Minister of Labour are giving injured workers just a 25 per cent cost of living increase. By the way, for so many years members of this party have been inviting the Minister of Labour to incorporate a particular clause in the bill which would reflect a scale to incorporate the cost of living increase through an automatic formula in order that injured workers do not have to confront the police force in the province of Ontario to try to convince the government that they are really seriously hurt by the way they are living.

What happened in the past? I'm sure the Progressive Conservative government is aware of it. In 1975, when they introduced a bill to amend the Workmen's Compensation Board Act to increase the previous injured workers' pensions, they came out with a big fanfare. They were going to increase pensions about 60 per cent—and what happened? That's the theory that should be taken into consideration. That's the kind of theory which is not contained in Bill 126. We easily understood why they came out with the big fanfare because big figures were making sense in the media; big figures were convincing the general public that injured workers are not really facing economic hardship when the Minister of Labour and this government are saying that the ceiling is going to be increased from \$12,000 to \$16,200.

Hon. B. Stephenson: From \$12,000? It's not going from \$12,000 to \$16,000, it's going from \$15,000 to \$16,000.

Mr. Lupusella: Let me ask the Minister of Labour, how many workers in the province of Ontario in 1978 are making 16,200 per year? I'm sure she is making particular reference to a particular group of workers. Maybe she is talking about the plumbers and the electricians. How many plumbers and electricians do we have in the province of Ontario? Maybe we have 2.5 per cent plumbers of the total labour force in the province of Ontario.

Hon. B. Stephenson: I don't think so. It is more than that.

Mr. Lupusella: We might have 2.5 per cent of electricians in the total labour force in the province of Ontario. Those are the workers making more than \$16,200 per year. What is she going to do about other workers making \$8,000 per year or \$9,000 per year? Are they going to get the fat figure of \$233.66 per week? The government cannot fool us. Maybe it can fool the public by emphasizing those particular figures, but it cannot fool the New Democratic Party, because in On-

tario we have 65 per cent of the total labour force not organized by the trade union movement and they are not making \$16,200 per year.

So what is the minister talking about? Why is she emphasizing this particular principle that injured workers in the province of Ontario shouldn't face any particular economic hardship because from now on any worker who gets injured is going to get good money from the Workmen's Compensation Board? That's an indirect message that she is trying to portray to the public. That's what she's trying to do to convince the public that the real situation of injured workers is not based on those figures.

Mr. Makarchuk: You tell them, Tony.

Hon. B. Stephenson: That is not true. You are incomprehensible, as a matter of fact, as usual.

Mr. Lupusella: Let's go back to those people who are making \$10,000 per year. In Ontario we have 300,000 workers making \$2.65 per hour. Would the minister please tell us how much they're going to receive from the Workmen's Compensation Board when they get injured?

Hon. B. Stephenson: It's in the act.

Mr. Lupusella: Why doesn't she tell us how much money they are going to get when the Workmen's Compensation Board is going to offset a percentage of their partial and total disabilities? Why doesn't she tell the members of this Legislature, instead of fooling the public with those big, fat figures when, in fact, she is giving a big fat zero to injured workers in the province of Ontario? That's what you are doing.

Hon. B. Stephenson: Not only are you incomprehensible but you can't add and you can't multiply either.

Mr. Lupusella: That's why I emphasize the principle that Bill 126 is not solving the problems of injured workers in the province of Ontario.

Hon. B. Stephenson: I didn't say it was.

Mr. Lupusella: I hope the minister will get this message and I hope she is going to understand it. Otherwise, the minister should resign, because she won't be able to cope with solving the problems of those people who are most affected by the cost-of-living increase.

The minister shouldn't be resentful when we say that she does not understand, or she doesn't want to understand for philosophical or ideological reasons, the problems of injured workers; she is trying to diffuse the

main problems of injured workers and the kind of life which they are living in Ontario.

Both the Progressive Conservative Party and the Liberal Party should appreciate the great contribution made by workers to the growth of this province, instead of paying \$800 when a person dies on the job. That's the kind of generosity given by the Workmen's Compensation Board and by this government: \$800 for those people who are leaving their lives in the work place.

Hon. B. Stephenson: That's misleading.

Mr. M. Davidson: It is not misleading.

Hon. B. Stephenson: Yes, it is.

Mr. M. Davidson: On a point of order, Mr. Speaker: The minister has just said that my colleague made a misleading statement. I would ask her to withdraw it.

Mr. Kerrio: You have been doing that all night.

Hon. B. Stephenson: Mr. Speaker, if I may, the specific statement of the honourable member was that when a workman dies, \$800 is paid. That is one small amount of what is provided on the death of an injured workman, and it is misleading to leave that kind of impression with that kind of statement.

Mr. Lupusella: Mr. Speaker, speaking to the point of order—

Mr. Gregory: Why don't you resign? You should be ashamed of yourself.

Mr. Deputy Speaker: Order.

Mr. Kerrio: You'd better enjoy it, because you are on your way out. You are on your way out, you rats. Cassidy and your gang are on the way out.

Mr. Makarchuk: He's hallucinating again.

Mr. Kerrio: You'd better believe it, and I'm enjoying it.

Mr. Makarchuk: I believe it, I believe it, you are hallucinating.

Mr. Kerrio: You'd better enjoy your stay.

Mr. Warner: Have some more LePage's; you might not become unstuck.

An hon. member: Why is the Minister of Labour laughing?

Hon. B. Stephenson: I was laughing at what Vince Kerrio said.

Mr. Deputy Speaker: It was drawn to my attention that the honourable minister used the term "misleading."

Hon. B. Stephenson: Yes.

Mr. Deputy Speaker: Would the honourable minister withdraw?

Hon. B. Stephenson: Mr. Speaker, I said it is misleading to make that kind of statement. Is that unparliamentary?

Mr. McClellan: You have to withdraw it.

Hon. B. Stephenson: Is it? I am asking you a question, sir.

Mr. M. Davidson: Mr. Speaker, speaking to the point of order: In the interjection that the minister made, and I am sure Hansard has picked it up, she did not say what she has just said.

Hon. B. Stephenson: I said, was it misleading?

Mr. M. Davidson: What she said in effect was that the colleague I am referring to, the member for Dovercourt, was misleading. It was direct, Mr. Speaker, and I would ask that she be made to withdraw that remark.

Hon. B. Stephenson: What did I say?

Mr. Deputy Speaker: I listened to the honourable minister and if she repeated what she said, as I interpret it, she did not impute a motive; so I will ask the member for Dovercourt to continue.

Mr. Lupusella: She didn't withdraw the statement, Mr. Speaker—

An hon. member: Ask him to check Hansard.

Mr. Kerrio: You guys are really blasting them off tonight. You're going down for the third time.

Mr. Lupusella: Mr. Speaker, the Minister of Labour mentioned that I misled the House, and I think that she has to withdraw that statement.

Hon. B. Stephenson: No, I did not.

Mr. Deputy Speaker: Order. Are you challenging my ruling?

Mr. Lupusella: No, I'm not.

Mr. Deputy Speaker: No? Continue with the bill.

[10:00]

Mr. Lupusella: Mr. Speaker, can I suggest that the chair check into the record of that?

If I may continue, I really don't understand why the Minister of Labour should be so uptight tonight.

Hon. B. Stephenson: I'm not. I'd just like you to tell the truth.

Mr. Lupusella: I really don't understand it, because she has been emphasizing the fact that I misled this House. In fact, what happened is that I haven't completed my own argument yet, so don't be uptight. Just let me complete my argument.

Mr. Eaton: We've been waiting for that.

Mr. Makarchuk: Loosen your belt, Madam Minister.

Mr. Deputy Speaker: Order. The member has the floor. Please continue.

Mr. Lupusella: Just keep the Minister of Labour under control. I will continue and I will complete my argument.

Mr. Eaton: You've had the chance several times but you keep straying.

Mr. Bounsall: She's been too impatient to-night.

Hon. B. Stephenson: The only people not under control are the NDP caucus.

Mr. Bounsall: Oh, you like your buddies in the Liberal Party, do you? You like the member for Niagara Falls, do you?

Mr. Lupusella: If, again, I may continue. If there is someone who should be uptight tonight it should be the New Democratic Party because we have been waiting for those changes for three years. Doesn't the minister understand that?

Mr. Bounsall: It's all your fault.

Mr. Lupusella: It's a simple principle. I hope that in two or three years' time we won't have to see injured workers holding demonstrations in front of the Minister of Labour's office, or coming to Queen's Park, because the Minister of Labour didn't take into consideration the basic principle which was supposed to be incorporated in Bill 126—to index pensions of injured workers to the cost-of-living increase. I really don't understand that.

Mr. Makarchuk: This is an historic moment. The WASPs are getting it from the Italians.

Mr. Lupusella: That's a very important principle. We don't want to see injured workers confronting the police force. We don't want to see injured workers suffering more than they have done since 1914, when the Workmen's Compensation Board was first formed. We want to see really serious changes. That's why, as I emphasized at the very beginning of my argument, I'm supporting this bill. I really feel sorry for those injured workers—

Mr. Kerrio: Everybody in the House is supporting this bill.

Mr. Lupusella: You shouldn't talk about them, because they will never take your double sense of supporting employers and injured workers at the same time.

Mr. Kerrio: We all want to see the injured workers looked after.

Mr. Lupusella: You shouldn't talk about it.

Mr. Deputy Speaker: Order.

Mr. Kerrio: Clean up your act. There isn't a better place in the world for the injured worker than right here in Ontario and you know it. Name one place—go ahead.

Mr. Bounsall: Call him to order. Get him out of here.

Mr. Deputy Speaker: Order.

Mr. Renwick: The member for Niagara needs a doctor, and perhaps the Minister of Labour would oblige.

Mr. Kerrio: You're a latecomer here; it is getting better all the time.

Mr. Makarchuk: It is a real group therapy session.

Mr. Lupusella: Mr. Speaker, will you please keep the member under control? He has been talking too much tonight.

If I may continue with the argument I have already emphasized, the reason the Progressive Conservative government and the Liberal Party are not really concerned about the conditions of injured workers—

Hon. Mr. Norton: Come on, that is not so.

Mr. Makarchuk: They don't give a damn.

Mr. Eaton: All you are trying to do is use them. That's all you're doing.

Mr. Lupusella: I didn't complete my statement yet.

Mr. Deputy Speaker: Order. Order. I say to the member for Dovercourt, if he would read the standing orders, he is out of order by being repetitious. I think I have heard that comment at least 16 times.

Mr. Eaton: Insincere, too.

Mr. Breithaupt: He is also attempting to mislead the House.

Mr. Lupusella: Mr. Speaker, again, I am always interrupted by certain members—

Mr. Kerrio: If he would only read it into Hansard once.

Mr. Deputy Speaker: Order. Would the member for Niagara Falls please contain himself?

Mr. Kerrio: I certainly will, Mr. Speaker.

Mr. Cunningham: Start over again, Tony. Don't let them bother you.

Mr. Lupusella: Thank you, Mr. Speaker. I hope you are going to control him.

The main principle I want to emphasize—and I don't have to get into a great explanation why they are against such increases—

Hon. Mr. Norton: We would like to hear the explanation because we are not. We don't believe that crap.

Mr. Lupusella: I am not really upset about that, but I am really upset about the adversary system which is contained in the Workmen's Compensation Board Act. That is why—

Hon. B. Stephenson: But that is not in the principle of this bill.

Mr. Lupusella:—the Progressive Conservative Party, and the Liberal Party, because generally speaking they are supporting the principle of the act—

Mr. Breithaupt: Poppycock.

Hon. B. Stephenson: Absolute balderdash.

Mr. Eaton: What do you call your speech?

Mr. Breithaupt: Then vote against the bill.

Mr. Kerrio: You are really flogging a dead horse, you are.

Mr. Lupusella: Listen to section 8. It will be very educational for a lot of members because some of them don't understand where the adversary system is taking place and where it is legislated through the Workmen's Compensation Board Act. That is why there is this sense of reluctance when we are dealing with injured workers' pension increases to be increased to the point where injured workers don't have to suffer the consequences of economic hardship.

In part I, section 8 of the Workmen's Compensation Board Act—

Mr. Deputy Speaker: Order. Would the honourable member return to this bill?

Mr. Breithaupt: Or any bill.

Mr. Deputy Speaker: Order. I heard the honourable member refer to section 8—

Mr. M. Davidson: Part I, section 8.

Mr. Laughren: He has never strayed.

Mr. Deputy Speaker: Would the honourable member continue on this bill?

Mr. Lupusella: Yes, Mr. Speaker. In my preamble I said I am supporting in principle the contents of this bill—

Mr. Gregory: You said that eight times.

Mr. Lupusella:—because I feel sorry about the conditions of injured workers.

I want also to emphasize that the reason this government is not increasing the levels of benefits to the point that injured workers in Ontario shouldn't have to suffer the economic hardships they are facing now lies in the Workmen's Compensation Board Act.

The reason I was given before was based on Part I, section 8 which states that an injured employee forfeits his or her rights to any legal action against the employer, however negligent the employer has been if that employee accepts benefits from the Workmen's Compensation Board.

Mr. Laughren: Cheap insurance.

Mr. Lupusella: How nice for the employer, this particular section which is contained within the Workmen's Compensation Board Act. How can you say the Workmen's Compensation Board is not operating on an ad-

versary system when such a clause is contained within the Workmen's Compensation Board Act.

Hon. B. Stephenson: It has nothing to do with it. Your logic is completely irrational.

Hon. Mr. Norton: Surely that very section takes the adversary role out of it. You're completely out in left field.

Mr. Lupusella: Of course, we have an opportunity from time to time where such a course is not existing in other acts to protect the interest of the employers. Members could see the contents of an article—

Mr. Laughren: Permeates the entire bill and you know it.

Hon. Mr. Norton: That eliminates the adversary role.

Mr. Lupusella:—which appeared in the Ottawa Evening Journal on May 31, 1978. The title of this article is based on the following lines: "Widow of Constable Sues Accused Killer in \$350,000 Action." Let me tell you something, Mr. Speaker: If in the Workmen's Compensation Board Act this section of the act didn't exist or hadn't been passed in 1914 by this Legislature, then injured workers could have taken employers to court because this particular—

Hon. B. Stephenson: She was suing the guy who shot her husband. It is a completely different situation.

Mr. Acting Speaker: Order.

Mr. Lupusella: But they can't do it, they can't do it. Injured workers are prevented from doing that because there is a particular section in the act which prevents them from taking legal action against the employer and to request bigger amounts of money in order that their economic needs will be met.

Hon. Mr. Norton: Did your researchers prepare that baloney for you? Your researchers are better than that.

Mr. Lupusella: What's happening is that we have to support, to tolerate—which is a better word—the attitude of the Minister of Labour who, from 1975 to 1978, has been questioned in relation to problems affecting benefits—

Hon. Mr. Norton: You mean you are not blaming her for 1914?

Hon. B. Stephenson: Yes, he is.

Mr. Lupusella: Of course she has to be responsible. She is the Minister of Labour.

Mr. Kerrio: You already read that part of your speech.

Mr. Lupusella: She has been behaving in a very irresponsible way. That's the problem.

We raised issues on the floor of this Legislature in relation to problems, particularly in connection with the pensions of injured workers, pensions which do not allow them to meet their social needs. I would like to report for the record what has happened since 1975 in relation to this issue.

December 16, 1975: I'm quoting the answer to a question which was asked of the Minister of Labour: "I think the question was whether I would give any indication of government action in the direction of increasing benefits. I can give no such indication at this time because this is under study and discussion at the moment."

We are going back to December 16, 1975, and the studies initiated were in relation to the level of pensions which were supposed to be increased. An increase in those benefits was finally made in 1975. But she has been playing this game on the floor of the Legislature since 1975. I think it's really a shame, and that's why the Minister of Labour has to stop playing this double game in the Legislature. When we raise concerns affecting people's lives—and in this case it's injured workers' lives—she has to respond in a very responsible way to the needs of injured workers in the province of Ontario.

I want to conclude my remarks because—

Some hon. member: Hurray.

Mr. Samis: Keep on talking.

Mr. Acting Speaker: Order.

Mr. Bounsall: Carry on. Tell them they're encouraging you.

Mr. Lupusella: Mr. Speaker, it seems it's the wish of the House for me to continue my remarks.

Mr. Bounsall: Yes, hear, hear.

Mr. Makarchuk: They will be sorry. They should keep quiet.

Mr. Lupusella: I can continue. It won't be any problem.

Mr. Makarchuk: They want to hear more, Tony.

Mr. Eaton: Just continue saying nothing, as you have been for the last half hour.

Mr. Acting Speaker: Order. Would the members of the House please allow the member for Dovercourt to continue?

Hon. B. Stephenson: Why?

Mr. Lupusella: By concluding my remarks—
Interjections.

Mr. Makarchuk: Again! I don't think you should conclude.

Mr. Bounsall: Don't conclude.

Mr. Acting Speaker: Could I ask the member for Dovercourt to ignore the interjections and please continue?

[10:15]

Hon. Mr. Norton: Especially those from his own party.

Hon. B. Stephenson: Tell him to conclude.

Hon. Mr. Grossman: Fair is fair.

Mr. Lupusella: I would like to raise in this debate an important problem which members of this Legislature have been emphasizing through the course of this debate and I want to address my remarks through the chair because it seems that the Minister of Labour is hard of hearing.

Interjections.

An hon. member: There's a chair out in the lobby.

Mr. Acting Speaker: Order.

Mr. Lupusella: I hope when the House reconvenes the Minister of Labour is going to introduce legislation to cover the present loopholes which exist within the Workmen's Compensation Act. Injured workers in the province are waiting for changes in each clause in the Act, but the most important change they are looking for is that their pensions should be equal to the cost of living increase through an automatic formula. Then injured workers would not have to face police and demonstrate. This would be a simple right which they deserve; this government should give such recognition on the basis of rights and not on the basis of charity.

Mrs. Campbell: I am pleased to enter this debate and I assure you, Mr. Speaker, that I'll be brief.

First of all, I support the bill itself. But I feel it is important that the minister understands that I am not prepared—and I speak only for myself on this occasion—

Mr. Laughren: Don't you speak for the member for Niagara Falls too?

Mrs. Campbell: —that I am not prepared to debate a bill of this kind—

Mr. Kerrio: The member for Niagara Falls will look after you rascals.

Mrs. Campbell: —at the dying moments of a session.

Mr. Laughren: Right on.

Mrs. Campbell: The Workmen's Compensation Act needs revision, and it has been crying out for revision for a long time. It is particularly difficult for me to understand how we come almost to the final hour of this session to be told that the money is available to make these payments to people who have been waiting for them for all these years.

Mr. Bounsall: Listen to that.

Mr. Laughren: See, Vince, why she is in the front row and you are in the second?

Mrs. Campbell: I find that intolerable.

Mr. Laughren: Tell that to the member for Niagara Falls.

Mrs. Campbell: However it would be equally intolerable for me at this time not to support the bill, so I do so, but with this caveat which I trust the minister will take into consideration. This is, without question, the last time that I will be prepared to look at a bill of this kind, a bill to amend the Workmen's Compensation Act, brought in in the final hours of a session and without the opportunity to fully debate it—

Hon. Mr. McKeough: Are you resigning?

Mrs. Campbell: —and to deal adequately with the revisions which must obviously be made. Thank you.

Mr. Martel: Mr. Speaker, I only want to speak to one section of the bill.

Hon. Mr. McKeough: Why don't you wait until it goes to committee then?

Mr. Martel: Are you here, Darcy?

Hon. Mr. McKeough: Damn right and you aren't.

Mr. Roy: Look at the bow-tie, Elie.

Mr. Speaker: Order.

Mr. Martel: Have you been at the Albany Club?

Hon. Mr. McKeough: No.

Mr. Speaker: Order. Will the honourable member continue with the principle of this bill?

Mr. Martel: Mr. Speaker, I am attempting to do so, but it's the member who is interfering.

Mr. Kerrio: See if you can make some sense, Elie. None of the other guys did.

Mr. Speaker: If the honourable member is prepared to address his remarks to Bill 126, I am prepared to listen.

Mr. Martel: Mr. Speaker, I only want to speak, as I said, to one section of the bill, really, and that pertains to that section dealing with the indexing, which isn't there and which we propose to present.

Mr. Nixon: You know what he is implying.

Mr. Martel: Let me finish before the Speaker shakes his head—

An hon. member: It is too late for that because he already has.

Mr. Martel: Let the record show that the government is prepared to bring in tonight

three years of increases which they should have done over the last three years. I merely want to remind the government of one point in this bill: that it was this government some years ago—in about 1970—that trooped off to Ottawa, led by the Honourable Rene Brunelle, to demand of the federal government that they introduce in the Canada Pension Plan and the Old Age Security a clause which would index—yes, I am speaking to the bill—which would index—well, Mr. Speaker, there are three years of increases—

Mr. McClellan: That's why the bill is here.

Mr. Martel: —which are now being stacked after three years of terrible suffering—

Mr. Kerrio: It has nothing to do with indexing. It's an assessment.

Mr. Martel: —by many people who in fact are on compensation pensions.

Mr. Kerrio: The Speaker is giving you the benefit of the doubt, Elie.

Mr. Martel: Over the three years, many people have asked this government to move towards introducing an indexing system so that in fact we wouldn't stack it for three years and subsequently bring in increases, as we are doing tonight, allowing that suffering to go on because of a deprivation of income over that three years. I make the point that it was this government in about 1970 which took a troupe of people, led by the minister, to Ottawa to insist on escalating or indexing; and while this government can go to Ottawa and ask for indexing, a government which is charged with a different type of pension dealing with injured workmen—and I have read all the papers presented by the Honourable Rene Brunelle in Ottawa—it is itself not prepared now and wasn't prepared in 1975 to introduce into benefits an indexing system, which would not allow workers to go from 1975 to 1978 without any increase, despite the tremendous inflationary spiral; and that's the argument they presented in Ottawa. When in a position itself and with a responsibility which this government has to introduce indexing, it backs off. As an individual I find it rather difficult to accept that this government would propose and insist that Ottawa introduce indexing at a federal-provincial conference which led to indexing but, when in a position itself to introduce indexing to prevent the deprivation that's occurred to injured workers, is at this late stage still not prepared to do that—

Mr. Deans: Inconsistent.

Mr. Roy: That's what they do. Pass the buck all the time.

Mr. Martel: —and I really find that distasteful to the ultimate.

Mr. Roy: You always pass the buck.

Mr. Martel: I would hope that my friend from Humber (Mr. MacBeth) would say to his colleagues—

Mr. Speaker: Would the member for Sudbury East tell me what section of the bill deals with indexing?

Mr. Martel: Well, Mr. Speaker, over the evening—

Mr. Speaker: I am asking the honourable member a direct question. Can you tell me what section of this Bill 126 deals with indexing?

Mr. Martel: Subsection 1, section 2, Mr. Speaker, which deals with bringing in all of the increases over the three years in one lump sum, and what I want to do is implore this government—

An hon. member: Move an amendment.

Mr. Martel: —rather than try to lump it for three years, to make up for all the suffering that went on because of the shortfall in income in those three years, I am simply asking this government to accept indexing as it went to Ottawa and asked the federal government to do in the Canada Pension Plan and the old age pension scheme.

I find the duplicity of this government unacceptable. They will go to Ottawa and ask the federal government to do it and yet—and the minister conceded this the other day—this government had the revenue over these three years from which to give those workers an increase, but they saved it until this time.

Hon. B. Stephenson: No, I didn't concede it for the entire three years.

Mr. Martel: Oh, yes, she did. I find it totally unacceptable that they could go to Ottawa and request that but they are not prepared to ensure that the workers of Ontario, as they face the ravages of inflation, are protected in the same way that they expected those people to be protected under the Canada Pension Plan. I ask the government, and I ask the Minister of Labour as she leans over in dismay—

Mr. Gregory: It's disgust.

Mr. G. Taylor: Don't try to read symptoms.

Hon. B. Stephenson: No. This is just inhuman punishment; that's all.

Mr. Martel: The punishment that the minister has inflicted on injured workers over the last three years has been inhuman, I want to tell her.

Mr. Sterling: Withdraw that statement, Elie.

Mr. Martel: They've had to put up with it for three years as their pension cheques became smaller and smaller. But, of course, the minister didn't feel it. They did. And I am imploring this government tonight to accept and recognize that the only way to overcome that is to allow and to support and to accept the amendment we are about to present, based on the fact that the government did it years ago—

Hon. B. Stephenson: We are never going to get to it this way.

Mr. Martel: We'll get to it. The minister has allowed three years to go by; why should she worry about three hours of debate? The workers aren't going to suffer that much in three hours.

Hon. Mr. Kerr: If they have to listen to you, they will.

Mr. Martel: Yes. And your stooges are taking pictures of them.

Hon. Mr. Kerr: They're not my stooges.

Mr. Speaker: Order. Does the honourable member have anything new to add to the debate?

Mr. T. P. Reid: He doesn't have anything to add.

Mr. Martel: I simply ask the government, based on the fact that they requested the federal government to introduce indexing six or seven years ago, to be prepared tonight and tomorrow to accept the same principle in this bill so that workers won't suffer as they have in the past three years.

Mr. Kerrio: Mr. Speaker, it is my privilege to join the debate on this act, Bill 126, An Act to amend the Workmen's Compensation Act. I would like to bring into the debate some comments as they relate to my feelings about injured workers.

Mr. T. P. Reid: And a little rationality.

Mr. Kerrio: And maybe set the record straight. It's time we in the Legislature took stock. I want to point out to those members on my left the very same thing I pointed out when one of their members moved a bill that I said was irresponsible. And I say it again.

Mr. Deans: But that doesn't make it any more right because you repeat it.

Mr. Kerrio: I say it now with an explanation of the context in which it was made. Even a fireman could understand this.

Mr. T. P. Reid: That's asking an awful lot of that fireman.

Mr. Swart: The working slobs again, eh?

Mr. Kerrio: I would like to say that when we pass legislation here that would look after the injured workers in Ontario, I can't believe there is anyone in any part of the House who wouldn't agree more with that principle. The point I was trying to make, and I will say it again—and I would hope the minister would bring this kind of thinking into the bill that she is putting here today—

Mr. Laughren: You've got a conflict of interest.

Mr. Kerrio: I want to tell you this, Mr. Speaker, and it's a sincere thought that I have; it has nothing to do with who is interested and who is not interested in the workers of this great province of ours.

[10:30]

Mr. Laughren: Open and above board.

Mr. Kerrio: I suggest to you, Mr. Speaker, I want to pay every injured worker in this province. I want to pay every widow in this province a fair amount of money—

Mr. Laughren: How much?

Mr. Martel: How much?

Mr. Bounsall: How much is that?

Mr. Kerrio: —in proportion—

Mr. Martel: How much?

Mr. Laughren: How much?

Mr. Kerrio: —to the realistic amount of money that we can pay—

Mr. Laughren: How much?

Mr. Bounsall: How much?

Mr. Kerrio: —generated by this great private sector that provides it all.

Interjections.

Mr. Kerrio: All.

Interjections.

Mr. Kerrio: All.

Interjections.

Mr. Kerrio: Not by some socialist philosophy—

Mr. Martel: He's a great Tory, over there.

Mr. Kerrio: —that would print its own money just to get votes, who bring tears to their eyes and who suggest that they are the only people in Ontario interested in the injured workers, which is the height of hypocrisy.

Mr. Speaker: Would the member for Niagara Falls consider this an appropriate time to adjourn the debate?

Interjections.

On motion by Mr. Kerrio, the debate was adjourned.

Hon. Mr. Norton: I was just beginning to enjoy it.

On motion by Hon. Mr. Welch, the House adjourned at 10:32 p.m.

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No. 96

Legislature of Ontario Debates

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Second Session, 31st Parliament
Friday, June 23, 1978

Speaker: Honourable John E. Stokes
Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

FRIDAY, JUNE 23, 1978

The House met at 10:02 a.m.

Prayers.

FOOD INDUSTRY INQUIRY

Mr. S. Smith: On a point of privilege, Mr. Speaker: In this morning's *Globe and Mail* on the front page there was an article which, in the headline and in the first paragraph, suggested very strongly that the Premier (Mr. Davis) has refused some suggestion made to have members of this Legislature sit on a food prices and food trade practices royal commission.

I would like to have the record set straight, because the same matter was then covered in an interview with the Minister of Agriculture and Food (Mr. W. Newman), in which the question asked of the honourable gentleman clearly indicated that the interviewer on the CBC believed that somehow or other was what was suggested and what was turned down. First of all, I want to read into the record, from Hansard, an excerpt from the committee itself. I know that a reporter from the *Globe and Mail* covered that committee, and I want to read the thing. This excerpt starts on page R-1225-2 of the draft Hansard for June 21.

"Mr. Eaton: To comment on Mr. MacDonald's suggestion that a member from each party be on that committee—

"Mr. Nixon: Not from each party.

"Mr. S. Smith: A nominee.

"Mr. Nixon: A nominee.

"Mr. Eaton: A nominee; that's what he said.

"Mr. Lane: That's not what you said. You said a member from each party.

"Mr. S. Smith: Not a member; a nominee. You might nominate somebody from the food industry et cetera.

"Mr. Eaton: Not a member of the Legislature?"

Mr. S. Smith: Not a caucus member, no. Not even a member of a party.

"Mr. Eaton: That's the way I took it. I was going to suggest what you're saying, that it not necessarily be a member of the party.

Mr. S. Smith: Not even a member of the party.

"Mr. Eaton: Right.

"Mr. Nixon: I don't think it would be proper for it to be a member of the Legislature.

"Some hon. members: A nominee.

"Mr. Eaton: I can accept that idea then."

Mr. Nixon: Good for Bob Eaton.

Mr. S. Smith: Yesterday, in the House during the question period, among other things, I said to the Premier, and again I quote: "I don't particularly think it has to be a member of the judiciary. In fact, it might be of interest to the Premier that the Liberal nominee would be the very person suggested by the Minister of Agriculture and Food, which is Mr. Poole, the counsel of the committee." He is hardly a member of the Legislature.

Mr. Nixon: Or hardly a member of the Liberal Party.

Mr. S. Smith: Later in the debate on this very matter, I said: "Let us be clear: It was never the intention—and this was made clear in the committee—that these would be members of the caucus nor even members of the party. They would merely be people knowledgeable in the food industry and suggested by all three parties." In fact, I suspect there's even a legal reason why MPPs ought not to be on royal commissions.

That having been made so clear in the committee and having been clarified yet again in the House yesterday, I must say I'm a little dismayed. I wish to take this opportunity to set the record straight so that the debate, however it proceeds in the public mind, at least has real facts as its basis.

It may well be, for instance, that the Premier wishes to turn down any suggestion that the members of the royal commission should be those buried in the local cemetery, and he would be quite right in so doing. But that was never suggested. Never was it suggested that MPPs should be on that commission.

Hon. Mr. Davis: Nor was it ever excluded.

Mr. S. Smith: It was.

Mr. Deans: Yes, it was. We specifically said in the committee—

Hon. Mr. Davis: The report doesn't say so.

Mr. S. Smith: I'll send you a copy of Hansard. Do you want a copy of it?

Hon. Mr. Davis: The report didn't say so. When you drafted that report, it didn't say so.

Hon. W. Newman: Mr. Speaker, I would just like to read part of the resolution that was moved by Mr. MacDonald and seconded by Mr. S. Smith: Maybe they didn't intend it to read in the way the resolution came out: "A nominee of each of the Progressive Conservative, Liberal and New Democratic caucuses of the Legislature..."

Mr. Deans: Don't make an ass of yourself. You were in the committee and you heard the answer.

Mr. S. Smith: A nominee by the caucus, because you can't have it by the party. You were there for the debate and you know it.

Mr. Speaker: Order. It is entirely appropriate for any member of this Legislature, or indeed any party, to get up and correct the record if he feels that what has been said has been misinterpreted. The honourable member has done that.

STATEMENTS BY THE MINISTRY

AID TO ITALIAN EARTHQUAKE VICTIMS

Hon. Mr. Timbrell: Mr. Speaker, members will recall that following the disastrous effects of the earthquake of May 1976 in the Friuli region of northern Italy, the government of Ontario responded to the appeal for funds to build housing for the earthquake victims. This response was co-ordinated by the National Congress of Italian Canadians.

To construct the housing, more than \$4 million was collected from across Canada. Of this amount, I am proud to say, the government of Ontario contributed \$500,000 and a further \$1,943,000 came from community support in 21 Ontario cities.

At the beginning of May 1978, a delegation comprising representatives of the National Congress of Italian Canadians; two Canadian federal cabinet ministers, Honourable Norman Cafik and Honourable Monique Begin; Senators Bosa and Rizzuto; Honourable Jacques Couture for the government of the province of Quebec; Ron Tessolin, a member of the Legislative Assembly of Alberta; Joe Piccininni, representative of the city of Toronto; and myself, representing the Premier and government of Ontario, went to formally open the completed housing projects.

I wish to report the funds were used to construct solid, earthquake-resistant, one-storey homes. To date, 92 have been built

in Venzone, 59 in Forgaria and 30 in Pinzano. Each home stands on a full basement made from reinforced concrete, with a frame from timber made to flex without breaking should another earthquake strike.

Homes for the aged were also built in Bordano and Taipana which each allow accommodation for 40 people.

The Italian government and people gave their sincerest thanks to the people of Ontario and Canada.

Many Italians who survived the ordeal said to the delegation: "It is a Canadian heaven. It's like a dream. I am really amazed to see Canadians come here and do this. Please say thanks to all Canadians. They have just been wonderful."

In conclusion I wish to report the accomplishment of the original goal of assisting some of the people of the Friuli region in their time of need. As Canadians we can take pride in this project; a unique venture organized by Canadians to help the country of their ancestry, funded by citizens and all levels of government; a tribute to the energy and ability of the citizens of our country.

HEALTH RECORDS

Hon. Mr. Grossman: Mr. Speaker, on May 26 the honourable Leader of the Opposition asked me a question concerning the hiring by insurance companies of investigators to obtain confidential medical information. I thought I would use this time to reply rather than the time of the question period in order to be fair to the House because of the length of this answer.

As I reported to the House at that time, there was one case last year where an insurance adjuster was involved. The adjuster in question was Mr. Lawrence Lander, and the complaint was received in the office of the superintendent of insurance from the solicitors whose client had been the subject of the investigation. The complaint involved the release of information by a doctor to the adjuster and contained a copy of the complaint and the disposition thereof by the College of Physicians and Surgeons of Ontario.

Both Mr. Landers and the doctor have given evidence before the Royal Commission on the Confidentiality of Health Records.

The complaints committee of the College of Physicians and Surgeons of Ontario decided not to lay charges against the doctor among other reasons because he had assumed, wrongly as it turned out, that the adjuster had obtained the necessary consent to the release of this information.

The matter was referred to the health disciplines board which upheld and confirmed the

decision of the complaints committee of the college.

A copy of the health disciplines board decision was referred to the Honourable Dennis Timbrell, Minister of Health, on July 11, 1977. It is understood that this matter was investigated by the Ministry of Health and the matter was discussed with the hospital concerned in order to eliminate such errors of record security in the future.

The adjuster confirmed that he had no written authorization from the client, but had asked the doctor to make a report. The report was to be used for assessment purposes, and for the purpose of setting up an injury claim reserve. This was done and the doctor was paid.

The claim was subsequently settled, and the adjuster stated that the report was not used in any way in connection with the settlement.

There was no specific violation of the Insurance Act. However, the adjuster was cautioned that he should not become involved in any way in obtaining medical information without the proper authorization of the person concerned.

The royal commission canvassed this matter with the health disciplines board. As well, the superintendent of insurance released his file to the royal commission of inquiry on March 17, 1978. This matter was raised in the Legislature with my colleague, the Minister of Health (Mr. Timbrell), last November. As I stated previously, there was no investigator involved.

On the question of pretext interviews of accident victims by private investigators, now being reviewed by the royal commission, there was one instance reported this year to the superintendent's office concerning the involvement of insurance companies with private investigators. In that case CIAG retained Centurion Investigations Limited, which have been before the royal commission to obtain a pretext interview of an accident victim. No release of confidential medical information was involved. In this case the claim had not been settled.

The matter was investigated by the superintendent's office and, as a result, the insurer placed a ban on all pretext interviews and all information obtained was turned over to the victim's solicitor. Further, the Co-operators Insurance Company drafted a specific code of conduct for its claims representatives which expressly included this ban. It is also being discussed with the royal commission staff. These instructions were based on the Insurance Bureau of Canada instructions for company adjusters which were adopted for general insurers on March 1, 1977.

The effect is to require all adjusters to fully identify themselves and their interest to any claimants, and specifically to prohibit them from seeking to influence any public officer, official, or servant or employees of any institution by any financial inducement.

In addition, of course, the superintendent of insurance, with respect to proposals presented to the select committee on company law of this Legislature on part XIV of the Insurance Act, has recommended that a uniform code of conduct of claims settlements be prescribed for all persons dealing with claims on behalf of insurers in this province.

I want to reconfirm to the House that upon receipt of the Krever report we will proceed to take appropriate action against any insurance companies or adjusters using, or attempting to use, improper methods to obtain information.

[10:15]

With respect to the supplementary question of the member for Welland-Thorold concerning the Medical Insurance Bureau, I would like to inform the House that the principal function of this bureau is to act as an information exchange office on behalf of member life insurance companies. It does not generate information on any applicant for life insurance but merely acts as a depository of data collected by its members.

The rules of conduct of this bureau aim to preserve the privileged nature of the information it handles. The rules require that a member company give every applicant for life insurance a pre-notice informing the applicant of its intention to make a brief report to the bureau on the information at hand regarding his or her insurability. That is the authorization that the honourable member was speaking of.

The rules also require a member seeking information to obtain an authorization signed by the applicant specifying the company that is to receive the information from the bureau. Information other than the applicant's name, occupation, birth date, and birthplace, is kept in code and is released in this form to a duly authorized insurer. Correspondence regarding medical impairments must be handled solely by the medical director of the insurer. The bureau has pledged to release, upon request from the individual concerned, medical information to the attending physician and other information to him or her personally.

The procedure is aimed at achieving maximum accuracy of personal information by giving the opportunity to the individual concerned to correct any errors affecting the personal record.

MIB is not a consumer reporting agency within the meaning of the Consumer Reporting Act, which is administered by the business practices division of my ministry.

When the act became law in 1974, a review of the operation of the bureau was conducted by the ministry, including a visit to MIB headquarters. As a result, MIB agreed voluntarily to adopt procedures of notification, correction, and disclosure that appeared to be compatible with the requirements of the Consumer Reporting Act.

The bureau was originally established because life insurers, in most cases, had only the information provided by the applicant to rely upon. There were instances where this information was inaccurate, misleading, or incomplete. The bureau was, therefore, established to avoid unwarranted underwriting losses which would have to be offset by charging a higher premium to all consumers.

The superintendent of insurance discussed this matter with the Canadian Life Insurance Association some three weeks ago. The life industry has recently been in touch with Mr. Justice Krever's commission and will be preparing a submission to the commission both on the general problem under review and on the function of the MIB.

I do have some serious concerns. First, of course, the confidentiality of that information; secondly, the implications of having one large repository for all this information in terms of privacy of our citizens; thirdly, I am concerned that although the forms being used by insurance companies appear to be legal, proper, and sufficient to obtain clear consent from their clients, nonetheless, I wonder about the degree to which the public really understands what is happening to their medical information. Accordingly, I will be very interested in the report of Mr. Justice Krever. After receiving it, I can assure the House that I will be conducting further dialogue with the insurance industry and will report to this House on the subject.

Thank you, Mr. Speaker.

SUMMER RECESS

Mrs. Campbell: On a point of privilege, Mr. Speaker. I recognize that it is the rule of this House that one rises on a point of privilege as soon as possible after the event. However, I am rising because of the motion by the government House leader yesterday and I did not actually find the wording of the motion until I took my seat today and looked through Hansard. So I was in no position to raise the point.

The motion by the House leader for the government, which was approved by the

House, was that when the House adjourns for the summer recess it do stand adjourned until a date to be named by the Lieutenant Governor by her proclamation.

I would submit that motion is unconstitutional, on this basis: If one realizes that this House is the daughter of Parliament, we recognize that a reigning monarch in England lost far more than his crown by usurping the powers of government, the powers of the Parliament. It has been ruled ever since that the adjournment of a House or the recall of a House is not in the hands of the crown. In this case, we have before us a motion which leaves that matter to Her Majesty's representative in this House. I protest that we cannot so lightly yield our privileges as members.

Mr. Speaker: I don't know whether any other member would like to speak to the point of privilege. I think it's a phraseology often used. In actual practice, it is the responsibility of the governing party and the government of the day to reconvene Parliament.

Mr. Renwick: You never know who that will be around here.

Mr. Speaker: Whether or not the wording of the motion was as the honourable member suggests, I don't think there are any illusions in anybody's mind as to who is going to reconvene this Parliament.

Mr. Renwick: Who is the government of the day?

Hon. Mr. Davis: I've missed you.

COST REDUCTIONS

Hon. Mr. Auld: Mr. Speaker, on April 25, 1978, the Treasurer (Mr. McKeough) announced an expenditure reduction program amounting to \$73 million which included a saving of \$35 million to be achieved through a decrease in the size of the civil service. I am able to report that good progress is being made on this staffing constraint program.

Prior to this latest move, the government had severely constrained the size of its work force. Therefore, it was obvious that the additional staff reductions would be very difficult to achieve. There is no more slack in the system to cut. Rather, the work force could only be reduced through the elimination of lower priority activities, through greater innovation and productivity and through organizational consolidation where possible.

Because of these considerations, the \$35 million reduction target was distributed among the ministries and the ministries were asked to develop a plan for review by Management Board as to how they would meet

their target. That process is now complete, with one exception. The Ministry of the Attorney General was assigned a target of \$1.9 million. Great difficulty has been encountered in developing a method of making this cut without compromising the administration of justice in Ontario. Therefore, we have decided to conduct a more intensive review of the court administration system and its staffing standards before resolving this one case.

In developing their constraint plans, some ministries have identified expenditure reductions other than staff which could be made with a lesser negative impact on ministry service levels. Where Management Board was convinced that such savings were preferable and would continue into future years, the substitute savings were approved. For the information of the honourable members, I am distributing a detailed tabulation showing all of the expenditure reductions on an annual basis by ministry. You will note that the savings in personnel costs amount to \$30.8 million, other savings total \$3.5 million, and the situation in the Attorney General's ministry is still unresolved. This means that by April 1, 1979, the government work-force will be reduced by the equivalent of almost \$31 million per year with the possibility of further reductions in the Ministry of the Attorney General.

With the completion and approval of these staff reduction plans, the general recruitment freeze announced on April 25 of this year has been progressively lifted. This will allow individual ministries to fill key positions with a minimum of internal red tape. At the same time, we expect recruitment activity to proceed at a diminished pace, as most ministries will be reducing their staff in accordance with their specific constraint plans.

On several occasions, I have explained the new manpower control system now being used by the government. It is based on a comprehensive cost approach with the current size of the work force limited by a global salary and wage allocation to each ministry and future costs controlled by the classified structure ceiling. Within these limits, ministries can and should adjust their manpower mix to achieve maximum results in a changing environment. For example, a ministry could substitute two \$15,000 a year employees for one \$30,000 a year employee or, alternatively, use the money for several part-time employees. The objective would always be maximum results for limited dollars in relation to changing conditions and priorities.

The staff constraint plans previously described recognize the flexibility inherent in the new manpower control system. We can expect most ministries to change the mix of their staff reductions within the established limits as their plans culminate on April 1, 1979. Thus, it would be pointless to speculate on the number of individual positions that will be eliminated. However, I have no doubt that the 1979 budget statement will show a further substantial decrease in the size of the civil service. When related to an increasing work load as represented by the growing population of Ontario, I believe that this is a clear indication of increasing productivity in the civil service.

In addition to this latest staffing constraint, I must point out that the government has undertaken a series of measures designed to reduce the cost of the civil service. These include:

1. The 1975 budget which announced a staff complement reduction of 2.5 per cent. The savings were estimated at \$15 million, and encompassed, at that time, 1,741 positions.

2. On July 7, 1975, the 1975 budget supplementary actions imposed a further cut of 1,500 complement positions in the internal administrative function.

3. The 1976 budget resulted in a further cut of 1,000 complement positions.

4. The 1977 budget provided for no increase in the government workforce.

5. On September 16, 1977, I announced a 2.7 per cent reduction in the salary and wages account for the balance of 1977-1978. On an annualized basis, this reduction would amount to about \$35 million.

Besides reducing the size of the civil service, we are making sure that the compensation level as determined by job classifications remains under tight control. We will not permit upward classification creep, a process which gradually introduces more highly-paid positions without necessarily adding to the number of employees. Our record relative to senior management positions is a very typical example. Between January 1976 and August 1977 we achieved a net reduction of 55 executive positions, despite the requirements of a new ministry, Northern Affairs, and a new program initiative, children's services. An additional superstructure reduction program was started in September 1977 that will yield an additional 25 positions.

Thus, the total cut in senior management, such as directors, executive directors and assistant deputy ministers, will be 80

positions. That is a decrease of 10 per cent in the number of positions that existed at the start of the program. According to the June 5 edition of the Toronto Globe and Mail, during that same time period, the number of senior executive positions in the federal civil service increased by 4.4 per cent.

While I am quite proud about our general record in controlling the government work force and, in particular, making a further reduction of \$34 million, I must also point out that we are probably at the end of the line in this regard. We cannot maintain an effective civil service if we eliminate all external hiring. We especially need to attract some of the bright young people now entering the work force who can, with seasoning and experience, become the key senior civil servants of tomorrow. In addition, I am quite convinced that most if not all of our programs are now operating at a minimum staff level.

Thus, considering future capability and current service levels, any future staff cuts will have to be related to specific program reductions or eliminations. The potential for general staffing constraints has really been pretty close to being exhausted with this latest initiative.

Mr. Speaker, I have another brief statement in reply to questions 111 to 127 on the order paper.

On June 20, 1978, a total of 17 questions was tabled by the Leader of the Opposition as questions 111 to 127.

Mr. Martel: Is this a filibuster?

Mr. Cassidy: The minister has used up half the question period already.

Hon. Mr. Davis: We want the members opposite to be fully informed.

Mr. Cassidy: It never happens over here.

Hon. Mr. Auld: In reply to all these questions, I have these observations to make.

To begin with, I believe the government has already been most informative on this issue. My reply to question 45 on May 16, 1978, provided a great deal of information on the expenditure constraints during 1977-78. [10:30]

Secondly, it would be quite difficult to correctly interpret and precisely answer the subject questions. When authorized funding is reduced, program managers respond with a number of austerity measures which are usually effective in the short term. Staff vacancies are not filled promptly, for instance, staff training courses are deferred, travel expenses are reduced and so on. Subsequently to tabulate all of these measures and assign a par-

ticular dollar value to them is a very great deal of work, would not be very precise and I fail to see the relevance of the whole exercise.

Lastly, it seems to me that the correct forum for an expenditure review of this nature is the public accounts committee or during the estimates review. Both options provide an opportunity to discuss expenditures and any changes that might have or will be taking place. Since the procedures are less formal, the information exchange can be more effective.

CONDOMINIUM LEGISLATION

Mr. Philip: Mr. Speaker, I rise on a point of privilege. On Thursday, June 15, during the debate on Bill 103, I read into the record certain statements made by people from the Federation of Ontario Condominium Associations who had met with the Minister of Consumer and Commercial Relations on June 12. In an attempt to discredit these statements, the minister indicated that the other members of the federation who were at that meeting and whom I did not quote were supportive of Condominium Ontario and that the views presented were only the views of two out of 11 members of the federation executive who had met with him. I subsequently discovered that there were, in fact, at most seven members of the federation at that meeting, not 10 or — as the minister indicated, a matter which the minister should well have been—

Mr. Speaker: That's not a point of privilege. Would the honourable member point out to me what privilege of his has been abrogated as a result of that exchange?

Mr. Philip: The minister has indicated some information which was false, and I would like to give him an opportunity to correct the matter.

Mr. Speaker: No, it was the information that he gave as he saw it, and it's the right of any member of this House to do that.

Mr. Martel: He can't count, the poor boy.

Mr. Speaker: There can be an honest difference of opinion, but there is no point of privilege.

ORAL QUESTIONS

YOUTH EMPLOYMENT PROGRAM

Mr. S. Smith: Mr. Speaker, I will direct a question to the Premier in the absence of the Treasurer. I am sure the Premier is familiar with the report which the Treasurer tabled which was entitled Youth Employment

and the Ontario Economy, and it's a very serious problem which I am sure he and I agree must be addressed. I would make one very brief quote from that report: "Recognition of the problem of large numbers of new entrants in the absence of relative wage adjustments has led a growing number of countries to experiment with direct job subsidy schemes," and it goes on to discuss some of the good points and some of the bad points about these schemes, which are similar to those which we have been suggesting in this party for some time.

What I want to know by way of my question is, will the government act upon this report? The conclusion is that despite some of the undesirable features of these direct job subsidy schemes such as we have recommended, it may be possible to link employment creation to an industrial growth strategy, and they recommend basically that as long as there's a strategy and the thing is used properly, direct job subsidy is a reasonable way to get these young people into the work force and not just for the summer. Will the Premier act on this report according to the suggestions that have been made?

Hon. Mr. Davis: I think, Mr. Speaker, the report points out some of the pluses and minuses. I think the Treasurer, in tabling the report, was wishing to inform the members of the Legislature and members of the public of the experience elsewhere and our own experience with the program for the summer months. The government, in terms of employment, in terms of the economy, is always looking for responsible and reasonable ways to resolve some of the problems that we face.

I am certainly not in a position today to say to the Leader of the Opposition that we are going to embark at this point on some new program, but I think the Treasurer has pointed out, as I say, the positive aspects as experienced in some other places and some of the problems that also exist. I am sure the Leader of the Opposition understands that I can't suggest today that we are going to embark upon some new program that might be described as a permanent one.

Mr. S. Smith: May I ask what the Premier does have in mind for what I would suggest is the number one problem we have in front of us, which is how we are going to accommodate the 200,000 young people every year who are coming out of our educational system and will be doing so until that population bulge goes through the system?

Surely the Premier knows as well as anyone else the serious social consequences of

having these people unemployed. We have suggested a direct job subsidy; the report seems to say that on balance, carefully done, it is worth trying. Other countries have done it. Why is the Premier so hesitant to move on to this, and when can we expect some action for what is really an emergent and present problem?

Hon. Mr. Davis: We are aware of the problem, but I think there are other matters that have to be considered. The honourable member's colleague was there for parts of the discussion—it isn't by any means a complete solution but I think it is related to it—at the conference or discussion period that was held at Seneca with respect to the matching of employment opportunities to skills.

I think there was a recognition at that conference that while there are a number of young people coming into the labour force, there are certain occupations or trades where there is still a requirement for people. I think there has been a tendency, and this was expressed at the conference, for young people—partially because of parental influence, partially because of our social structure, whatever way one may wish to describe it—to tend to move to some occupations or professions where the job opportunities are not as great.

Some of the recommendations at that conference will be helpful to us—when I say "us," I mean to those responsible; this includes the educational institutions, the trade union movement, and government—in that some of these young people can and should be encouraged to move into those areas where job opportunities quite obviously exist today and where the potential for them in the future in number terms may be somewhat greater.

I would also say, with respect, that while there are a number of matters that might be considered—and this province has not been reluctant to take the initiative in some fields—if there were to be a permanent program as exists in some western European countries, which quite obviously have a somewhat different structure, one really should anticipate this being done by way of a national program. I am not saying this means the provinces shouldn't or cannot do it. I am just saying that if it were to happen, in my view—and I think I am right in this—it should be done on a national basis. If it weren't done on a national basis, we could get into the difficulty that, if we were to embark upon such a program, would we put domicile in as a prerequisite of eligibility for the program? I think the Leader of the Opposition knows my views on that subject; I expressed them yesterday. I think we would all be

reluctant to see that sort of thing emerge as being a precondition.

While I don't question the validity of the concern of the Leader of the Opposition, I am just pointing out that the solutions aren't quite that simplistic. I think a lot of things have to be considered. No one is debating the numbers coming into the labour force; I think, though, that there are other solutions, partial solutions, that have to be considered by all of us when we approach the problem.

Mr. Sweeney: Supplementarily, Mr. Speaker: In the Treasurer's report, he clearly indicates that he is dissatisfied with the distribution of funds to the two ministries of education with respect to job creation and job orientation. What does the Premier intend to do with respect to those two ministers and that particular comment of the Treasurer?

Hon. Mr. Davis: I think there has always been this ongoing discussion. The honourable member, who is an expert in this field himself, understands the traditional differences of opinion that have existed. Perhaps it is easy for someone who isn't as directly involved to make that sort of observation. Perhaps the member wasn't there for the Friday morning discussions when a number of people, including some from other than the university community suggested it would be unfortunate—I think that was the phrase used—to say to a person who wanted to pursue, shall we say, an academic career in honours history, that he should be precluded from doing that, and there was nothing wrong with a skilled tradesman having a degree in honours history.

I know that is a bit of a contradiction in the minds of some people, but I think we would all be reluctant to say there isn't some benefit in terms of a general education—and I use that word general rather than liberal education, which is the academic phrase, even though the person might not use that specific general education in their occupation. I think this is the area that has been discussed. It is not new, it is not different. There are those who would argue that there should be far greater emphasis on the technological courses and on the two-year programs at our community colleges. As one who debated with the former leader of the Liberal Party the whole concept of the community college and the decision by the government to really orient the community colleges to the technical, vocational, technological courses, rather than—as I think I recall his suggestion of it being—primarily a two-year entrance general arts program for admission ultimately to the universities, as the junior college system in some states of the Union, I think the wisdom

of that decision is now perhaps becoming apparent to the former Leader of the Opposition.

Mr. Nixon: The Premier is wrong in his assumption, but rather than interrupt his flow any more, we will let it go. He is absolutely wrong.

Mr. Speaker: Order. I think the question has been adequately answered.

Hon. Mr. Davis: This was the view shared by the Toronto Globe and Mail at the time, as a matter of fact.

Mr. Nixon: The then Minister of Education would not even let the education committee discuss it.

Mr. Speaker: A new question.

Hon. Mr. Davis: That's not right.

Mr. Nixon: The Premier just presented us with a package based on Hawaii and Florida, as I recall.

Hon. Mr. Davis: On a point of personal privilege: based on California, Florida and New York state, but not Hawaii.

Mr. MacDonald: No personal privilege, it is a difference of opinion.

Hon. Mr. Davis: Mr. Speaker, I never went to Hawaii—until a year ago. When I did go—

Mr. Speaker: The Leader of the Opposition with a new question.

CITY STATUS FOR BOROUGHS

Mr. S. Smith: I will address another question to the Premier, again in the absence of the Treasurer. In view of the fact that the mayor of North York and the mayor of Scarborough have both recently written to the Treasurer reiterating their request that their present boroughs be granted city status; given the fact that the Treasurer has said that he will not consider this unless it is part of a much larger package to do with Metropolitan Toronto as outlined in his white paper; and now that the white paper has in fact been shelved and the proposals have been shelved is the Premier prepared to ask the Treasurer to use the authority he has under section 148(a) of the Municipality of Metropolitan Toronto Act to grant city status for the boroughs of North York and Scarborough who have requested it and for that matter for the remaining boroughs who may desire it?

Hon. Mr. Davis: Mr. Speaker, I understand the Leader of the Opposition has introduced a private bill related to this matter. I haven't the dates of the Treasurer's reply to the mayor of North York or the mayor of Scarborough. I think it was really anticipated that if legislation had been introduced in the past

week or so, and it was obvious that no consensus had been achieved on some issues, that probably that matter would have been dealt with.

Mr. Speaker, I am a very reasonable, flexible individual; I have had this request made to me, I am not sure whether it was by the mayor of Scarborough or not, but I certainly have by the mayor of North York on previous occasions. I have never said it will never happen. I am quite prepared to take a look at this in conjunction with my colleague, the Treasurer, but the Leader of the Opposition will understand that if I cannot give a commitment on this today, he will not press for some answer before 12 noon on a particular date.

Mr. S. Smith: By way of a brief supplementary, accepting that the Premier may want a little time to consider the matter, may I ask the Premier if he would consult with the Treasurer in view of the intention of North York, for one, to introduce some changes in terms of civic buildings, crests, stationery and so on, all of which could amount to some considerable expense, if there is going to be a title change in the near future? And, similarly, since the whole package has now been shelved at the request of the government, could the government indicate any reason why it would not proceed with something as simple and straightforward as this request?

[10:45]

Hon. Mr. Davis: Mr. Speaker, I think that if North York is at that stage in its administrative procedures where large new orders for letterhead and other matters are being made part of the budget, if there is a significant expenditure involved I will chat with the Treasurer and make sure the mayor of North York is given a decision. That much of a commitment I can give to the Leader of the Opposition.

AUTO PACT

Mr. Cassidy: I have a question to the Premier relating to the discussions he has been holding over the course of the last three or three and a half months with the presidents of the major automobile companies, with people from the parts industries and most recently with the United Automobile Workers Canadian district. Can the Premier now report to the House what specific steps the automobile companies are intending to take in order to give Ontario and Canada a fair share of automobile production, investment, employment, research and development,

and of production in the parts sector of that industry?

Hon. Mr. Davis: The honourable member's question is somewhat fortuitous. I was going to ask permission of the House to revert to statements. There will be two statements. Mine is very brief, then the Minister of Industry and Tourism (Mr. Rhodes) wishes to make some comments. I can either ask permission of the House to revert for these brief statements or I can answer the question, which would really be just reading my statement.

Mr. Cassidy: On a point of order, we would like to revert to statements.

Mr. Speaker: Do we have agreement to revert to statements? Agreed.

Hon. Mr. Davis: I know the member for London Centre wants me to be brief. I just wish he would exercise the same self-discipline on himself.

Mr. Peterson: Not now, all the time.

Hon. Mr. Davis: That's his third new suit this week.

Mr. Laughren: Stop playing games.

Mr. Havrot: You guys are the greatest game players in the world.

Hon. Mr. Davis: I would only say to the member for Nickel Belt that unlike his party we don't play games over here, but we don't take ourselves as seriously as they do either. We take our jobs seriously but not ourselves; something they might learn.

Mr. Speaker: Could the Premier begin his statement?

Hon. Mr. Davis: Yes, Mr. Speaker, I will.

Mr. Laughren: You take the Speaker seriously sometimes.

Hon. Mr. Davis: On a number of occasions during this session questions have been raised and points of view expressed about the state of the auto industry in Canada and, in particular, about the effects of the Canada-US auto pact on that industry. During those exchanges I indicated that cabinet members and civil servants were involved in a series of discussions with spokesmen from the auto and auto parts manufacturers as well as representatives of the auto workers. I also indicated I would be prepared to make a statement to the House when these discussions were concluded.

Our last meeting was held on Monday of this week. I shall, therefore, be tabling today—and I will do so immediately—for the information of all members a background paper on the automotive products industry, which

contains not only a summary of the information acquired at the discussions held to date but also expressions of our attitudes and concerns about future prospects and developments.

Members will be aware that also within this week the federal government has announced an extensive study of the auto industry and the auto pact to be undertaken by Mr. Simon Reisman, former Deputy Minister of Finance in Ottawa. This new development will undoubtedly lead to further meetings and discussions and, hopefully, decisions and action. Needless to say, Mr. Speaker, I shall ensure that the House is kept informed of these matters.

Finally, as I mentioned, I should note that the Minister of Industry and Tourism has been involved in a series of ongoing discussions with his counterpart in the federal government. I believe, with the acceptance of the members of this House, if the statement period could be extended the Minister of Industry and Tourism should make his statement now; and then I'll endeavour to answer whatever questions the leader of the New Democratic Party may have. He may wish to direct one of them to the Minister of Industry and Tourism.

PLANT LOCATION INCENTIVES

Hon. Mr. Rhodes: I'm not aware of whether the copies of this statement have been delivered.

Mr. Cassidy: Yours has, but not the Premier's.

Hon. Mr. Rhodes: Fine. On the matter of government incentives for new investment in the automotive industry, I regret to inform this House that discussions with Ottawa have resulted in no new proposals. As recently as this past Wednesday, I was hopeful that a joint federal-provincial approach could be developed to allow us to influence the location of a major new automotive project which would have resulted in 2,600 new jobs in this province. However, Ottawa seems to have become so preoccupied with issues other than those affecting the economic well-being of this country—

Mr. Peterson: You are getting down in the gutter with the rest. This is silly. Get your sights up. Who wrote this, the Premier?

Hon. Mr. Rhodes:—that the federal government is incapable of determining, let alone taking, the necessary action.

Hon. Mr. Bernier: Listen to your friends in Ottawa.

Mr. Peterson: You are getting cheap.

Hon. Mr. Davis: You should know what they are up to.

Hon. Mr. Rhodes: Late last February the Honourable Jack Horner, Minister of Industry, Trade and Commerce, contacted me to ask whether Ontario would participate on a 75 per cent federal-25 per cent provincial basis in offering a \$30-million cash grant to the Ford Motor Company of Canada to locate a \$500-million engine plant in this province. He told me that the \$30 million was estimated by Ford to be the difference in the investment costs in locating this new facility in Ontario as opposed to a northern United States state.

At the same time, I was informed that the federal Department of Regional Economic Expansion, together with an agency of the Quebec government, would be offering approximately \$80 million on about the same 75-25 basis to General Motors of Canada to locate a \$400-million aluminum casting facility in Quebec.

At that point in time, this government had not formulated a policy on Ontario's role in major incentive proposals and, consequently, a response to Mr. Horner was deferred. While the matter was being considered, it was learned that Ottawa had gone ahead and made a \$30-million offer to Ford without Ontario participation. Since an immediate Ontario response was no longer necessary, we decided to take a broader and deeper look at the Canadian automotive industry and future investment prospects. Studies in both my ministry and TEIGA were initiated and meetings with the major firms, the APMA and the United Auto Workers were convened by the Premier. At these meetings, several firms told us of substantial and broad-reaching incentives being offered by most northern states in the United States to attract new investment.

The APMA presented its case for government assistance at this crucial time in the industry's development. Virtually all of those consulted deplored the use of subsidies to lure new investment, but at the same time confirmed that incentives were an important factor determining the location of a new plant.

While these consultations were in progress, officials from the federal departments of Industry, Trade and Commerce and Finance met on May 26 with Ontario officials to discuss the main features of an automotive investment incentive program then under consideration in Ottawa. The program being contemplated was specifically designed for non-DREE designated areas of the country and

would provide assistance amounting to one-third to one-half of that available under DREE. In other words, the program was designed to maintain a substantial regional development incentive, while at the same time providing a measure of support for automotive investment location in regions such as southern Ontario. It was suggested that provincial participation in the program might follow the 75-25 per cent formula proposed in the Ford offer.

As a result of our studies and meetings with the industry, we had come to the view that some Ontario participation in automotive investment incentive schemes was necessary, particularly in view of the importance and timing of the investment programs presently being considered by the industry. Our principal concern, however, related not to competing with Ohio, Michigan or New York, but with our sister provinces. It would, in our view, have been counter-productive for us to get into a bidding war with other provinces. Thus, we concluded that a federal program with provincial participation would be preferable to separate competing provincial programs.

On June 6 the Treasurer and I met with Messrs. Chretien and Horner in Ottawa to discuss automotive investment incentives and in particular, we thought, the federal proposal which had been discussed among officials. Much to our surprise, the federal ministers made no mention of this proposed program. In any event, we informed Messrs. Chretien and Horner that if a federal automotive investment incentive program were developed, it would have Ontario's support and participation.

Last Friday, June 16, senior executives of Ford of Canada met with me to inform me of a new development in the planning of the \$500-million engine plant and to request Ontario's support for increased assistance. Ford was now planning to expand an existing engine facility rather than build a totally new facility and the investment cost differential had increased to \$75 million, that differential being between the expansion of an existing plant in the United States as opposed to a new facility in Ontario.

We were told that if the Canadian incentive offer could be increased from \$30 million to \$75 million there was a good chance that the facility could come to Ontario. We were told that Ford executives had met the previous Wednesday, June 14, with ministers in Ottawa and had made the same request for increased assistance. The Ford representatives were told that

Ottawa support would depend on Ontario's reaction.

The Ford request was considered by cabinet here on Wednesday, and it was decided to inform Ottawa as follows—this is quoted from the Telex sent to Mr. Horner:

"The position of the Ontario government with respect to incentives for new investment in the automobile industry in Canada is as follows:

"1. That Ontario will participate with the federal government on a 25 per cent provincial/75 per cent federal basis in an investment incentive offer of \$75 million to Ford of Canada for the proposed V-6 engine plant in Ontario;

"2. That this type of offer not be limited to Ford of Canada but be available on a comparable basis for other employment-creating automotive investment projects in Ontario; and

"3. That Ontario participation be limited at this time to a total of \$50 million."

Mr. Deans: God, you'd wonder that Ford couldn't afford these things by themselves.

Hon. Mr. Rhodes: Yesterday afternoon, Mr. Horner telephoned to advise me that the federal government would increase its offer to Ford to locate in southern Ontario only if the federal contribution were matched on a one-for-one basis by Ontario.

Mr. Kerrio: They got that ratio from Bob Welch.

Mr. Deans: It's truly sad when we've got to subsidize Ford Motor Company.

Hon. Mr. Rhodes: In other words, the federal government would increase its contribution from \$30 million to \$37.5 million only if Ontario would also contribute \$37.5 million. It is no longer a three-for-one proposition; it is now one-for-one.

The main reason given for the apparent change in federal attitude was concern over the size of the federal grant in relation to normal DREE assistance.

At least one other province apparently felt that it would no longer have a sizeable enough additional subsidy available under DREE to entice auto firms to locate outside of Ontario.

In the case of Ford, it is not a question of Ontario versus another Canadian province; it is Ontario—Canada—versus a US state. I am very much afraid that the Ford plant will now be lost. This government remains prepared to participate with the federal government on a 25 per cent basis in any program designed to assist new automotive investment in Ontario, however large or small the project.

Mr. Martel: We should start our own industry.

An hon. member: We should buy \$75 million worth of their state.

Hon. Mr. Rhodes: If Ottawa is not ready to go forward on that basis, Ontario on its own must use every means within its power to ensure that in future prospective new automotive investments, and particularly those of the size and importance of the Ford engine plant, are given every opportunity and encouragement to locate in this province.

Mr. Deans: Boy, do we need a reassessment of the way things are going.

PLANT LOCATION INCENTIVES

Mr. Cassidy: I'm rather bowled over by this, Mr. Speaker, and I must say I deplore the fact that the Premier apparently intended to read this into the record after the last question period for three months rather than before.

Hon. Mr. Davis: Mr. Speaker, on a point of privilege, that is totally untrue and unfair.

Hon. Mr. Welch: That is not true.

Hon. Mr. Grossman: He said the opposite.

Hon. Mr. Davis: The final meeting was held with the UAW on Monday. The discussions with respect to the issue mentioned by the Minister of Industry and Tourism had been going on until about an hour ago, with my own involvement late yesterday afternoon. This document was prepared as rapidly as possible. To suggest that this has been delayed for two or three weeks, or two or three months, is just totally erroneous.

Mr. Bradley: Wrong again.

Hon. Mr. Davis: He suggests we were waiting until after the question period. We were working on this to have it here at 10 o'clock. I told our House leader that I was sure the members, knowing their interest, would not object to reopening the period for statements so that it could be made this morning and the honourable member would have an opportunity to discuss it. In fairness, we couldn't have done much more to expedite it.

Mr. Foulds: Cease and desist.

Some hon. members: Apologize.

Hon. Mr. Welch: His editorial comments always get him in trouble.

Mr. Cassidy: Mr. Speaker, now that that point of order is out of the way, I would like to ask the Premier, in view of the fact that the Ford Motor Company is seeking to hold Canada and Ontario to ransom for this particular plant, will the government table all

of the information and studies in order to confirm or not to confirm Ford Motor's contention that that rich company can only come into Canada on the basis of the kind of subsidies that they are seeking, in particular view of the fact that the Treasury's own figures have indicated that our corporation tax in this province, and a number of other costs that Ford Motor would have to bear, are lower and not higher than in those competing US jurisdictions?

Hon. Mr. Davis: Mr. Speaker, I am intrigued by what appears to be the position of the leader of the New Democratic Party. I must confess that it wasn't clearly enunciated to the House, but in some exchanges we have had here—and I think I overheard some of his members—none of us want to get into the incentive business.

Mr. Deans: That's right.

Mr. Mancini: That's what he said.

Hon. Mr. Davis: I think it was apparent to us that in the discussions—
[11:00]

Mr. Mancini: That's what he said in Windsor.

Hon. Mr. Davis: —if it became a case of either it happened or didn't, I sense something other than total rejection by some members opposite. They can check Hansard. I may be totally wrong and, if so, I will apologize, but I don't think I am.

Mr. Foulds: Just table the document.

Hon. B. Stephenson: The studies have been tabled.

Hon. Mr. Davis: I would say it is not a question of producing studies. Check Hansard. I stand to be corrected. I have been wrong before and I shall be wrong again, but I am sometimes right. I am not here to explain or defend the Ford Motor Company of Canada. I should point out to the leader of the New Democratic Party, fortunately, or unfortunately—in this case, in my view, unfortunately—the decision on this particular investment will not be made by Ford of Canada. The decision will be made by Ford—whatever its title is—

Mr. Deans: Doesn't that tell you something about our branch plant economy?

Mr. Swart: It's an international cartel that is involved.

Hon. Mr. Davis: That's fine. Go ahead. You can interject all you want. If you want to know what I know about it, that's fine. If you don't, then I'll sit down. It is as simple as that. I am trying to help as much as I can in telling members what the situation is.

What we found in the past short period of time, as the Minister of Industry and Tourism mentioned, was that the government of Canada on its own had offered Ford Canada \$30 million.

One can argue whether they should or should not have. It was a judgement they made. There have been discussions about provincial participation. There is no question there is an offer on the table in some respects for General Motors under the DREE proposal, for a plant not too far distant from the city of Montreal, which we find just a shade difficult. One could understand it in some other geographic areas of the province of Quebec, but locating it around the city of Montreal is not as easy to explain. That is in limbo. I can't inform the honourable members just what is happening.

Mr. Foulds: Answer the question.

Hon. Mr. Davis: With respect to Ford—and members can debate the figures—Ford has been saying to the government of Canada and saying to the government of this province within the past two to three weeks the decision will probably be as to whether it be a totally new plant or the extension to an existing facility it presently runs in one of the neighbouring states. The differential in terms of their capital costs for either the extension or the creation of a new facility in the province of Ontario is estimated to be in the neighbourhood of \$75 million.

Mr. MacDonald: Do you believe that?

Hon. Mr. Davis: The member for York South asks do I believe it. I can't get up in this House and say I am an expert on construction costs.

Mr. MacDonald: Get your experts.

Mr. Speaker: Just ignore the interjections, please.

Hon. Mr. Davis: I am relatively satisfied that the head of Ford Canada, with whom the member may not agree and may not like—my guess is he probably doesn't even know him—

Mr. Deans: I know him.

Mr. MacDonald: I know that the Premier knows him.

Hon. Mr. Davis: —is anxious to get whatever capital investment he can in this country. I don't believe he is coming in to con the government of Canada or the government of Ontario.

Mr. MacDonald: Perhaps you are too easily persuaded.

Hon. Mr. Davis: One can argue whether Ford generally has met the obligations under

the pact, but I am one of those who believes that Mr. Bennett is making a genuine effort to get this facility. He comes in and says their best estimates indicate that in terms of construction costs, and in terms of those other capital costs that will be required, whether it is a new plant or an extension, the differential is in the neighbourhood of \$75 million. I would point out to the leader of the New Democratic Party this does not take into account any incentives from a particular state where they have given incentives in the past. We don't know whether they will give them again or not. This request from Ford Canada was on the basis of their actual differential in terms of physical location here or in the United States.

We are reluctant. We met with the UAW. I think it is fair to state—and I don't think they mind being quoted—that they are not in support of an incentive program. I guess philosophically the members opposite in the Liberal Party might not be enthusiastic. We are not enthusiastic. The New Democratic Party isn't enthusiastic because it is the wrong kind of incentive program.

I am the first to say to them that I don't think any of the major automobile companies need this sort of assistance. I don't think they need it.

Mr. Deans: That's absolutely right, but you keep giving it to them and they keep coming back.

Hon. Mr. Davis: That's fine. Our responsibility here as a government, knowing they don't need it—

Mr. Deans: It's robbery.

Hon. Mr. Davis: I am not going to go so far as the member.

Mr. Deans: It is.

Hon. Mr. Davis: That's fine. He can say it's robbery. He can say we shouldn't do it.

Mr. Deans: It is.

Hon. Mr. Davis: The chances are with the change that the Minister of Industry, Trade and Commerce in Ottawa has now communicated to us, the opportunities on this particular facility appear to have diminished. **He can say it's wrong.**

Mr. Deans: It is.

Hon. Mr. Davis: Our responsibility, nonetheless, is to see what we can do to create jobs.

Mr. Deans: As long as you give in to it they will keep coming back.

Mr. Speaker: Order. Order.

Hon. Mr. Davis: That is a responsibility we have. It is fine for you to say, but what we

are faced with is fairly significant competition from other states of the union. We are faced with competition—

Mr. Deans: As long as you are going to enter into that kind of nonsense, you'll always be responsible.

Hon. Mr. Davis: That's fine. I understand—

Mr. Speaker: Order. The answer has developed into a statement and response to interjections. I will hear a supplementary.

Mr. di Santo: Supplementary, Mr. Speaker.

Mr. Cassidy: Supplementary.

Mr. Speaker: The honourable member for Ottawa Centre I think has just had an original question. I don't think he has had a supplementary yet.

Mr. Cassidy: Thank you, Mr. Speaker. I want to say that I think it is time to take the gloves off with the companies—

Mr. Speaker: Question.

Mr. Cassidy: —which are among the richest, most powerful—

Mr. Speaker: Question.

Mr. Cassidy: —in the continent coming with their begging bowls to the Ontario government.

Interjections.

Mr. Cassidy: Has the Ontario government carried out any studies about those comparative costs in order to measure Ford's claims? Has it analysed figures which have been given to it by the Ford Motor Company? If so, will the Premier make those figures public in order to show that is an incredible claim they are making and that it is simply blackmail by the Ford Motor Company to try to get \$75 million from the governments of Canada and of Ontario?

Interjections.

Hon. Mr. Davis: I really think the language of the leader of the New Democratic Party is very inappropriate.

Mr. Martel: You free enterprisers have been giving away the store for years.

Hon. Mr. Welch: Check Hansard.

Hon. Mr. Davis: What I have tried to explain to the honourable member is that as a government we are not enthused about incentives. I said this long before he did, as a matter of fact. In fact, I was surprised at some of the observations coming from some of his colleagues. We made that position clear months ago. That point of view has not changed. Members opposite may not care about job opportunities but we have a responsibility. To suggest that this is a case of blackmail is just totally irresponsible.

Hon. Mr. Bennett: That's right.

Hon. Mr. Davis: Ford Canada—and I will say for the president that I can disagree with him on some issues, we can disagree on figures, we can disagree perhaps on Ford's commitment or the way the figures work out with respect to the auto pact generally, we can disagree on all of those things—we agree on some—but one thing I am not prepared to let go by is a suggestion that the head of Ford Canada is not anxious and making every effort to locate this facility in Canada.

Mr. Lawlor: He's an employee.

Hon. Mr. Davis: He is a Canadian. He is faced with a board south of the line which will be making a judgement based on economic considerations. That is part of their responsibility. That decision may relate to a cost differential without incentives from any state of the union, the differential being in the neighbourhood of \$75 million.

Mr. Warner: The auto pact is pretty useless, isn't it?

Hon. Mr. Davis: Of course we have assessed that \$75 million. I am not in a position, nor is the Minister of Industry and Tourism in a position, to say that figure is right down to the last decimal point. I am not. I am relatively confident that it is reasonably close.

Mr. Cassidy: Then table the figures.

Hon. Mr. Davis: I think we are talking about a fair amount of money if Ford Canada is able to go to their head office and say, "The cost in Canada in terms of the development of the facility is now roughly equivalent to that which we would face in the United States."

That happens to be the issue. The government of Canada in its wisdom has already committed itself to \$30 million. The problem we face in this is that we felt it was to have been a three for one. Horner now says roughly 50-50. We are insisting as well—I would hope the members opposite who happen to represent the Niagara Peninsula understand this—that this should be available to any automotive development, if this is to be the policy, anywhere in this country. I am in favour of regional development. I understand the differences. I know that there are regional disparities, but I think there is a certain degree of equity involved in this situation particularly when the potential for job loss also may exist in the peninsula.

That's why paragraph two was in the letter to Mr. Horner yesterday. We wanted to make it clear—and I hope those people opposite understand and appreciate it—that

if this is to happen that opportunity is to be available to the St. Catharines area, GM or anyone else. Those people opposite haven't done this. We are attempting to resolve it in a way that is equitable for everyone.

Mr. Martel: You've given the resources away; now they want the cash.

Mr. Speaker: Order.

Mr. Martel: You've got nothing else to give them, so you give them cash.

Mr. Speaker: Order. You're just wasting the time of the question period.

Hon. Mr. Davis: What would you do?

Mr. Kerrio: Now you praise the UAW.

Hon. Mr. Davis: Why don't you people just say you are totally opposed? We'll understand. We don't like it either.

Mr. S. Smith: Given what I consider the gravity of this situation; given the fact that what was portrayed to us as a decision—

Mr. Germa: Question.

Some hon. members: Question, question.

Mr. Hennessy: Tell them, Stuart, tell them.

Mr. Havrot: Fight them.

Mr. S. Smith:—given the fact that what was apparently a difficult decision between whether to subsidize or not was resolved first of all, according to the statement, unilaterally, by the federal government who made the \$30 million offer—

Mr. Germa: Question.

Mr. S. Smith:—and then the ante was apparently upped by the Ford company—once the game was entered into, they then raised the stakes; then given the fact that this government seems to have decided that it's a game that, reluctant as it is, obviously—and I agree with you—it has decided it's a game it had to enter into—

Mr. Germa: Question.

Mr. S. Smith:—and now given the fact that there seems to be a problem with regard to the interpretation of DREE and the inter-provincial rivalries—not in the Ford case but in the GM case—

Hon. Mr. Davis: That is not what I said occurred—

Mr. S. Smith:—which is that once we start on this slippery slope towards allowing corporations to make these decisions to locate in our country or not, based strictly on their head office preferences due to financial situations rather than on the market—

Mr. Speaker: I still haven't heard a question.

Mr. Foulds: And it's been one minute and 15 seconds.

Mr. S. Smith:—rather than on any obligation, would the Premier consider that this is a matter of very great urgency and importance and assist us in some manner to act in concert?

Mr. Germa: Question, question.

Mr. S. Smith: For instance, would he consider some way we can deal with this over the summer? Would he be willing to meet with our Treasury and industry critics in both parties, brief us on what he knows about the matter, discuss the implications with us? Because we should act in concert if at all possible on this very serious matter.

Mr. MacDonald: Question. What are you doing?

Mr. Makarchuk: He has got a problem. Harold Greer didn't get a chance to work on it.

Mr. S. Smith: Can we expect therefore that the Premier will share information with us to enable us to support whatever stand the government eventually feels it is necessary to take?

Hon. Mr. Davis: I can assure the honourable member that we will share to the extent possible whatever information we have. We're in the process of doing it. We're sharing it with the House within hours after we ourselves have received it. To suggest that over the summer there could be some meetings or action in concert—we're faced with the immediate situation of Ford. Ford will know what is the position of the government of Canada and ourselves. That decision will probably be made fairly soon.

There is no question in my view—and I shouldn't be defending the government of Canada, much as the member for London Centre would like me to—I sense they are reluctant to get into this sort of situation. After one or two discussions, my impression is that this is really the reason for the appointment of Mr. Reisman. I don't think there is any question that is the approach they wish to take.

Mr. Cassidy: He was appointed to sell the store completely.

Hon. Mr. Davis: Listen, the honourable member can be cynical about it; we can question it. But I have to tell the member that I think—and I'm only giving an impression—that the government of Canada is taking this route as a possible alternative to getting into this subsidy business. If Simon Reisman comes to us and says, "What are your views and what information do you have?" et cetera, maybe the leader of the New Democratic Party won't want us to but

I'll tell him right now that we will present our views, we will present our information and we will make a very strong case for what we think should be done.

Mr. Cassidy: So will we.

Hon. Mr. Davis: I would say to the Leader of the Opposition that some of his caucus members are interested in the GM situation. My information is that that is somewhat in limbo at this precise moment. I can't tell the Leader of the Opposition just what may or may not happen.

Hon. Mr. Welch: The same rules should apply for St. Catharines as apply for Montreal—the same rules for everyone.

Mr. Deans: Don't you realize that it is never-ending?

Hon. Mr. Davis: This is what we attempted to do in our reply. The GM thing is on the table because of DREE; it's there. I'm not going to quarrel with incentives related to regional disparities but we're talking about pretty significant issues.

[11:15]

I would be quite prepared to share whatever I can. I can't share that which is given to me in confidence, nor can the minister. We're dealing with a pretty complex issue and one where I just re-emphasize—it's been stated by the minister, myself and the Treasurer on a number of occasions—that we think it is not good business to get into it. But at the same time, Mr. Speaker—

Mr. Deans: I agree.

Hon. Mr. Davis: All right.

Mr. Deans: Then what does the government do?

Hon. Mr. Davis: We're faced with it.

Mr. MacDonald: The government has been involved in it since Confederation.

Hon. Mr. Welch: If we sit back and do nothing we get criticized by members opposite as it is.

Mr. Deans: You don't have to sit back and do nothing.

Hon. Mr. Bennett: Ask Pennsylvania and Ohio what they've been doing. They get it all, and you complain all day and maybe all night.

Mr. Speaker: Order. We have expended 35 minutes of question period and we're not finished the third question yet. I'm sure there are many important questions that honourable members would like to place, since this is the last day. I have two answers of some urgency from the Ministry of Health. I would implore all members, whether they're asking

the question or answering it to keep their answers or their remarks brief if we're going to share equitably the 25 minutes that are left in question period.

A supplementary, the member for Nickel Belt.

Mr. Laughren: A supplementary to the Premier: Does the Premier fully comprehend how dearly it has cost us to have his Treasurer taking one position and his Minister of Industry and Tourism another position on this matter of incentives? Does he understand, as well, that the real issue here is fair share; particularly in view of the fact that the Canadian share of the North American retail market is around nine per cent, whereas our share of value added is 6.9 per cent, employment 8.4 per cent, investment 5.4 per cent and we have virtually no share of the research and development funds? Does the Premier fully comprehend now what his cabinet has cost us by allowing the federal government to unilaterally take a position without full consultation because of a split cabinet?

Mr. Havrot: Nonsense.

Hon. B. Stephenson: Hogwash.

Hon. Mr. Davis: Mr. Speaker, the honourable member on occasion, makes relevant points. That really is one of the silliest he has made in this House in a long, long time; it really is.

Mr. MacDonald: That is a matter of opinion, not fact.

Mr. Breaugh: If that is such a silly point, where is the Treasurer?

An hon. member: He's not here.

Mr. Warner: No wonder he is not here.

Hon. Mr. Davis: Whatever positions this government has taken have not in any way prejudiced the potential of capital investment by the automotive industry, whether it be the "big four" or the parts industry. Nothing we have done has prejudiced that. Everything we have done, Mr. Speaker, has been directed towards getting a portion of that investment—

Mr. Deans: For years the government has done nothing.

Hon. Mr. Davis:—and I am relatively confident that over the period, we will get it. What we're debating now is really one specific capital plant location; and the member for Nickel Belt (Mr. Laughren) can say he disagrees; I understand it.

Mr. Cooke: What is the auto pact about?

Mr. Breaugh: Where is it?

Hon. Mr. Davis: We don't like it. It was done on the basis that if we didn't partici-

pate, the potential was that this roughly \$500 million investment—2,600 jobs—would be located geographically somewhere else, that was a reality. I know members opposite don't like to face realities but we had to. The government of Canada had put \$30 million on the table; and in our wisdom—and members can question the wisdom—we said for this particular situation, we would go three for one but as a condition of that, because of the potential of General Motors and others, it would have to apply to others as well.

Mr. Cooke: What is the auto pact all about?

Hon. Mr. Davis: Members may disagree with it if they want, but don't start talking about our motivation, don't start talking about any division of opinions because that is totally irrelevant and totally erroneous.

Mr. Laughren: Your government has never had its act together.

Hon. Mr. Rhodes: You guys are sucking wind and you know it.

Mr. Laughren: There is the problem right there.

Hon. Mr. Rhodes: You are gasping for air; you are a dying breed, socialism is dead.

Mr. Speaker: The member for London Centre.

Mr. Peterson: Mr. Speaker, I have a three-part supplementary which I think is important to this question. I would like to know from the Premier what other options, what other arrows and a quiver of possibilities he could have used, as an executive of this government, to put pressure on the auto companies without getting into the subsidy game, knowing full well all the risks of that? I would like to know what other options he used, what kind of moral situation and what other kind of legislative devices he contemplated using?

Secondly, I want to know in what form that money is going? Is that going to be strictly in cash or in a provision of services?

Thirdly, I'd like to know the very specific and direct commitment from the auto companies, not only in terms of jobs but also payroll, taxes, balance of payments; effect on the auto pact and, specifically in economic and human terms, what is it going to do for this province?

Hon. Mr. Davis: I recognize the business or accountant's perspective to this particular question. I must confess I can't answer it all. I would suggest that if the honourable member, who has greater ability in this field, were to answer this question himself for himself he would then maybe share it with me.

Mr. Peterson: I would know before I made a decision.

Hon. Mr. Davis: Dealing with the third part of the member's supplementary, we are dealing with one particular plant where the estimated capital investment is in the neighborhood of \$500 million. The estimated employment level is 2,600 workers. If the province's participation were one quarter of \$75 million, which is around \$18 million, I would suggest if the honourable member would calculate the retail tax on construction materials for a \$500 million investment—he might be able to calculate how much of it is construction and how much is equipment—if the member were to calculate the provincial sales tax on construction material, if he were to calculate the economic benefits of having X hundred employees involved in the construction of that \$500 million facility, if he were to calculate the payroll for 2,600 employees over a minimum five-year basis at X number of dollars per week and what the retail sales tax and the income tax would be, my guess—and I am only guessing—is that the net revenues to the economy of Ontario, if that's how he is looking at it, would substantially exceed \$18.5 million.

Mr. M. Davidson: What about the rest of the question?

Hon. Mr. Davis: That was the third part of the question.

Mr. Makarchuk: Supplementary: In view of the fact that discussions are going on right now regarding the establishment of an engine plant for the agricultural equipment field, would the Premier consider giving the three-for-one type of assistance to the agricultural implement industry, should they plan to establish an engine plant in Ontario?

Hon. Mr. Davis: This is where we are very reluctant to get into the question of subsidies. This is the problem I have raised publicly. You get into it in the automotive industry and you can perhaps develop this rationale. What the honourable member is asking is does this incentive then apply whether it's agricultural equipment or anything else. The answer to that obviously has to be no. This is one of the reasons we don't want to get into it.

I am not going to try to fool anyone. I never have. There is a \$30 million bill on the table. There are 2,600 jobs and there is the possibility of locating this plant. There is GM, where we want to be in a position to compete. We don't want any advantages over the province of Quebec. We don't want them to have any for us. We want an equitable sort of approach to it. Those two are there, particularly Ford. That's fine.

Members can say we shouldn't have said to Mr. Horner that we will go three for one, I understand that. I have got to tell the member that I have a few people who are members of the UAW who may agree in philosophical terms with that. They also might like a job. That's the sort of thing we have to decide. That's where it becomes a little more difficult; that's why in opposition the answers sometimes appear to be very simplistic, and I appreciate that. We also have the human factor as well as the economic factors to consider.

Mr. Cassidy: I want to return to the same subject with the Premier. I want to ask a question of the Premier which arises out of both what he has said, and also the background paper which he has tabled in the House which I have had a chance to look at briefly.

The Premier's statement indicates that over the next 18 to 24 months the automobile companies will be making decisions effecting about \$60 billion worth of investments, and therefore of jobs. I want to know whether the Premier and the government endorse the concept, as our party does, that this province and this country should have a fair share of production and of jobs in the automobile industry; that there should not be a trade deficit and that we should have a fair share proportionate to our share of consumption of North American cars and trucks. Is that the government's position as well? If so, what specific steps is he intending to take in order to make that a reality?

Mr. Cooke: Why should we have to pay for it?

Hon. Mr. Davis: I wonder where the honourable member has been for the past several months?

Mr. Peterson: Roller skating.

Hon. Mr. Davis: We have been saying these things. We have been working to attempt to resolve these things. We have been meeting with the companies.

Mr. Warner: You have a very bad track record with nothing to show for it.

Hon. Mr. Davis: We are the ones who initiated the pressure on the government of Canada.

Mr. McClellan: You have nothing to show for it.

Hon. Mr. Davis: The leader of the New Democratic Party knows that the ultimate resolution to this, because of the international nature of it, does lie with the government of Canada.

Mr. Laughren: They had two different positions, too.

Hon. Mr. Davis: It was this government that prodded them into taking some sort of action. Of course, we are seeking—I don't know whether the term "fair share" is the right terminology; I don't get hung up on semantics like the leader of the New Democratic Party. We want what is right for this country; I want what is right for this province. I have made a particular pitch to the automotive companies in terms of research and development, because I don't think we have had a fair share or any share. They know that, I have made it abundantly clear.

Mr. Laughren: Get your ministers together then.

Hon. Mr. Davis: Before I sit down, I just wish that the honourable leader of the New Democratic Party would look at Hansard of Friday, March 8, at his own observation and that of the member for Hamilton East (Mr. Mackenzie), and just see whether he didn't by implication suggest we should be in the incentive business.

Hon. Mr. Grossman: Oh, but that was three months ago. That's different.

Mr. Cassidy: Supplementary: Did the Premier receive any specific commitments of any nature at all from the automobile manufacturers or the parts producers about improving their performance within Canada; and is the government now prepared to make public its analysis of by how much those companies are failing to live up to the fair-share concept as far as Canada is concerned?

Hon. Mr. Davis: I am sure the member has the figures from the UAW, which has done an analysis of this; he already has those. The government of Canada has produced certain figures; we have produced certain figures. We can spend hours and hours and weeks and weeks debating figures. What we have to do is to find answers, and the answers are not as simple as the leader of the New Democratic Party would suggest.

We are endeavouring to get, not in terms of a commitment in that sense of the word, because I don't know what it means; what we are endeavouring to do is to see that some of the capital growth that is anticipated takes place, that the jobs that already exist are maintained in a secure way; and as I say I have made a particular point with the companies in the field of research and development, because there's one place they can't argue with me since they have not made that sort of commitment or investment in the automotive business in this country. They don't deny it.

I don't know whether they are going to react to this sort of thing or not, but we are trying very hard. I think it is important not only from an economic but from a sociological point of view as well.

Mr. Laughren: You should get McKeough and Rhodes together.

Hon. B. Stephenson: They are not apart.

Mr. Kerrio: Supplementary: Is it the Premier's understanding that the auto pact was really to accommodate the automobile manufacturers so that they could, in fact, take advantage of building engines here and bodies there, and trade across the border without too much inconvenience? If that was the case, and since there has been such an imbalance for so long, I wonder if we wouldn't be wise in suggesting to the federal government that it is time we threw the auto pact out and went back to protecting the workers in Canada by the tariff method?

Mr. Mackenzie: If would end the automotive industry.

Hon. Mr. Davis: I don't want to get into this, but I think the member will find that if he has any constituents who work in any of these plants he should raise that with them. I won't, as I have done facetiously on one or two occasions, intimate that what the member for Niagara Falls has suggested has become the official policy of the Liberal Party of Ontario. I don't think as a party they would support that. I think the member would find that we would be in relatively serious economic difficulty.

Mr. Cooke: Supplementary: I would like to ask the Premier just simply why should we have to pay the auto companies in this country to live up to an auto pact they agreed to? Why should the province of Ontario or the federal government have to pay them to live up to the pact?

Hon. Mr. Grossman: Your leader was asking for it three months ago. Your leader was asking three months ago why we didn't.

Hon. Mr. Davis: Of course, we get around to a debate, and this is part of the current discussion that is going on. This is why the government of Canada has now gone the route it has. I just wish they had started this a year ago or two years ago.

Mr. Laughren: You might have provided some leadership there. You have provided no leadership.

Hon. Mr. Davis: There is a debate in terms of the companies as to whether or not—we are all aware of this—within the terms of the auto pact, as companies, they are meeting it. As I read some of the figures,

a lot of the imbalance is with respect to parts; and I am not getting into that sort of questionable debate either. I would say it is not a question of why should we give money if they are not going to live up to the pact. We are faced with a practical, real problem; and that is a certain company is in the process of making a significant decision that involves the potential of a lot of jobs.

It is fine for the members opposite to say: "Beat them over the head. Club them. Do whatever you can." But, I have to tell them, that just might not work.

[11:30]

Mr. Cooke: That's not what we are saying. They are beating us over the head right now.

Hon. Mr. Davis: That may come as a bit of a surprise to the members opposite: It might not work.

Mr. Mackenzie: Your private enterprise system isn't working either.

Hon. Mr. Davis: I have to say to the honourable member—I guess he does things his way, although I sense it is not the way he gets elected locally—he can suggest things he wants to in this House; we will do things our way. They may differ.

Mr. Laughren: Which way? Your way or John Rhodes' way?

Hon. Mr. Davis: If that is a supplementary from the member for Nickel Belt, I have to assure him that not only is there great consensus on the approach to this issue between myself and the Minister of Industry and Tourism, but he just has to look at what his own leader and the member for Hamilton East have said with respect to this particular issue and what he is saying today; he will think they are totally different, and they are.

Mr. Laughren: Deal with your own cabinet.

Mr. Renwick: The cabinet is split right down the centre.

Hon. Mr. Grossman: Quit while you're behind, guys.

HEALTH RECORDS

Hon. Mr. Timbrell: Mr. Speaker, last week the member for Oshawa asked a question concerning confidential medical records from Wellesley Hospital. Several hundred sheets of paper containing medical records from the hospital were found blowing around a parking lot at Sherbourne and Richmond Streets on the morning of June 12.

In answering the honourable member's question, I would like to refer to the present legislation covering the manner in which hospitals handle patient records, outline what the hospital itself has done to prevent such a mishap from recurring and what my ministry is doing to further minimize the possibility of a similar slipup happening at other hospitals in the province.

Also, the Krever commission is currently looking into the confidentiality of hospital records and has already held a special hearing into the Wellesley Hospital incident.

In the Wellesley case, the records found in the parking lot were copies of records kept by the hospital. The copies were in the process of being disposed of when the mishap occurred. They had been placed in plastic bags, and the hospital is of the opinion they fell from a garbage truck hauling them away.

The distinction between copies of records and the actual records themselves is an important one, because the current regulations under the Public Hospitals Act do not cover disposable materials of this kind; that is, duplicate or extra copies of records. The regulations deal only with what he termed the formal medical records of the hospital or photographic copies made for a permanent record.

Section 43 of regulation 729 under the act requires that the hospital administrator make out and keep a statutory declaration setting out the facts concerning the disposal of permanent records. In this case I am advised there has been no contravention of the Public Hospitals Act or its regulations, but obviously the Wellesley case shows there is a loophole in the regulations. To cover this, officials of my ministry are drafting a letter which will go to all hospitals telling them to treat copies of medical records in the same way they would treat their official medical records and asking them to review their procedures for the safeguarding of such records.

Officials at the Wellesley Hospital, I have been advised, combed the site on June 12 and 13 and attempted to ensure that they retrieved every single record that was retrievable. To ensure such a mishap is not repeated, they have temporarily halted disposal of such records. They have issued a circular to all hospital departments asking that the patient's identity be removed from all types of records before records are sent for disposal, and they are developing a policy and procedures manual which will address the whole subject of confidentiality and disposal of medical records.

Finally, I have directed officials of my ministry to work closely with the Ontario

Hospital Association to prepare a set of guidelines for all hospitals covering the handling and disposal of medical records. These guidelines will provide a consistent approach to this matter until such time as we are able to take advantage of the extensive and thorough investigation currently under way by Mr. Justice Krever. We will be looking to that commission's recommendation as the basis for a long-term solution to the serious and difficult problem of maintaining confidentiality in our health care system.

Mr. Breaugh: Mr. Speaker, I wonder if I could be given a supplementary on that response. The minister pointed out the unique loophole in the law about copies as opposed to original records. I heard him indicate that he is prepared to write to them, to prepare guidelines and all that; but I did not hear him say that he is prepared now to make regulations which would close that loophole. Is he prepared to do that?

Hon. Mr. Timbrell: I think that would be unnecessary at this point. We will direct them to treat the copies in exactly the same manner as permanent records, and I think that will cover it until we get the report, probably later in the fall, from the Krever commission. Then we can make the long-term changes as necessary, through either legislation or regulations.

Mr. Breaugh: A further supplementary on that: I really don't know why the minister is not prepared to move to the regulation stage now. Would it not be true, no matter what kind of letter or guidelines the minister sent out, there would still be no validity to any argument that any law has been broken should copies be released in this manner or in any other manner? Isn't the basic problem the fact that the law does not require them to address themselves to copies of medical records?

Hon. Mr. Timbrell: I'm one who believes one passes a law if there's some resistance to a less formal route. I have no reason to believe from the discussions between my staff and myself with people in the hospital community that there will be any resistance at all. I don't think we should constantly keep rolling in new regulations. I think we can do it on a voluntary basis. I don't foresee any problem that way.

PREMIUM ASSISTANCE

Hon. Mr. Timbrell: The second question I'd like to answer came from the member for London Centre on June 15. He asked—and I'm paraphrasing, I believe—why don't

we reveal to an applicant for temporary premium assistance the upper limit of his financial status which would preclude his being eligible for temporary premium assistance. I hope that's accurate.

The formula used for granting temporary assistance incorporates the applicant's present income, liquid assets and number of dependants. This information is provided by the applicant on the original application. With regard to the factors taken into consideration, a resident may apply for temporary assistance based on the immediate financial need due to unemployment, illness, disability or financial hardship. The factors under which an application will be considered are clearly requested on the application for temporary assistance.

The practice up until now has been for OHIP to advise an applicant whose application has been refused that he may have it reviewed by the OHIP management committee. OHIP did not advise the applicant that he could appeal to the health services appeal board.

On June 5, 10 days before the member raised the question, I directed the staff of OHIP to ensure that all insured persons were advised of their rights to appeal under section 24 of the Health Insurance Act. I have been advised by my officials at OHIP that there were very few refusals—about one half dozen a month—that the OHIP review committee had turned down.

In future, applicants whose request for temporary premium assistance is denied will be advised in writing by OHIP of their right to appeal to the health services appeal board. Applications for temporary assistance which are initially turned down from here on in will automatically be reviewed by the OHIP review committee before the above-mentioned notice goes to the individual concerned about the health services appeal board. We'll cut out a step of delay for the individual applicant.

Mr. Peterson: I understand they have a right to appeal under section 24. I appreciate the fact that the minister has cleaned up the procedure in informing applicants of their rights. But clearly that's not the issue. Would the minister not agree with me that the issue is that there are no set guidelines and there are no rules against which they can appeal. How can one present one's case to the review committee if one does not know what the upper limits of income or assets are, be it liquid or otherwise?

If the minister checks with the Attorney General (Mr. McMurtry), clearly there is a

denial of justice if people don't know the rules against which they can appeal. Isn't that the issue?

Hon. Mr. Timbrell: Each case is judged on its merits.

Mr. Peterson: How do you judge the merits without guidelines?

Hon. Mr. Timbrell: One could take six illustrations of a family of four and come up with a completely different mix of assets, mortgages, outstanding debts, et cetera. Each one is judged on its merits. It's a matter of substantiating need. I point out to the member again very few are turned down; it's something in the order of six a month.

Mr. Peterson: Wouldn't the minister agree with me this leaves this quasi-judicial procedure to the whim or the predisposition of the review board? The rules are not nearly enough clear. It's far too discretionary for an applicant to have real justice in the circumstances.

Hon. Mr. Timbrell: No, I wouldn't agree at all.

WASTE DISPOSAL

Mr. G. I. Miller: I would like to address a question to the Minister of the Environment. In view of the public apprehension and concern over the matter of liquid industrial waste and the need for immediate action, will the minister reconsider his position and set up a task force which could study the matter over the summer and bring in recommendations for action no later than this fall?

Hon. Mr. McCague: That question was asked by the critic for the NDP the other day. I said I didn't see that there was any necessity for a special task force. We are looking into that. I have had discussions with the member's leader, who happens to endorse that kind of a situation; I am meeting with the leader and with the critic of that party to discuss some of these issues. I'm surprised the member didn't check with him before he asked that.

MEAT PACKING DISPUTE

Mr. Ziemia: A question to the Minister of Agriculture and Food: Given that under ordinary conditions when a company goes on strike its main competitor will rush out and do the business that the struck company cannot do, and given that Canada Packers did not do this when its main competitor, Swift's, was at this disadvantage—in fact Canada Packers locked its own workers out and stopped doing business as well—would this suggest to the minister that there is a

Canada Packers-Swift meat cartel? Is he prepared to bring this cartel before our food industry inquiry to investigate how it affects the producer and the consumer?

Hon. W. Newman: The answer to that question is no.

Mr. Speaker: The time for oral questions has expired.

Hon. Mr. Davis: Darn!

Mr. Breithaupt: Darn! Have a good summer. Saved by the bell.

Mr. Cassidy: On a point of order, I just want to ask the Premier and the House leader, since the matter of the auto pact is of such importance, whether they will agree by agreement between the House leaders that within a week of the House resuming its sessions in the fall we can have a special one-day debate on the auto pact and that all of the information—

Mr. Speaker: That's not a point of order. You had an opportunity to ask that during question period.

PETITION

MINISTRY OF THE ENVIRONMENT ANNUAL REPORT

Ms. Bryden: I have in my hand a petition signed by 20 members of the Legislature requesting that the latest annual report of the Ministry of the Environment be referred to the standing committee on resources development for consideration and report when it meets on resumption of sittings in the fall. I hope the minister will undertake to prepare material for this consideration over the summer, particularly on the question of liquid industrial waste, which has reached crisis proportions. Mr. Speaker, would you like me to read the petition?

Mr. T. P. Reid: No.

Mr. Speaker: It is sufficient to present it to the table.

REPORTS

MINISTRY OF LABOUR

Hon. B. Stephenson presented the annual report of the Workmen's Compensation Board for 1977; the interim statement of the Advisory Council on Occupational Health and Occupational Safety, November 1, 1977-March 31, 1978; the annual report of the Ministry of Labour, 1977-78; and the 1976-77 report on the status of women crown employees.

Hon. B. Stephenson: I wonder if I might make a brief statement about the report of

the status of women crown employees, which I am depositing today with the Clerk. I had hoped to have this report earlier this year, however, I think the honourable members will realize that a fair amount of time and work had to go into developing this report again this year. Additional copies of the report and the appendix will be available from the women crown employees office within the next few weeks.

I'd like to take this opportunity to outline several changes in the organization and operation of the women's programs, the most significant, of course, being the elimination of the position of executive co-ordinator. Experience has shown that at this stage of the program's development a senior co-ordinator is really no longer necessary and resources from that office have been distributed between the women crown employees office and the women's bureau quite effectively.

With the elimination of that position, a number of other changes were required as well. For example, the women crown employees office is now responsible for preparation of this report, in close co-operation with the central agencies of government. Formerly, the executive co-ordinator represented the government of Ontario on the Status of Women Council. That responsibility is now fulfilled by the director of the women's bureau.

The Deputy Minister of Labour is now the ex officio member of the Civil Service Commission, replacing the executive co-ordinator in that role. The Affirmative Action Council, which formerly reported to the executive co-ordinator, reports now to the women crown employees office.

[11:15]

The honourable members will notice that the women crown employees office has made several changes in the format of the report as well. For instance, the ministry and agency chapters have been simplified and are provided under separate cover. The report is similar to those of preceding years in that it reports on corporate activities and analyses government-wide statistics. It shows some very positive trends are beginning to emerge in the status of women crown employees. For example, the number of women moving into job areas where they have been under-represented or into levels that they have never reached before, has increased from 130 in 1975-76 to 440 in 1976-77. In addition, 23 of the 29 ministries and agencies for which we have comparable data reported a slight narrowing of the wage gap between

men's and women's salaries for the 1976-77 year.

During the year 1975-76, the average woman's wage was 70.4 per cent of the average male's wage; during 1976-77 that had risen to 72.3 per cent.

While we are pleased to see these improvements, we are aware there has been little change in the occupational distribution of female employees. A strong continued effort in the affirmative action program will be required to bring about this long-term goal.

STANDING ADMINISTRATION OF JUSTICE COMMITTEE

Mr. Ziemba, on behalf of Mr. Philip from the standing administration of justice committee, reported the following resolution:

Resolved, that supply in the following amounts and to defray the expenses of the Ministry of Correctional Services be granted to Her Majesty for the fiscal year ending March 31, 1979:

Ministry of Correctional Services

Ministry administration program	\$ 7,844,000
Institutional program	100,149,000
Community program	15,158,000

MOTION

COMMITTEE SUBSTITUTIONS

Hon. Mr. Welch moved that Mr. Havrot be substituted for Mr. Elgie, and Mr. Lane for Mr. Turner on the select committee on the Ombudsman. Also, that Mr. Laughren be substituted for Mr. Warner on the select committee on company law.

Motion agreed to.

INTRODUCTION OF BILL

HIGHWAY TRAFFIC AMENDMENT ACT

Mr. Peterson moved first reading of Bill 140, An Act to amend the Highway Traffic Act.

Motion agreed to.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Welch: Before the orders of the day, I wish to table the answers to questions 104, 105, 106 and 107 standing on the notice paper. (See appendix.)

ORDERS OF THE DAY

SECURITIES ACT

Hon. Mr. Crossman moved third reading of Bill 7, An Act to revise the Securities Act.

Mr. Breithaupt: There is one particular thing that I did want to bring to the attention of the minister as we complete this bill in a formal way.

As members of the House will recall, the committee stage of this bill was finished on Wednesday, June 21. Now that the bill has been reprinted, we are able to proceed with it in the normal way. However, on Monday and Tuesday, June 19 and 20, there were certain public hearings dealing with the matter which is known as "going private" which the Ontario Securities Commission held in the Macdonald Block.

Those meetings related to some comments which the minister made during the committee stage of the bill when he spoke in committee on June 15. At that time, he acknowledged the great complicated problem that this whole subject brought to the securities industry and he said the following:

"This is a difficult and complicated area where detailed policy requires the benefit of experience. Accordingly, it would not be feasible to include guidelines in the bill at this time. However, I have instructed Mr. Baille in the Ontario Securities Commission to prepare draft guidelines indicating the basis on which their discretion will be exercised, and explaining in more detail how they interpret the word 'control.'

"These guidelines will be published for comment and discussion and will be revised in final form before the bill is proclaimed into law. Should discussion of the draft guidelines, or subsequent experience, indicate that changes are needed in the legislation, we will not hesitate to return to the assembly with appropriate proposals for an amending bill."

This matter particularly refers to section 91 in the bill. Following the statement that the minister made. I am somewhat concerned as to whether it is his intention not to have this bill proclaimed until those regulations are in place. Or is it the minister's intention to have the bill proclaimed, and then deal with the matter for regulation? It would be my view that the security bill, Bill 7, and the following two bills should be in place at the earliest opportunity. But I am wondering if the minister can tell us what procedure he intends to follow with respect to proclamation, so that the industry can clearly know just what the ground rules are?

Hon. Mr. Grossman: There were a couple of matters raised at the committee stage. The one I recall the member referring to, and reading from the transcript, I think related not so much to the going private situation as to the takeover provisions of the legislation.

Mr. Breithaupt: More common.

Hon. Mr. Grossman: These, of course, were the more common situations up until the last recent number of months.

With regard to those provisions we did want specifically to indicate to the industry that we did have some reservations, after having heard from them both at the securities commission level and at committee stage. We were concerned that perhaps the takeover provisions were such that they may stop some takeovers that might otherwise occur and operate to the advantage of Ontario and Canada generally. So it was because of that concern that we wanted to be in a position to indicate to the industry the circumstances under which the commission would be exercising its rights and discretion to grant an exemption from those takeover provisions. That would provide some degree of predictability so that some takeovers, which might operate to the advantage of our economy in Ontario, could occur and proceed without speculation or worry.

It was that provision, not so much the going private part, that we were addressing at that time; although we have made clear, both in and outside the committee, our concern, as the members will be well aware, about the new phenomenon of going private. We have made it very clear that we are studying it and will have much more to say about it in the next few months.

Specifically we undertook the committee to try and develop those rules before the bill is proclaimed. My understanding is that we agreed at the committee stage to try and develop both those guidelines and the guidelines for disclosure of senior officers' salaries prior to proclaiming the legislation.

At the current time, Mr. Baillie has told me that he expects it would take almost the balance of this calendar year to have all that in place because they are very complicated regulations. He said if we were to stay on that course the bill would not be proclaimed until, say, the end of this year. That does give me some cause for concern. I must say to the member that as of this date—the bill only having passed committee last Wednesday, as you know—I haven't resolved a course of action with Mr. Baillie, either to go ahead without those rules in place, or to hold off until those rules are in place.

If the member and the House will permit us, we will let the critics know what our intentions are, and the industry know what our intentions are, literally in the next three or four weeks. But I must be honest: we haven't been able to resolve those two conflicting concerns at the present time.

Motion agreed to.

THIRD READING

Bill 8, An Act to regulate Trading in Commodity Futures Contracts.

Bill 9, An Act to amend the Business Corporations Act.

CONCURRENCE IN SUPPLY

Resolutions for supply for the following ministries were concurred in by the House:

Ministry of the Solicitor General;
Ministry of Agriculture and Food;
Ministry of Colleges and Universities;
Ministry of Correctional Services.

WORKMEN'S COMPENSATION AMENDMENT ACT

(concluded)

Resumption of the adjourned debate on the motion for second reading of Bill 126, An Act to amend the Workmen's Compensation Act.

Mr. Kerrio: Mr. Speaker, in the interests of getting the business of the House completed, I would like to summarize and get on the record just a couple of my concerns regarding the bill.

As I suggested before, the increases in the act certainly are welcome on all sides of the House. But along with the increases I must read into the record the concerns that I have as they relate to the payments. As the cost escalation that relates to pegging these payments concerns me, I would like to read into the record the increases in assessments from 1970. I am taking a particular group because this was reported in a report by one of the auto manufacturers—group 306. In 1970 the rate for group 306 was \$59.90 per \$100. By 1974, it had more than doubled to \$132. For 1978, it had risen to \$337.50. This represents a 470 per cent increase since 1970 and a 155 per cent increase since 1974.

The reason I make much of this aspect of Workmen's Compensation is because I have a very strong feeling that unless we take the responsible position of doing something about relieving some industry from the burden entirely, and that the burden be shared by those other people in our society, it becomes very easy to pass legislation that would just

take increases and pass the cost to a third party. I think that area could very well be looked into and a reasonable assessment made so that those people who cannot just pass on those substantial increases are given some form of help.

In the minister's program as it relates to safety, where there was an involvement of employees, employers and the government—an extremely good program—the results are known to all in the industry. We have established something there that was beyond what most people had expected or hoped for. We've reduced the accidents because we had the co-operation of employers, employees and the government. I am suggesting that until such time as everyone related to workmen's compensation becomes involved in a more meaningful way we will continue to have these kind of increases before us. I am just a little afraid they will put us in a position where we become less and less competitive on the international scene.

So while I am very pleased about what has happened here, and I am particularly pleased about the retroactivity, I would ask the minister in some further studies to look into that matter as it relates to more involvement with everyone involved in Workmen's Compensation at any level to participate to the degree that it is to the advantage of everyone concerned, to have a better record, to have fewer injured workers, to look after and retrain those who are injured, and to make the whole system work to the benefit of everyone in this community and in society. [12:00]

Mr. Foulds: Mr. Speaker, I just have three points that I would like to make and I would like to make them as briefly as possible this morning. I would like to make them as a result of some of the things that were said, or not said, last night and during the course of the debate.

Mr. Nixon: Was there something not said last night?

Hon. B. Stephenson: Everything was said.

Mr. Foulds: All kinds of things were left unsaid last night.

Although I disagree profoundly with the attitudes expressed by the member for Niagara Falls and supported by the government, I must say that I respect the viewpoint. I disagree with it profoundly because I think it starts from a wrong premise; the member for Niagara Falls obviously has the same feeling about my viewpoint.

This morning I would like to discuss, if possible in a civilized way, a few of the reasons for those differences.

Mr. Kerrio I just proved that I could do it both ways.

Mr. Lupusella: Why don't you shut up?

Mr. Foulds: Yes, indeed, the member was very calm this morning.

I think it is important that we recognize the concept of workmen's compensation for what it is. The concept is that we compensate a worker who has been injured on the job in terms of his earnings at the time of the accident. In some sense there is a fundamental flaw in the way we have administered the program that is not addressed in this particular bill, except incidentally in section 2 and some of the subsections by agreeing to a percentage difference for each of the years.

What we don't take into account is the loss in earning power. Over roughly the last 35 years, we have had a period of inflation of various rates. Since the 1930s we have not had a period of deflation. It would seem to me that if, as a result of the actuarial soundness in the plan, we cannot take into account the projected increase that a worker who is injured loses in terms of the increase that would naturally accrue to him as he worked and perhaps went up the ladder in terms of position—in terms of apprenticeship to journeyman, or in the case of my dad, for example, from section man to section foreman to roadmaster; he was blocked from going to the roadmaster's position because of an injury that made him ineligible for the position. If we cannot take that into account—and I think we should—at least we should take into account an indexing that would keep his level of income in line with the increase in the cost of living. It seems to me that is only fair.

It may not be possible to do it in the emergency situation that we have had in the House yesterday and today; we want to get this bill through. However, I think it is a concept that the minister and the board should look at. It struck me with some irony that we passed a bill yesterday morning having to do with the Crown Timber Act which met the indexing requirements, justifiably, in terms of the levies paid by the pulp and paper companies for the product they get from the people of Ontario related to the cost of the end product and what they receive in the market.

If we can devise a formula of indexing that seems to give security and certainty to the industry in that case, at a moving level, surely we could devise an indexing formula in this case to give the worker who is injured the certainty and the security of knowing that

at least his level of income would match the cost of living increase. I would submit to this House that if that happens we would, in fact, save a good deal of administrative costs, in terms of the board, because a number of the cases that I receive, and that every member of this House receives, that the board itself receives, are reassessments and re-evaluations of an old case, simply because the person can no longer survive on the amount of the benefits.

It may not be necessary to do a medical reassessment and so on. I think we would save some administrative costs that way and I think we would certainly save a lot of emotional and functional overlay that sometimes applies in these cases. I think that is one of the benefits that the board and the minister should look at in considering that avenue.

The other point is that which the member for Niagara Falls seemed to make, that as a human being, he would like to give as generous benefits as possible without destroying the economy. I may be doing his argument an injustice but, as I heard it, that seems to be if we don't make our industry uncompetitive.

I quote from the Wyatt report—and I admit that it's selective—on page 175, under the heading, "Who pays for Workmen's Compensation?" Essentially, the report says:

"In the end, the total cost of employing a worker includes wages and the cost of all employee benefits, including the cost of workmen's compensation. The employer must weigh this total cost against the value of the worker's output in determining whether to employ the worker. Thus, the cost of all alleged social gains can be considered to fall invariably upon the wage earner." You can take that argument to its logical conclusion and it sometimes falls on the wage earner in terms of unemployment. But it does fall on the wage earner and the working people of this province; and I think we should recognize they are the people who pay for the cost of compensation.

The final point that I want to make, Mr. Speaker, is that we fundamentally disagree with the position of both the Liberal and the Conservative parties in terms of how wealth gets created in this province. I want to put to you very, very succinctly that no matter how much money, no matter how much investment, no matter how much managerial skill the free-enterprise system puts into our economy, the gross provincial product would not exist, the gross national product would not exist, wealth would not exist if it were not for labour.

Labour is the essential ingredient in the creation of wealth. You take away that essential ingredient and we would have an economy like the middle ages or worse. It is the only essential ingredient in the creation of wealth. If that is so, it seems to us that we should treat those people whose activity, whose work creates that wealth, with dignity and we should treat the loss of their ability to work with dignity; and some of the workmen have, unfortunately, sacrificed their lives and their limbs simply in the pursuit of work. We should recognize that work is the essential element in the creation of wealth, we should recognize that even within a bill as confined as the Workmen's Compensation Board Act, and we should, therefore, pay the reward for work.

We should, therefore, pay the compensation benefits that are related to the wages earned at a level of dignity that allows that person to continue to live in dignity, to be a human being in dignity when he loses that ability to work and create wealth.

Mr. Sweeney: Mr. Speaker, I want to participate just for a very brief period of time. I must say I am moved by the remarks of the previous speaker. I would certainly support his contention that the efforts of labour, of the working people of the province, certainly are an essential component to the creation of wealth in all economic sectors of our province. I would only point out to the member, however, that they are one of the essential components. They are not the only component, and so at one and the same time I am strongly supporting his contention but just trying to put it somewhat into perspective.

Mr. Speaker, the only point I want to address myself to, and I guess it's more in the form of a question than in the form of a comment, is with respect to those injured workers who are on partial permanent disability pensions. I am not able to understand as clearly as I would like to the way in which this bill assists those kinds of workers. It was brought up last night by one of the members of the third party—and I am sorry I can't recall which member—that the particular salary range on which, as I understand it, permanent partial disability payments are made, are not always the fairest way of dealing with the situation.

If you take a worker who was injured in 1972, or 1973, or whatever year you choose to pick, and recognize that his disability pension is based upon his earnings at that particular point in time, and even though there are periodic percentage increases there still seems to be a considerable disproportion, and

I would suggest, Madam Minister, a dis-service to that worker in respect of what he potentially could be earning at this point in time, even assuming he stayed at that same job, even if we assume that there were no potential increases in his particular status, that he hadn't moved, let's say, into the position of a foreman or a supervisory officer at some point in time. The question I would like to address to the minister is, has this particular factor been given any serious consideration and to what extent, because I quite admit I can't understand directly how the bill relates to that particular factor.

The second point I would like to ask the minister about is to what extent this bill in any way relates to that same person on a permanent partial disability with respect to his inability to get another job. I am sure the minister is well aware of the number of such persons who come to our attention as members of this Legislature who in desperation say: "I have tried everything. I have tried to get light work. I have tried to get part-time work." Even though the message has supposedly gone out from the ministry that employers are under some obligation to provide some assistance to this person, I simply can't get it.

I know there is a provision at the present time that a person who is still in the process of looking for work will get a larger compensation benefit, but I also understand there is a limit to that, that at some point in time this appears to be cut off. I would like some explanation from the minister to what extent that factor is covered in this bill; and thirdly, speaking again to the same group of people, to what extent people who have been on permanent partial disability pensions for quite a long period of time before the particular practice that I just described came into force. I understand it is a fairly recent innovation with the compensation board; it has only been in the last short period of time. It is not my understanding that it does cover people who date back a couple of years.

[12:15]

Quite frankly, with respect to this bill I am dealing with a very narrow group of people, but it has been my experience as a member of this Legislature that it is that particular group of people with which I have had the greatest difficulty in providing some assistance. They simply seemed to be locked into a system and into a structure that has no way out. With all the goodwill in the world on everyone's part, the system doesn't seem to work for those people. They are perhaps in more desperate straits than

almost anyone else. I would appreciate it if the minister could address herself to that.

Hon. B. Stephenson: It has been an interesting experience, to say the least, to hear the presentations of all the members in both parties on the opposite side of the House over the last several hours.

There have been some interesting suggestions and some queries about the scope of the bill which is before us. I would remind honourable members that the scope of this bill is necessarily limited. It is limited specifically to increasing benefit levels for those who receive benefits from the Workmen's Compensation Board on the basis of increased costs to those individuals and, in a way which, it is hoped, will cover most of those increased costs.

The policies, the philosophy, structure and function of the board are not addressed in Bill 126. It is obvious on even a brief perusal of the Wyatt report that as a result of the Wyatt study some of those structures and functions and perhaps some of the philosophies, and policies may need to be re-examined critically. It is my intention to pursue that line of activity throughout the summer months and thereafter with the hope of developing whatever is necessary in the way of providing those improvements.

This bill is limited specifically to the improvement of benefit levels. Although it does not address itself directly to the extra benefits which were available to the permanently partially disabled while they are in the process of looking for employment, those benefits will accrue to them because the extra funding which is available will be provided at the increased base for those individuals.

There is really no limitation to that benefit as long as the individual workman is co-operating in a vocational rehabilitation program and co-operating with his vocational rehabilitation officer. The case must be reviewed on a regular basis—six months, a year or something of that sort—but as long as there is evidence of co-operation those benefits can continue. In some instances, they have gone on for several years. That was brought in in 1975 with the amendments. I am given to understand that most of those with permanent partial disabilities who have not made themselves available for this kind of assistance have not benefited. But it is possible to make application to the board for that kind of service, if it is necessary.

The suggestions that have been made about the way in which the Wyatt report might be carried out have been very useful. I would like honourable members to know that over

the summer months the special committee which is made up of staff of my ministry will have some representation on it from other ministries and certainly from the Workmen's Compensation Board. It will be examining the Wyatt report and assessing all of the alternative concepts which are inherent in that report.

I should be delighted to have any critical assessment or any kind of input which the honourable members opposite would like to submit to me during the summer months in the process of this initial, fairly in-depth examination of the report. When that has been completed, I am very willing to take under serious consideration the idea which was proposed by the member for Quinte (Mr. O'Neil) that a small group, representative of all parties, might take a look at the report in the light of the assessment which is carried out by the committee. I shall certainly consider that most seriously because that may be a very useful way in which to do this.

I do believe, as a result of the very exhaustive study which the Wyatt Company carried out, that there are some recommendations which must be considered seriously regarding the role, the structure and the function of the Workmen's Compensation Board. It is essential that we do that as carefully but as rapidly as we can.

There were some questions raised about the rationale for the ceiling and raised about moving to a universal insurance program for accident victims. There is a conflict here because, if we were to attempt to move to a universal accident insurance program, we would be limiting the possibility of introducing that program if we took off the income ceiling. We are not going to be able to develop an actuarial base upon which to establish a universal program unless we have some carefully defined parameters in order to move in that direction.

Suggestions have been made, and I am aware of the amendments which the New Democratic Party is bringing in, but I can only suggest that it was my concern to bring in reasonable and responsible increments in the benefit levels which were very closely related to the increase in cost of living. The final figure of six per cent was related to the best estimate that could be made at the time of the cost-of-living increase for this year; it may be a little out of line now, but it certainly was made on that basis just a few weeks ago when it was established.

I am informed that these recommendations also closely follow the recommendations of the joint consultative committee, which is a

committee appointed for the board's edification and made up of representatives of trade unions and management, and of ordinary citizens within the community, I am informed that their recommendations to the board were very closely in line with the recommendations which appear before the members of the House.

Mr. O'Neil: Can we get a copy of those?

Hon. B. Stephenson: I don't have a copy of them, but I shall try to get a copy for the member. However, I am informed that they are very close to those as well; so that there has been external assessment of this need by a group not directly related to the benefits of the board but certainly with great interest in the board's function and that their recommendations closely approximate these.

I would remind the members that the amendments which the New Democratic Party is suggesting for this bill are really changes which are perhaps in conflict with some of the philosophy and some of the ideas of the social contract between employers and employees—a social contract which I would be very unhappy to see broken at this time. I would hope that they would think very seriously about those amendments at this time. They may be useful amendments to consider when we consider further modifications of the Workmen's Compensation Act in the total concept of the act, rather than simply on the basis of benefit levels.

Mr. Speaker, that is really all I would like to say at this time. I am grateful for the interesting suggestions that have been made regarding some of the new initiatives or the new directions which might be considered for workmen's compensation in this province and they will most certainly all be considered very seriously.

Motion agreed to.

House in committee of the whole.

WORKMEN'S COMPENSATION AMENDMENT ACT

Consideration of Bill 126, An Act to amend the Workmen's Compensation Act.

On section 1:

Mr. Lupusella: Mr. Chairman, just a few minutes ago I heard the Minister of Labour herself state that the scope of this particular bill is quite limited. The limited scope of the bill is also reflected in this particular section 1(1)(a). I remember when I made a speech on the budget on June 21, 1976, on the floor of this Legislature, and I drew the attention of the Minister of Labour to the fact that something was bothering me about this

particular section. I want to quote for the record what I said in 1976.

Hon. B. Stephenson: What section?

Mr. Lupusella: Section 1(1)(a). For the sake of the record I want to report what I said in 1976 in the budget debate. I quote: "In a province where the average cost of burial is \$1,200 the act only allows \$600 for the burial of a worker killed on the job. I guess the difference is a sort of deterrent fee."

I was quite dissatisfied. People are complaining about this particular cost. It's a clear cut case that workers are dying and the Workmen's Compensation Board is not adequately reflecting the cost of a burial. I want to share with the minister my sense of frustration when I'm dealing with so many widows and widowers in my area who are saying the Workmen's Compensation Board is not paying sufficient money for the burial costs of workers who die on the job. They show this sense of frustration.

I'm sure the Minister of Labour and the Workmen's Compensation Board do not really understand the position of a lot of people in the province of Ontario, specifically, people coming from different ethnic backgrounds, who are really concerned about the burial costs. For them, it's some sort of veneration they want to show to the person who died on the job or who died a natural death. They want to express their veneration to the person who died either on the job or of natural causes by having a decent burial ceremony. That's what this government and the Minister of Labour do not understand.

What this government is doing in this particular clause is offending the tradition of a lot of people in the province of Ontario coming from different ethnic backgrounds who are really concerned about the cost of burial. I know the Minister of Labour disagrees with me but it's a reality which exists in the province of Ontario and I want to bring to the attention of the Minister of Labour this particular concern of a lot of people, particularly people from different ethnic communities, to have a decent burial ceremony. The minister is emphasizing the \$800, but even though the amount was increased from \$600 to \$800 the average cost of a burial was around \$1,200 in 1976 and I guess the cost has increased in 1978.

[12:30]

Why is she not taking into consideration this concern coming from different people? They're not just losing their husband or their wife, but they have to pay more for the

burial cost because, as I stated before, they are particularly concerned and through the ceremony they want to express this sense of veneration to the person who passed away.

I expressed this concern in 1976. I don't think that the \$800 payment is sufficient. Even though the Minister of Labour showed some concern in providing for a \$200-increase, she is very well aware that the average cost is around \$1,500 for a decent burial.

Mr. Ziembra: It is \$2,000.

Hon. B. Stephenson: It is not.

Mr. Lupusella: It's not? Do you have a figure for that?

Mr. Ziembra: Can you bury somebody for \$800?

Hon. B. Stephenson: I have had some recent experience with it.

Mr. Lupusella: Again, the Minister of Labour really doesn't want to understand the concern of those people who want to have a decent burial ceremony. She missed the main principle of what I have just said.

Mr. Ziembra: A cardboard box.

Mr. Lupusella: If you are really concerned about multiculturalism, since the government is talking about multiculturalism, that's how this government can interpret the needs of those people.

Mr. O'Neil: That's not a matter of principle in the bill.

Mr. Lupusella: Through tradition and custom they are getting into this situation. They are losing their husbands and they are losing their wives. They have to pay more money. The Workmen's Compensation Act does not properly cover the total cost. I don't know if the minister made any inquiries around the province of Ontario that would suggest that the average burial cost is \$800. I don't have the same estimate. I would like to hear from her.

Mr. Ziembra: Name the funeral homes.

Mr. Lupusella: I hope that when she brings in legislation, she will take into consideration this concern.

Hon. B. Stephenson: The survey which was carried out by the Workmen's Compensation Board and by others regarding funeral costs would lead us to believe that \$800 would cover the average cost for most funerals. It should be noted that it's not the purpose of Workmen's Compensation Board death benefits to line the pockets of funeral directors. The purpose is to meet the cost which is imposed upon a family as a result of that death. That is why there is an immedi-

ate lump sum payment of \$800 proposed in the revised benefits, as well as the funeral cost of \$800, an increase of \$200 each of those benefits. There is as well the cost which will be covered at whatever it is for the necessary transportation of the body.

It would seem to me that because Ontario is now leading, except for British Columbia, in this area that probably we are at this level meeting the actual cost of funeral services in most instances.

Mr. McClellan: We're leading except for British Columbia? We are not leading the way?

Hon. B. Stephenson: There it is only \$855, or \$55 more.

Mr. Lupusella: You're missing the principle of what I was saying.

Hon. B. Stephenson: I know what you are saying.

Mr. Bounsall: Speaking very briefly to this same section, I must admit this doesn't occur to me to be a place where I would naturally place an amendment increasing the amount. I certainly appreciate the feelings of the member for Dovercourt and members coming from communities in which a certain level and standard of funeral and burial are the accepted norm. I am a member of the Memorial Society and a very strong supporter of all their activities. I have a prepaid funeral for myself which costs much less than the \$800.

Mr. O'Neil: Stay with us a while.

Mr. Bounsall: I will be cremated in the cardboard box in which caskets are shipped, after they have removed—

Hon. B. Stephenson: You are not intending to use it this week, are you?

Mr. Bounsall: It's all ready. It's prepaid and that's the way I feel I can be disposed of with dignity when the time comes. Anything else is unduly ostentatious. It only costs \$4 to open up the cemetery plot the size to get the ashes in—

Mr. Haggerty: He's just telling us \$800 is too much.

Mr. Bounsall: That to me is the way things should be going, although I will probably arrange for the person who opened that up to be tipped handsomely.

Hon. B. Stephenson: You are not suggesting this should be reduced on the basis of your experience?

Mr. Bounsall: No, I'm not. I find myself very much in the minority in terms of my views on how my body should be disposed of. I do appreciate the feeling that is prevalent in large segments of our society that a some-

what different funeral, disposal and burial practice should be carried out and is the norm.

In this regard, I quite appreciate the minister's view too that what we shouldn't be doing is lining the pockets of the funeral directors. I would suspect from my contacts through the memorial society with funeral directors, that they would immediately be aware of the amounts in the Workmen's Compensation Board Act, and their first question would be to any widow or widower, were they killed in the work place. And somehow, automatically their cost would be, as a minimum, equal to what they have in the act. That, I agree with the minister, should not be encouraged.

In the thorough, ongoing review which we make of the act, as prompted by the three authors of the Wyatt report, maybe we could have a look at that area. However, I am not inclined personally to be too interested in this section. Perhaps we should be putting some sort of maximum on it and paying 75 per cent of whatever the funeral cost is up to this maximum. Then the widow or widower can feel some freedom to choose a range of funeral services, knowing beforehand she or he is paying a quarter or a third of that total that would not be reimbursed by the board. Perhaps that's one of the things we could consider.

Mr. Deputy Chairman: Shall section 1(1) (a) stand as part of the bill? Carried.

Mr. Bounsall moves that in subsections 2 and 3 clauses (c), (d), (e) and (f) of subsection 1 of section 36 of the act be amended by, in clause (i): replacing \$318 to \$448, in clause (ii), replacing \$344 with \$493, in clause (iii), \$365 with \$523, (d) replacing \$93 with \$95, \$99 with \$101, \$98 with \$99, \$106 with \$109, and \$113 with \$116 where those numbers occur.

And following clause (f) shall be added: "and the amounts payable under this section shall be adjusted on the first day of July in each succeeding year commencing with July 1, 1979 by a percentage amount equal to the percentage change in average wages and salaries in Ontario for the calendar year previous as indicated by the industrial composite average weekly wages and salaries for Ontario published by Statistics Canada."

Mr. Bounsall: I am speaking briefly to this, but I hope with some conviction. There are three principles involved in this amendment: The minor one of the three is the fact that the percentages used to change the existing numbers in the bill, I found had no rationale to them. The first change is to be a

change reflecting the cost of living or per cent salaries and wages for the year 1975. The minister has 11 per cent in the bill. The cost of living for 1975 went up 10 per cent, and the per cent increase in salaries and wages went up 12 per cent. As I said last night, perhaps she chose the middle ground, 11 per cent, between those two. That would be fine.

The same remarks would apply to the year 1976 for the second change. It could have been guessed at, as I was doing, that she was choosing the middle ground between the increase in the cost of living and increase in salaries and wages. This works out to eight per cent, the cost-of-living increase being six per cent, and the increase in salaries and wages 10 per cent.

If that were the case, however, when one gets to the third change embodied in the bill, which would be looking at the entire year 1977—and numbers are available for the entire year—the cost of living went up 14 per cent—actually that is a rounded off figure, it went up 13.9 per cent—and the per cent increase in salaries and wages was six per cent. Again if one is splitting the difference we would get a 10 per cent factor, rather than the one chosen by the minister—six per cent. So that rationale fell apart then in terms of what she may have been doing in choosing the mix. There is no justification for the six per cent.

The question was then, what does one pick? Does one agree with the minister in her 11 and eight per cent, and propose a 10 per cent which would be assuming a mix of those two—an equal mix of those two factors? Or should one take the consumer price index directly, in which case it would be lower in the first two years and much higher for the third adjustment? Or should one take per cent salaries and wages?

As I stated last night, all I did was choose one of those three alternatives; rather than the cost of living, rather than the 50-50 mix of cost of living and per cent increase in salaries and wages, I choose the per cent increase in salaries and wages, on the basis that this is the rational adjustment to be made to benefits which are supported to make some compensation for the loss of earnings of workers in the work place. That is the most rational basis on which to place it—salaries and wages. So I simply have adjusted in the bill, and this is the first time it reflects it, for each of the figures in the bill, a 12 per cent rather than 11 per cent in the first year, a 10 per cent rather than an eight per cent in the second year of the adjustment, and I agree that six per cent

would be the comparable figure in the third. So those changes are reflected in the numbers, and this occurs throughout the bill.

They are small changes, but it is an attempt, by moving these amendments, to have the board and the ministry accept that there should be some rationale for the numbers which one picks to make those change in benefits. This is preferable to the ad hoc system which, surprisingly in so comprehensive a report that took 15 months in the making, was defended by Mr. Field, Mr. Inglis and Mr. Smart from the Wyatt Company who wrote the report. One almost gets the distinct feeling that they are promoting an ad hoc system with respect to changes, something which I would hope the ministry and the board would have by now moved away from.

However those are small changes. I would not be unduly upset if the ministry decided that the changes were sufficiently small between the figures proposed by the ministry and by myself, they weren't worth making the change. Although in each and every case, because of the higher starting figures for the first two years, they do result in slightly higher figures coming out.

[12.45]

The second principle, and this is the important one, I feel in this section, is the pension being paid to the widows and widowers of workers killed in the work place. Those figures used in the bill as the base were those figures introduced in 1975 and moved away from the position which the board had taken in the years 1971 to 1975. Then the amount paid to widows and widowers, because of their spouses being killed in the work place, was identical to the minimum of the totally permanently disabled.

That was in existence from 1971 to 1975 in the board. It looked as if, and it was never denied, that was the rationale why those figures were identical. It was never positively stated by the board that this is why those figures are there, but when pointed out that they were identical heads would nod wisely as if that was the basis and a rational basis for why those were identical.

In 1975, we increased rather substantially the minimums for the totally permanently disabled and increased the widows' and widowers' pensions only by the 10 per cent adjustment that we made in 1975. Therefore, we were moving off what I think was a very valid principle: that the pension paid to a widow or widower as a result of their spouse being killed in the work place the pension should—not only could but should be iden-

tical with the pension that would be paid to that spouse if that spouse had survived but was now permanently disabled.

It seems to me those have full justification for being identical, because what could be more permanently disabling to a worker than to be killed in the work place? Therefore those pensions should be identical. So you will see in the bill the actual change for the widows and widowers is substantial. I have moved them from the numbers in the bill to be equal to the permanently fully disabled category with those small percentage changes which I have mentioned previously.

The final clause is the automatic escalator. Again, this is something not favoured by the three authors of the Wyatt report. But again I was struck by the very retrogressive attitude of the authors of the Wyatt report with respect to why they shouldn't index. Their contention was that if one indexed, this might be inflationary. Therefore, if it was going to be inflationary we shouldn't index. And of course all this does is keep workers—

Mr. Haggerty: Sheer nonsense.

Mr. Bounsall: This is the Wyatt report. I don't know whether you have read it yet, Ray. That certainly is a nonsensical statement in Wyatt when you are adjusting well behind the fact. We've called for an adjustment to be made in July according to the changes made in the previous calendar year. So they are still well behind.

The justification given by these three gentlemen for that section of the Wyatt report dealing with the adjustment of benefits certainly makes their whole attitude suspect in my mind. The authors of the Wyatt report, I think, appear quite capable in terms of looking at the financial arrangements and rating experience practices and the financial position of the board and how the board should operate differently in administrative terms and the cost associated with that administration. I think they are quite capable as actuaries in dealing with those aspects. But with those statements occurring early on in section 3—that we shouldn't index benefit provisions because it might be inflationary—makes that whole section suspect.

They certainly can look at balance sheets and certainly from their practice as actuaries make thorough estimates of the other parts of the report, but it reflects that their social conscience, with respect to that kind of benefits, is quite suspect just from that particular comment alone, and their willingness throughout to be the kings of ad hockery

and to have no rational basis for the percentages they propose.

We very much feel in the final section in this amendment that it should be adjusted yearly by the same percentage equal to the percentage change in the average wages and salaries across Ontario, it would give the board ample time to do it. For example, the percentage change in average salaries and wages for 1978 would be known no later than February or March 1979, giving ample time to change the figures for July 1 in terms of paying out those benefits. That would help the board administratively. It would cause them no administrative problems with that much lead time.

I would like to make one final comment on the numbers affected. Since the debate last night, I got the absolutely up-to-date figures on how many widows and widowers we're talking about in Ontario. There are 62,263 persons on pensions in Ontario of whom only 5,045 are widows and widowers as of April 6, 1978. We're not talking about a very large percentage of the pension recipients of the board. Roughly around eight per cent or a shade less would be affected by this amendment. We're talking about roughly a \$150 per month change or about \$750,000 in the total per month to pay them a pension that's properly in line with those who are permanently fully disabled.

I would hope the members of the Liberal Party would agree and the Minister of Labour would accept that this is now the valid basis on which widows' pensions should be based.

Mr. O'Neil: We will not be supporting this amendment. As I mentioned in my opening remarks concerning the bill, we would like more time to have a look at the Wyatt report and the other information that will be available to the members of this Legislature.

Mr. Deans: That's the government position.

Mr. O'Neil: At that time, we will be looking to see if amendments should be proposed. Therefore, we will not be supporting that amendment.

Mr. McClellan: I have to say I'm bitterly disappointed that the Liberal Party does not intend to support this amendment. As things stand now, the widow of a worker who is killed on the job is forced to rely on welfare, on social assistance, to support herself and her family.

Hon. B. Stephenson: She may be.

Mr. Deans: And most are.

Mr. Deputy Chairman: Order.

Mr. McClellan: I would like the minister to explain to me how a widow is supposed to

raise a family on the payment that stands as of today, namely \$265.

Hon. B. Stephenson: A widow with children gets benefits for the children as well.

Mr. McClellan: The reality is that the replacement income under the workmen's compensation program for the loss of a principal breadwinner through death has never been sufficient to enable the family to continue to live at any kind of a standard on compensation benefits alone. It is absolutely essential, if employment is not a possibility for whatever circumstances, for the widow to turn to social assistance. The minister knows that full well.

We have not raised the widows' benefits to an unreasonable amount. We have not, for example, as we could have done, raised the amounts in accordance with the standard of adequacy. We could have taken the position that widows' benefits ought to be based on a recognized standard of adequacy and set them accordingly. Because we feel it is the most reasonable thing to do at this time, we have chosen to base widows' pensions on the principle, as my colleague has stated, that the benefit paid to a widow ought to be the same as the maximum benefit paid to the spouse, had he lived, at full permanent total disability rate. That's precisely what we've done.

I believe, having done some calculations, that the amounts of money that would be granted under the amendment are certainly more generous than anything a family would receive through supplementation on general welfare assistance or family benefits. The amounts do approach a standard of adequacy; they are certainly above the Statistics Canada poverty line figures.

The principle ought to be—and I am deeply dismayed at the position of the Liberal Party—that the widow of an injured worker should not have to turn to welfare but that the workmen's compensation provisions ought to be adequate to enable her to support herself and her family.

The second point that I want to make is with respect to indexing. I have already commented on the sorry disgrace that it has been to all of us. It has been a blot on all of us that the compensation rates have not been raised since 1975. Any government that would allow the compensation rates to go unadjusted for three years should not be trusted. It's as simple as that. They should not be left with the discretionary power of when cost-of-living increases should be brought back before this House. We should amend the bill so that the cost-of-living increase is auto-

matic. This government has betrayed that trust.

Mr. O'Neil: We may amend it, too, in the fall.

Mr. Ziemba: Then why don't you do it?

Mr. McClellan: Do it now while the bill is before you.

Mr. Deputy Chairman: Order.

Mr. McClellan: They can do it now, Mr. Chairman, while the bill is before them.

Mr. O'Neil: A little more study is needed to be—

Mr. Ziemba: You've studied it for three years.

Mr. McClellan: You don't need any more study.

Mr. Deputy Chairman: Order. Can I ask the member for Quinte to cease interjecting and the member for Bellwoods to address the chair?

Mr. McClellan: Thank you, Mr. Chairman. I will ignore the interjections.

The index we have chosen as the automatic cost-of-living adjustment is the industrial composite average weekly wage. That is, without doubt, the most appropriate index for workers' compensation.

Mr. Ziemba: It's not too radical for the Liberals, is it?

Mr. McClellan: I say again, it is irresponsible to leave the discretion to bring back cost-of-living indexes to this government. Indexing has to be built into the bill, because this government has shown that it is not capable of being trusted to bring back the legislation for annual cost-of-living increases.

Mr. Haggerty: Mr. Chairman, I want to address myself to the particular section of the bill, section 1(2), I believe it is, and perhaps make a few comments on the amendments put forward by the member to my left.

Actually, the amendment is indexing the workmen's compensation to the present cost of living, wages and so forth, as mentioned by the members. I was interested to read page 188 of the Wyatt report dealing with indexing and escalation. I suppose one could get into this thing in some detail, but I just want to quote from one paragraph.

"Attempts to compensate for inflation are not, of course, a cure for inflation. The only cure for inflation is to end inflation." It goes on to say: "We will not attempt to offer a solution." So perhaps it's going to be wide open for debate. Some of their other comments relate to the benefit area of the workmen's compensation as to whether to increase it and, in some cases, they even suggested decreasing it.

[1:00]

Hopefully, they are not going to take that approach or the government isn't going to accept the recommendations that the way to end inflation is to stop any increases at all to the injured workers. When I look at the amendment to the act, I note we have increased it for a surviving spouse to \$365 per month. I would suggest to the minister, as the member for Bellwoods has mentioned, it is enough to drive a person to welfare or to go under the Family Benefits Act.

In fact, if you look at the Family Benefits Act closely enough, it far outweighs the benefits under the Workmen's Compensation Act. Under the Family Benefits Act, they will provide financial assistance to purchase a home and even to pay the rent. Under this act, if a surviving spouse through the loss of the breadwinner is left with a heavy payment on a mortgaged home, then \$365 would perhaps only pay the mortgage on that home. There's nothing left for the survivor to maintain a self-sustaining good standard of living.

I feel in this particular area consideration should be given. I am sure in certain areas where there is a surviving spouse under certain circumstances maybe the home is paid for. In other cases, I think that with 25- to 30-year mortgages today, there are very few surviving spouses who will have removed that debt.

Hon. Mr. Welch: Would the honourable member permit me to make some adjustment in time for a minute?

On motion by Hon. Mr. Welch, the committee of the whole House reported progress.

Hon. Mr. Welch moved that the House sit past 1 o'clock.

Motion agreed to.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Welch: While we are still in House, could I just take a minute to table the answers to questions 29 and 128 standing on the notice paper, table the response to sessional paper 108 and table the answers to questions 33, 44, 109 and 110 standing on the notice paper. (See appendix.)

House in committee of the whole.

WORKMEN'S COMPENSATION ACT (continued)

Resumption of consideration of Bill 126, An Act to amend the Workmen's Compensation Act.

On section 1:

Mr. Haggerty: I was addressing myself to the section of the bill that relates to spouses' benefits. The matter relates to the person who is left with a large debt such as a mortgage. There is no consideration given here that the board will take this into consideration. I think in a number of circumstances that consideration must be given to this particular area.

I don't know why the report says it wants to encourage the person, the surviving spouse, to remarry or enter into another similar contract. I can't quite accept that approach. I suggest to the minister in this particular area that there are persons who have lost their husband and who have a large debt that has to be paid off. Perhaps some widows do not wish to marry at the present time or in three or four or five years.

Consideration must be given in this particular area under certain circumstances. I leave it to the discretion of the board or to the minister to put something in the act that would allow for additional payments in case of a heavy debt where the breadwinners no longer can provide for the survivors and the family.

Mr. Lupusella: On that section, I hope the Liberal Party, particularly the member for Niagara Falls, will express their concern on that vote.

Mr. O'Neil: He's not here to defend himself.

Mr. Chairman: Order.

Mr. Lupusella: Let me say, then, the Liberal Party as a whole.

Mrs. Campbell: Let's deal with the bill.

Mr. Lupusella: I'm speaking to the principle of the bill. I hope the Liberal Party as a whole will express their goodwill in relation to this amendment which has been introduced by my colleague to index injured workers' pensions to the cost of living.

As I stated last night, it seems that the total 25 per cent increase which is contained in Bill 126 does not really reflect the needs of injured workers. I especially emphasize one aspect or one angle about certain injured workers who are permanently partially disabled, namely, that the 25 per cent increase might result in an increase of \$2, \$3 or \$4. What the minister is doing and what this government is doing is to upset those permanently partially injured workers with little pensions. In view of this increase, they will see only an additional \$2 or \$3 on their pay cheque at the end

of the month coming from the Workmen's Compensation Board.

If I may, I think this amendment was supposed to be the main focus of solving the cause of injured workers in Ontario. That's why I am inviting the Liberal Party strongly, vehemently and adamantly, to support this amendment if they want to share their concern about injured workers without emphasizing really the problems employers will face on the increase in their premiums.

Nobody in Ontario would like to see accidents. That is the aim to which this Legislature should address itself in order to prevent this social disaster which takes place from one year to the next here in Ontario. I think the main problem, if this amendment is not passed by this Legislature, is again we will be penalizing a particular group of injured workers.

Mr. Chairman: Order. I would ask the member to return to the principle of the amendment, which is in regard to widows' and dependants' benefits. Does the honourable member have anything in regard to the amendment?

Mr. Lupusella: Yes, Mr. Chairman. As I stated before, I am particularly upset that the 25 per cent increase in that bill does not reflect the 30 per cent cost-price index. The Minister of Labour promised us in the past that she would take a close look at this situation. They are going to study the formula, but I don't really have too much trust in that commitment. Whenever we raise an issue in this Legislature, it takes years and years of study. Then the Minister of Labour comes out with a formula which is not even solving the problem. That's the comment which I wanted to raise.

Mr. Bounsall: One short comment, Mr. Chairman. I was quite pleased to hear the remarks of the member for Erie (Mr. Haggerty) on this amendment that deals with the adjustments of widow's pensions. Obviously, with his vast experience and time in the House with workmen's compensation, he feels that more of an adjustment should be made than has been provided in the bill. And I would hope that his colleagues in the Liberal Party would take that very much under advisement.

What I do object to—and I am not trying to be controversial here but I just feel that at some point it should be said and I agree very much with the remarks made by the member for St. George (Mrs. Campbell) last night—is that every year we are here in the last day or two of June dealing with a Workmen's Compensation Board benefit amend-

ment, and at some point that should end. At some point we are going to have, and should have, sufficient time for a bill of this sort to be sent to committee outside the House where we can have a thorough and ongoing investigation of why the particular numbers were chosen and what ad hockery went into the choice of those numbers. Because it does disturb me that it should be so ad hoc a proposal as submitted by the three authors of the Wyatt report. And I feel rather strongly about this.

Certainly when we come to the consideration of the Workmen's Compensation Board report which should be taking place this fall, we can simply—

Mr. Chairman: That is not before the committee at this moment.

Mr. Laughren: We can debate it later on this afternoon.

Mr. Bounsall: That's right. I am speaking to that portion of the amendment which deals with the adjustment, the amount by which the pension should be adjusted. At that time, when we come to the consideration of the board's report in the fall, we can go into that ad hockery versus a formula situation, in some depth and over some days with the authors of these reports, the people who sat on those committees and so on. I understand that can be done at that point. But we should end the practice of dealing with it in the last day or two.

However, let me simply point out that the attitude of the member for Quinte rather disturbs me. We have had this bill since Monday. It is now Friday. No one member is busier than any other member. I have had time and my colleagues in this party have had time to thoroughly read the Wyatt report.

Mr. Laughren: Page after page.

Mr. Bounsall: I have read it twice. I have read the legislation. I have been able to make the adjustments on it, and it didn't take that much time. That is no reason for the member for Quinte, primarily charged with the bringing of the bill through for the Liberal Party, I gather, to sort of indicate that we will have a discussion in the fall, and implying that he hasn't had enough time in four days to have a comprehensive look at this bill. That does disturb me.

Mr. Laughren: Good point.

Mr. Bounsall: I am disturbed that we don't have more time. But at least we have had four days. That amount of work could have been done, as myself and other colleagues in our party have done; and I am affronted.

Mr. Lupusella: Most of it.

Mr. Bounsall: Most of us, right. And I am affronted that that is the excuse given by the spokesperson for the Liberal Party as to why they are not taking an in-depth look and supporting rational amendments placed by ourselves.

Mr. Laughren: Did the minister find a seat for Michael Starr yet?

Mr. Lupusella: Just smile, don't be upset.

Hon. B. Stephenson: I am not upset; I am just bored.

Mr. Lupusella: You never smile.

Mrs. Campbell: Mr. Chairman, I too wish to address myself to the provisions of these amendments as they affect a widow or widower. Unfortunately, I suppose that a greater number would be widows. That seems to be the experience that I have had in working with these cases.

Hon. B. Stephenson: Males are the weaker vessels, Margaret.

Mrs. Campbell: Yes, I understand that but in my experience of the injured work person—and I am not only dealing as some of my colleagues apparently are with injured workmen; I am thinking of those who are injured. The female worker gets basically very much less consideration under workmen's compensation than her male counterpart.

[1:15]

Mr. Laughren: John MacBeth understands that. John MacBeth knows that. As Minister of Labour he tried to do something about it. Bring back John MacBeth.

Mrs. Campbell: In this particular section, however, I would like to address myself to that portion which does deal with widows, because I had hoped that this minister, through all the staff she has to give consideration to the problems of women left as widows in our society, could have come up with something a little more equitable for these people.

One of the great crying needs in this community today is to take a look at pension benefits for widows, generally speaking. Usually this government, for example, in its provisions for pensions for its own staff is quite prepared to let the widow of such a staff person try to get along on infinitely less, as a result of pension, than the male employee has.

I would have thought, I would have hoped, that this minister with all of her staff might really have come forward with a very strong statement on behalf of those who are forced to live in these circumstances in our society today. That consideration has to come; it must come because the inequities are so very clear.

Yet here we are with a formula which does improve a situation but which doesn't really take into consideration the responsibilities of that dependant who is left widower.

Again, I am in the position where I feel almost as though I am taking bribe for the first time in my political career, because I feel I'm being bribed by these measures to proceed with consideration quite apart from all the other important considerations that should be before us. Because I have to; I have to see that this goes through. I must. We cannot delay the solution for these people any longer.

The treatment which has been accorded them has been inhuman, it has been inhuman, but I am powerless—

Mr. Laughren: I am glad you are supporting our amendments.

Mrs. Campbell: —to change this section, basically, I suppose, because of the rules of the House and the matter of money. I can't tell you how I could amend to give equity here. I don't know how I could amend to do that.

Mr. Laughren: There's no problem. It's not a money bill.

Mr. Bounsall: Support ours for the interim.

Mrs. Campbell: The indexing suggestion is one which this government has endorsed in the past for others. I would like to see this government with the same policies for its people as it has for the federal obligations. I would like to see that. Perhaps it might see the same principle for municipalities, but not here, not here. I don't understand it.

The minister is an honourable person and I accept that what she is trying to do is the best that she can, having in mind the matter of the whole cabinet and the cabinet discussions of this matter. But I do want to make a special appeal to her in this particular case, because her voice is strong. We know that, we realize that, and that gives her a very much greater responsibility, it seems to me.

The women in this House really do have to work sometimes to educate. This is a beautiful moment for her, to take that opportunity to educate the members of her cabinet who may not understand. In any event, I trust I have, made my point. I don't like this kind of a debate because often it gives the appearance of mouthing things for partisan political purposes. I have tried to avoid that. I have tried to avoid that because the overall concern that I have is for these people. I think I've proven that in my life in politics.

I would like, therefore, to challenge the minister to take a firm stand on the matter. I would like to engage her for a moment in time in this particular section in some philoso-

phical debates on the matter, if she would engage in it, so that I could have assurance that by the fall we would come to grips with this problem and that we would, indeed, be reviewing it with a view to giving to widows, and automatically widowers too, but to widows primarily, some equity.

Hon. B. Stephenson: Could I just remind the honourable members that while I share their concern about those individuals who are left spouseless as a result of industrial accidents, I would remind them that the philosophy of the Workmen's Compensation Act has been that pensions are paid to disabled workers on the basis of earnings and, indeed, they're a function of the earnings of the individual, but under the act this allowance, if you like, or pension to the bereft spouse is, in fact, statutory in terms of its benefits.

My concern is that at this time we haven't time to debate all of the things that need to be examined in the area of perhaps modifying the philosophy of the act, which I think is something which would be a useful exercise for all of us and could be very productive in terms of modifying the act. I really would like to ensure that we get some reasonable increase in benefits on the road right now, but certainly that would have to be a part of the deliberations regarding the act in the future.

At the present time, under the present philosophy of the act, it seems to me that this is the right route to go. I'm not an economist. I have no mathematical expertise and I'm certainly not an actuary. I have been alarmed by the numbers of thoughtful people who are specialists in that kind of area, whose opinions I value and who have expressed real concern about the problems of indexing. I am aware of past enthusiasm for this kind of procedure and present caution regarding indexing. I think we must be as knowledgeable about that as we possibly can be. I believe we must develop a mechanism whereby annual changes to benefit levels can occur, but at this point I don't know what that mechanism is.

The Wyatt report gives us a little guidance towards several kinds of alternatives which might, indeed, be looked at in this area. This is why I am hoping that as a result of our in-depth study of it we will be able to develop a mechanism which will be more satisfactory. At the present time, we are working within the somewhat firm guidelines of the philosophy of the Workmen's Compensation Act. I think we should move with the recommendations which have been brought in.

Mr. Laughren: I understand what the minister said, and perhaps it is an indication of how desperately we need to change that approach to dependants' allowances, because it should not be viewed that way.

Hon. B. Stephenson: But that is the way it is.

Mr. Laughren: That's what I said, I understand that that's the way it is in a statutory manner, but that's not the way it should be. I really would hope that we have wide-ranging debate next fall. Perhaps we could set aside a day to debate the—

Hon. B. Stephenson: Cut 10 hours off the estimates and we will have the debate.

Mr. Laughren: No, we could add 10 hours on to the estimates to talk about the Wyatt report and the implications of the content.

Hon. B. Stephenson: You want to spend all fall on my estimates?

Mr. Bounsell: Why not?

Mr. Laughren: I must admit that there is a degree of pain involved in that kind of decision but we would be willing to make the sacrifice, yes.

Mr. Bounsell: I might just point out that it's a statutory requirement under the Workmen's Compensation Board Act that the WCB report that was tabled today be referred to a standing committee. There is no time limit on that. When that does occur this fall, that will be the time, whatever number of days it takes, to talk to the authors of the Wyatt report and any other expert staff you want to bring in to simply thrash that whole question out. We would be delighted to take the two or three days on this whole section at that time.

Mr. Chairman: All those in favour of Mr. Bounsell's amendment please say "aye."

All those opposed please say "nay."

In my opinion the nays have it.

Amendment stacked.

Section 2 agreed to.

On section 3:

Mr. Chairman: Mr. Bounsell moves that subsection 1 of the bill, subsection 8(c) of section 42 of the act, be amended by: in clause (a) replacing "11 per cent" by "12 per cent"; in clause (b), replacing "eight per cent" with "10 per cent;" adding after clause (c) "and the amounts payable under this section shall be adjusted on the first day of July in each succeeding year commencing with July 1, 1979, by a percentage amount equal to the percentage change in average wages and salaries in Ontario for the calendar year previous, as indicated by the in-

dustrial composite average weekly wages and salaries for Ontario published by Statistics Canada.

Mr. Bounsall: Just very briefly, in the previous amendment we have covered the change or attitudes in the House with respect to, at this point at least, the percentage changes that should automatically accrue. So I will not run over that part of the argument.

[1:30]

What this amendment highlights is, again, something which the minister has still not quite replied to. I thought I understood how she arrived at her 11 per cent for the year 1975, as a mix of the CPI and the per cent salaries and wages; how the eight per cent was arrived at for the year 1976, again as an equal mix of CPI and per cent salaries and wages; and yet for the third year, 1977, she chose the smaller of those two indices, the six per cent increase in salaries and wages, rather than the CPI, which was 14 per cent, or a mix of those two, which would have brought it up to 10 per cent.

I have explained the amendment which we have placed; that is, the pure and simple per cent salaries and wages increase, which turned out to be 12, 10 and a number, six, equal to what took place in the third year.

I would still ask the minister, is it purely ad hocery involved in the percentages picked, and is there no basis for it? And does she not agree with us that some basis could be chosen—and there are three areas you can choose to do it in: pure CPI, pure per cent increase in salaries and wages, or a 50-50 mix of the two—does she not agree that one of those three methods should have been chosen and, if so, why doesn't she do it as such in this bill?

Mr. Lupusella: Mr. Chairman, I was in the process of proceeding with my comments previously, but it seems I was not addressing myself to the right amendment.

I want to take the opportunity here to emphasize a particular problem which is faced by a lot of injured workers in Ontario in relation to the level of disability as assessed by the Workmen's Compensation Board. I think there is a big loophole in the process of assessment, particularly as it affects injured workers who are permanently and partially disabled.

Injured workers are penalized in both ways. They are penalized because the level of benefits is not indexed to the cost of living and in the way in which the Workmen's Compensation Board is assessing the level of disability.

Hon. B. Stephenson: That's not in the bill.

Mr. Lupusella: It is part of the bill. I am trying to emphasize that they are penalized in both ways; and if the minister does not accept the particular amendment that has been put forward by my colleague, we will penalize them further, because they are already penalized by the fact that the permanent disability rating schedule is too old. I think the Workmen's Compensation Board, in co-operation with the Minister of Labour, should revise the board's basis for assessing permanent and the partial disabilities.

I have in front of me the rating schedule, which upsets me. I want to give you an example, Mr. Chairman—

Mr. Chairman: I would say to the honourable member he was referring a few minutes ago to revising the system. I don't think this amendment revised the system; it changes the rate.

Mr. Laughren: You have to agree it needs to be done, though, Mr. Chairman.

Hon. B. Stephenson: But it has nothing to do with this bill.

Mr. Chairman: Would the honourable member return to the amendment, please?

Mr. Lupusella: Mr. Chairman, what I am trying to emphasize is that the amendment which has been introduced by my colleague would solve at least part of the problem faced by injured workers, because at least they wouldn't have to come around every year to put pressure on the government and the Workmen's Compensation Board in order that those changes take place.

Hon. B. Stephenson: It is not going to make any difference to the permanent or partially disabled.

Mr. Lupusella: The Minister of Labour is just trying to make promises, as she has done in the past, but the act should be revised, and the Workmen's Compensation Board and the Minister of Labour should take a look at the studies and reports that were tabled in the Legislature in order that suitable ways can be found to implement the right formula, which will take into consideration the cost-of-living increase.

We cannot count on those promises. Words are words. What this Legislature and the members of this party are looking for is a strong commitment to take a close look at the problems faced by injured workers, because the cost of living is increasing every year. There is no particular section in the bill which takes into consideration this particular concern. That is why it is imperative that the government and the Liberal Party support this clause to alleviate in some way

problems encountered by injured workers in Ontario.

As I emphasized previously, the workers most affected are those who were injured a few years ago when the annual ceiling was not very high. As I stated before, we don't have very many injured workers in Ontario making \$15,000 per year; now the ceiling has been increased to \$16,200 a year. We don't have many workers in that position. Actually, the workers in this particular category who get an assessment from the Workmen's Compensation Board as a result of an accident are going to get a higher assessment as a result of the new ceiling, in comparison to those workers who were injured 10 or 15 years ago. That's where the Minister of Labour really fails to face this situation and cover this particular loophole which affects all of those workers who were injured in the past and who have a minimum level of pension because the ceiling in effect at the time they were injured was not very high. I don't think the present system takes their needs into consideration.

What I want to suggest to the Minister of Labour is that she take a close look at this permanent disability rating schedule so that it will be revised in order that the percentage be increased, because otherwise we are leaving an opportunity for the Workmen's Compensation Board to play its own game just on the percentage of this rating schedule. The figures might sound fine, but the Workmen's Compensation Board might assess the minimum level of disability and, when injured workers are faced with a permanent partial disability, they won't get the benefits they are looking for.

My final comment is to solicit the attention of the Minister of Labour to take a close look at the permanent disability rating schedule.

Hon. B. Stephenson: Mr. Chairman, may I just make one small comment? The potential cost to the employers of this province—this has been done by an expert, not by me—of the addition after clause (c) contained in this amendment is estimated to be in the order of \$850 million.

Mr. Kerrio: Money doesn't mean anything to the NDP.

Mr. Chairman: All those in favour of Mr. Bounsall's amendment will please say "aye." All those opposed will please say "nay." In my opinion the nays have it.

Amendment stacked.

Mr. Bounsall: I have a further amendment on section 3(2). I believe you have a copy of this before you as well, Mr. Chairman.

Mr. Chairman: Mr. Bounsall moved that in section 3(2) of the bill, subsection 9 of section 42 of the act be amended by adding after "part" in line two, "except for a series of lump sum awards which taken together exceeds 10 per cent of the earning capacity of the employee."

Mr. Bounsall: This is a section which does bother me as to whether or not one should dispense with subsection 9 in total or make the kind of amendment which I have made. I do feel rather concerned that since lump sum payments have been made in the past, for whatever reason, that any amendments to the act increasing the amounts of pension paid should be paid on those lump sums.

I realize the administrative difficulty of that and in many cases, the small amounts of money involved in the initial instance anyway, for which the adjustment would then be small. I realize the effect upon the receiver is not very profound in any event. That is what has caused me to present this amendment which is, in essence, a compromise or a fallback position from that feeling which I have because of the small amounts of money thereby involved.

It covers the situation of a person who has initially been rated for a pension that was rated initially at eight per cent. I have one in my riding in precisely this situation now. Because it was less than 10 per cent, the act virtually requires that they be paid a lump sum. An appeal subsequently was made upon the pension rating and on appeal that was increased to 15 per cent. That represented another seven per cent. Because that was less than 10 per cent, again a lump sum award was made. Subsequent to that, some few years later, an appeal was made on that pension rating and it was again increased. I think it finally ended up that the pension rating which should have been that way all along, rather than eight per cent in the initial instance or 15 per cent at one point, should have been 22 per cent. Because of the difference between 15 per cent and 22 per cent is less than 10 per cent, a lump sum award comes out to her.

In no way, could she get anything else in each of those instances but that lump sum award which, if she had been given the pension rating she should have got in the first instance, which would have been 22 per cent, it would have come on a monthly basis and she would have been eligible and would have been receiving all of those increases to those pensions that is occurring in section 3 of this bill and occurred in 1974 and in 1975.

I'm quite willing to have the board not pay an increase in the pension to someone who has had a lump sum that is less than 10 per cent or even on the commuted amount where a pension has been commuted. It is for those persons caught in the situation of a series of lump sum awards which taken together are more than 10 per cent, more than the percentage by which they were required to take a lump sum, so that they have those additional percentages as outlined in this act applied to those lump sum awards.

They are caught by accident in an unfortunate situation of not having had proper pension ratings as they went along and being caught in a situation where lump sum awards by the act had to be paid out. Arriving at a final rating in this case I believe it's a final position—in her situation, which is well above, if it was given all at one time, the necessity to pay it in a lump sum, she has been and is continuing to be, unless this carries, in a situation where she is being disadvantaged because of inaccurate or not complete enough pension ratings, certainly in the first instance, and in the second instance of the three times that she's been in contact with the board over a pension rating.

I suppose that the wording could be changed slightly if this bothers the ministry or the Workmen's Compensation Board. I think the earning capacity phrase which I used in the amendment could more properly be clearer if I put in average earnings instead of earning capacity, so the amendment perhaps might best read, "except for a series of lump sum awards which taken together exceeds 10 per cent of the average earnings of the employee," just to be completely clear that I am talking about the pension rating on whatever the pension rating is based.

Mr. Deputy Chairman: Do I understand that you want to change your amendment from what is before me?

Mr. Bounsall: If it would help. "Earning capacity" could easily be changed to "average earnings" if that poses any particular problem to the acceptance of the amendment. If you can do that easily that would be a help.

Hon. B. Stephenson: Mr. Speaker, it is perhaps unfortunate that we saw this amendment only late yesterday afternoon. The example which the member has given us is an intriguing example. I am not sure whether, indeed, it has any counterparts within the experience of the board, but it would seem to me that it's not likely to be very frequent.

I think this is something that perhaps could be considered at some point, but I really can't see at this stage of the game that it would be

reasonable to consider this amendment with its complexity, not knowing what the incidence is likely to be, what the frequency is likely to be or what the cost is likely to be and I think it would be unwise to accept it.

Mr. B. Newman: May I suggest to the minister that she give careful consideration to the amendment, not necessarily accepting it today, and then amending the act at some time in the future if she finds the incidence quite frequent?

Mr. Bounsall: In response to the minister, I am encouraged by her attitude in this and may I just say, perhaps very sotto voce and it certainly shouldn't be advertised that they are so doing, that maybe the administration at the Workmen's Compensation Board, when this sort of case is brought to their attention, even though the legislation doesn't particularly—doesn't allow for it—in fact, would disallow it—that perhaps a slipup could be made at the board, and those adjustments made in any event?

Mr. Deputy Chairman: Mr. Bounsall has moved in section 3, subsection 2 of the bill that subsection 9 of section 42 of the act be amended by adding after "part" in line two, "except for a series of lump sum awards which taken together exceed 10 per cent of the average earnings of the employee."

All those in favour, please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Amendment stacked.

On section 4:

Mr. Deputy Chairman: Mr. Bounsall moves in subsection 1 of section 4 of the bill that subsection (b)(i) of section 43 of the act be amended by: in clause (i), replacing \$444 with \$448; in clause (ii), replacing \$480 with \$493; in clause (iii), replacing \$509 with \$523; and adding after clause (iii), "and the amounts payable under this section shall be adjusted from the first day of July in each succeeding year commencing with July 1, 1979, by a percentage amount equal to the percentage change in average wages and salaries in Ontario for the calendar year previous, as indicated by the industrial composite average weekly wages and salaries for Ontario published by Statistics Canada."

Mr. Bounsall: On this point, I am again simply following through in a consistent way with the other types of amendments we have made. Here again the second point is indexing; we have covered that already. In the interest of time, no more need be said about it. The small changes in the amounts contained in the act, which I have made in my

proposal, simply reflect once again that I wish to apply not an ad-hoc scale to the changes, not ad-hoc percentages to the changes, but percentages to increases for the permanently totally disabled, percentage increases equal and commensurate with the changes that have occurred in the per cent salaries and wages in each of those three years.

Mr. Deputy Chairman: All those in favour of the amendment will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

Amendment stacked.

On section 5:

Mr. Bounsall: An amendment on section 5(1)—

Hon. B. Stephenson: Which amendment are you using, yours or Mr. Laughren's?

Mr. Bounsall: Mine. Mr. Laughren will be here to move his when the time comes.

Mr. Deputy Chairman: Mr. Bounsall has moved that in section 5(1) of the bill, all of the words following "amended" in line three be deleted and the following substituted therefor: "by striking out all the words following 'remunerated' in the amendment of 1975 and substituting therefor, 'and there shall be no maximum rate.'"

Mr. Bounsall: The effect of this amendment is very clear. This is the part of the act which deals with the maximums allowable in earnings of workers on which compensation can be considered and paid. It is, of course, 75 per cent of that. We in this party feel very strongly that there should be no maximum upper level on which compensation and, therefore, pensions via the pension-rating method should be based. There should be absolutely no maximums at all.

The great number of workers who are injured in the work place do not make anything near the \$15,000 as indicated as the current maximum. Maybe the board has figures on that, as to what the breakdown is on maximum earnings. I thought I had a document fairly recently in my files which indicated that breakdown by the salaries of those workers who are receiving either compensation or pension benefits at the time of the accident. I am not able this morning to come up with it. I thought I had it, but perhaps the board or the minister could give some indication of just what that breakdown is.

In this matter of increasing the maximums, we're not talking about a very large number of workers; and the principle is that there should be no maximum. If a worker is deprived of his employment in the work place

through an accident injury, the whole purpose of the act is to compensate those workers for that loss of income. The fact that we have a factor on it that they would receive 75 per cent of their benefits as non-taxable is not a bad deal when we get to those workers at the upper level, or over the current upper level. I have already suggested to the minister that perhaps there should be some sort of sliding scale in terms of what percentage is given of that non-taxable amount, because workers at that higher level do benefit by the non-taxable portion of that 75 per cent. Perhaps that 75 per cent could be even a smaller percentage for those persons, taking into account the tax which they paid. But clearly there should be no upper maximum whatsoever.

Let me make one final comment. Away back in 1975, when we were dealing with these amendments, one of the arguments made by some of us during the debate, and informally outside the House, was that the maximum should at least be equal to the salary which an MPP makes. We were quite agreeably surprised, after some consultations had taken place before the bill was introduced, when it was raised from \$12,000 to \$15,000. It appeared to many of us that the argument that it should be at least the salary of an MPP at \$15,000 was reasonable and it was accepted. Those salaries have now gone to \$20,000. If there is to be a maximum placed in the bill, at least following that philosophy in other years it should be \$20,000.

The major point is that there simply should not be a maximum upper limit on which compensation can be paid; and subsequently, if there is a permanent partial disability still remaining, that permanent partial disability, when paid, should be geared to those average earnings of that worker irrespective of how high or how low those average earnings are, except for someone who is working and making well below the minimum wage and needs to have the minimum provisions of the bill applied to him.

In spite of what the Wyatt report recommends, I would hope that this minister, in the first time that she has been before us taking a Workmen's Compensation Board bill through, would see her way clear to accepting the principle that there should be no maximum rate on which compensation should be calculated.

Hon. B. Stephenson: I think I have made all of the comments that really need to be made about the removal of a maximum for workmen's compensation benefits earlier during the second stage debate. Certainly removing the maximum is going to impede the pos-

sibility of moving in the direction of a universal insurance program, but I would remind the honourable members there is a very strong recommendation in the Wyatt report that the maximum not be increased at all at this point. We have moved to 125 per cent of the average industrial wage in the province, which it seems to me is a reasonable level for this point. I would hope that that maximum could remain in this bill for the time being until we have examined the rest of the report.

Mr. Bounsall: I have just a point, mechanistically, before we move any further, speaking to the point of how we operate. It might appear that when it comes to a vote, although one always hopes that one's amendment would carry, that this amendment might stand a slight chance of being defeated. I am trying to gather the flavour of the House. If that is the case, my colleague, the member for Nickel Belt (Mr. Laughren) has a second amendment at this point. The normal procedure here, rather than stack this amendment, would be to take a vote on it now. If a method could be found, however, by which he could place his amendment and still have it stacked without taking a vote on it now so that it could all be done at the same time, I presume that members of the House would be appreciative of that. I leave that in the Chairman's capable hands.

[2:00]

Mr. Deputy Chairman: I would point out to the member for Windsor-Sandwich that under normal circumstances if his vote is stacked, we could not take another amendment on the same section. However, with the unanimous consent of the committee of the whole at this time we could do it.

All those in favour of Mr. Bounsall's amendment will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

Shall this vote be stacked?

Mr. Bounsall: It will be stacked on the assumption that we have unanimous consent.

Mr. Deputy Chairman: Is there unanimous consent that another amendment can be placed to this clause?

Hon. B. Stephenson: Mr. Chairman, the other amendment is very similar in effect.

Mr. Bounsall: No.

Hon. B. Stephenson: Wait a minute. No, it isn't. Pardon me. It has the same effect, mind you.

Mr. Deputy Chairman: If I do not get unanimous consent, I will have to call in the members.

Is there unanimous consent?

Some hon. members: Agreed.

Amendment stacked.

Mr. Deputy Chairman: Mr. Laughren moves that in section 5(1) of the bill all the words following "amended" in line three be deleted and the following substitute therefor:

"by striking out '\$15,000' per annum in the amendment of 1975 and substituting therefor:

"(a) \$16,800 effective July 1, 1976;

"(b) \$18,500 effective July 1, 1977; and

"(c) \$19,600 effective July 1, 1978

"and the amounts indicated in this section shall be adjusted on July 1 in each succeeding year, commencing with July 1, 1979, by the higher of either the same percentage increase granted in subsection 8(c) of section 42 or by appropriate increments of \$1,000 when claims data revealed by December 31 of the previous year that 10 per cent or more of workers have earnings that exceed the maximum rate.

Mr. Laughren: I will be very brief, Mr. Chairman. This is based on the model used in Saskatchewan; so we know it works and we know it works well.

Very simply, what it does—to put it in layperson's language—is it says that what's preferable to establishing an arbitrary maximum is to have it so that any time more than 10 per cent of claims are in excess of the existing ceiling, the ceiling would be bumped up in \$1,000 increments. That is a very nice way of doing it. It's very neat. It takes the decision-making on levels out of the political arena and makes it automatic. It still allows—which should make the minister happy—for the five, six, seven, eight or nine per cent of people who earn extremely high incomes not to be earning exceptionally high levels on compensation.

Hon. B. Stephenson: In an inflationary period it could get—

Mr. Laughren: All I'm saying is that it's a very nice way of making it an automatic increase and having less than 10 per cent at all times earning above the ceiling.

I don't think the minister knows what percentage will be above the ceiling of \$16,200. I don't think she's any idea. If she has, I'd sure like to know.

Hon. B. Stephenson: It can be estimated on the basis of 125 per cent.

Mr. Deputy Chairman: Order.

Mr. Laughren: Yes, but the minister doesn't know, that's the point. She can guesstimate it. But that's something we should know: to what extent certain workers are being excluded.

We know, for example, that there are bonus miners, construction workers and so on, who earn considerably in excess of \$16,200. They just happen to be in areas of work where there are high accident rates. I would urge the members to accept this most reasonable amendment.

Mr. McClellan: I simply want to say that the existing ceiling is inadequate to cover and protect construction workers. That's a simple fact; that's a simple reality. I simply want to point that out. As far as I'm concerned, nothing shows the discriminatory nature of workmen's compensation levels more than the imposition of an earnings ceiling which is substantially below what workers actually earn. We are seeking in this amendment to eliminate that discrepancy, that injustice, that class bias in the legislation. I doubt if there is any legislation with respect to pensions affecting professional groups that would incorporate such enormous discrepancies between actual income and insured income, yet we have a Workmen's Compensation Act pension that is grotesquely below the level of actual earnings.

Hon. B. Stephenson: To my knowledge, it is not grotesquely below the average level of earnings. In fact, the vast majority, something over 70 per cent of those who are presently receiving benefits from the Workmen's Compensation Board, would be below the ceiling which is established.

Mr. Deputy Chairman: Those in favour of Mr. Laughren's amendment please say "aye."

Those opposed please say "nay."

In my opinion the nays have it.

Amendment stacked.

Mr. Deputy Chairman: Mr. Bounsall moves that subsection 2 of section 5 of the bill be amended by deleting in lines two and three the words "on or after the first day of July, 1978 but does not" and substituting therefor, "after the effective dates and nothing therein entitles any person to claim additional compensation for any period prior to the effective dates and does"; and deleting all the words following "act" in the seventh line.

Mr. Bounsall: This amendment is predicated on the fact that subsection 5(1) will carry in the form that the member for Nickel Belt has moved, and that we would then need to change subsection 5(2), as has been done in other parts of the bill when there has been a yearly change, which allows for the change to occur in each one of those particular years, and also would have to have removed from subsection 5(2) the last two and a half lines so that it can be paid out prior

to and be eligible for the payment out prior to that first day of July 1978.

Of course, the reasons and the purpose behind this amendment are very obvious, but I just might say in addition that this whole maximum or maximums not brought into line with at least those increases that have been granted to the permanent partial disability pensions is really causing some concern in terms of who will, in fact, be eligible—those who are already on pension—to be able to receive those full amounts even granted by the minister a cumulative total of 27 per cent.

Not only do we need a higher maximum, and this helps to put those different maximums as suggested into place and those payments made, we need those very much because certain workers will be disadvantaged in not being able to get those percentage increases as outlined in section 3 of the bill. I certainly hope that 5(1) carries, bringing forth these necessary amendment changes in 5(2).

Mr. Deputy Chairman: Those in favour of Mr. Bounsall's amendment please say "aye."

Those opposed please say "nay."

In my opinion the nays have it.

Amendment stacked.

On section 6:

Mr. Deputy Chairman: Mr. Bounsall moves that in subsection 1 of section 6 of the bill clause (b) of subsection 3 of section 51 of the act be amended by, in line 1, deleting \$192 and substituting therefor \$219; and in line 6, deleting \$96 and substituting therefor \$110.

Mr. Bounsall: Here again, on this amendment, I can find no rationale for the number changes of the ministry in this section. We needn't proceed with the amendment if I can find from the minister a good rationale for these number changes.

The change from what was in the act previously to the \$192 clothing allowance in the bill is a 15 per cent increase over that three-year period. The later change to \$96 from what was previously in the act set three years ago represents a 14 per cent change only. I did what I could do to find out whether or not the clothing component of the cost of living change cumulatively over those three years came to, in the first instance, 15 per cent and in the second instance, 14 per cent.

This was not the cumulative clothing part only of the consumer price index over those three years. Therefore if it wasn't directly tied to those clothing increases, which is what this amendment speaks to, why did we not have your figures for the other changes that occurred in the bill—a cumulative total of

roughly 27 per cent applied to what was in the act before—rather than the 15 and 14 here?

My amendment simply reflects that same percentage which has been used throughout the rest of the bill. It applies to both the amounts that could be paid out in clothing allowance, for lower limb prosthesis and back brace problems and the maximums for the clothing allowance with upper limb prosthesis situations and so on. I wonder why we haven't got the 27 per cent. My calculations make it those figures. If you have a very good reason I would like to hear it. But otherwise why not accept the consistent percentage change you have made throughout?

Hon. B. Stephenson: It is my understanding that the recommendation for this percentage change in regard to the clothing allowance was the recommendation of the joint consultative committee on the basis of their investigations—the study they have done in this area and their personal knowledge of the situation as well. The recommendation I gather was accepted in toto by the board and then recommended to me. I accepted their figure because they had done the study.

Mr. McClellan: What was the study? That doesn't tell us anything.

Hon. B. Stephenson: I don't have the background information.

Mr. McClellan: You don't know?

Mr. Chairman: Does the member for Windsor-Sandwich want to reply to this?

Mr. Bounsall: Yes, if I could. It's too bad this didn't occur in section 1 of the bill so that we would have time for the minister to put the questions back down the line and have it come back up as to why this lower-than-what-would-be-expected percentage change was occurring.

Mr. McClellan: They are cheap.

Mr. Bounsall: It is really a small amount we are dealing with. I am guessing but it is not my impression that everyone with these clothing problems as related to prosthesis comes and gets a complete clothing allowance each year. They usually have to apply for it, the situation is looked at and decided upon. I am sure we are not dealing with 100 per cent of the people who would be eligible for this. It doesn't take very much to increase it. It is the same type of ad hoc-ery again, if there is no explanation for it, which is really an affront.

Hon. B. Stephenson: I am simply saying I don't have the explanation, but they had one.

Mr. Bounsall: The minister should really get it if she can get it quickly. We could

probably talk about section 9 of the act meanwhile, if that could be obtained.

Hon. B. Stephenson: No, no. I would be perfectly happy to go along with your amendment, as a matter of fact.

Mr. Bounsall: Oh fine, thank you.

Mr. Haggerty: I would like to speak on the amendment. I don't quite agree with the amendment as presented by the member.

I don't think the problem lies in additional benefits given to recipients of workmen's compensation to pay for repairs to clothing and so forth. I think the need is for quicker approval to have braces repaired and to be replaced with new ones. Perhaps it applies to other areas of the body too.

[2:15]

I am well aware that in some cases the board moves with the speed of a snail, and if they went any slower they would be motionless. I suggest that is the area that should be corrected. I can cite cases where doctors have suggested a new brace for the claimant, but for some unknown reason it is six or seven months before any response comes from the Workmen's Compensation Board. I suggest to the members sitting under the gallery over here that they take my remarks most seriously. I think this is an area that they can move in, and perhaps with very little cost to the Workmen's Compensation Board.

Mr. McClellan: Mr. Chairman, before you go on, did I understand the minister to say she was accepting the amendment?

Hon. B. Stephenson: Yes, I can't see any reason for not accepting it.

Mr. Laughren: That's encouraging.

Motion agreed to.

Section 6, as amended, agreed to.

Sections 7 to 9, inclusive, agreed to.

MENTAL HEALTH ACT

Consideration of Bill 19, an Act to amend the Mental Health Act.

On section 1:

Mr. Nixon: The Mental Health Act has had an extensive review in the presence of the minister and the staff by one of the standing committees. One of the highlights of the review of the bill had to do with certain definitions which divided the committee. As nearly as I can tell, they even divided the representatives of the three parties to some extent.

I am informed that the member for York East (Mr. Elgie) had put forward an amendment—

Mr. Bradley: A good man.

Mr. Nixon:—which had, in some sense at least, continued the concepts for the requirements for committal that had been accepted by the community. I understand also the minister had taken a very strong stand on what might have been called an individual civil libertarian basis which was commended and supported by some members of the committee—as a matter of fact, a majority. It is not usual for a bill that has had a thorough review by a standing committee to come before the committee of the whole House unless there are some members in the House who feel that the matter should be settled by the House meeting as a committee of the whole.

That is the case in this instance. It is for that reason that when the bill was reported back from committee it had a reference to this standing committee at my request as the House leader of the Liberal Party.

The amendment we want to put is not to section 1 but I felt it was worthwhile raising it at this time, for probably a very obvious reason. I felt it would give the House an opportunity to reconsider a decision that was made in committee. It could be that the same decision would be reached. But at least the House would have an opportunity, particularly since some members have had a great deal of mail on this bill and on this section, for a last chance to express their view. I hope they would reverse the decision taken by the minister and supported by the committee on division. I would point out again that it was a division that did not go along party lines basically—that there was division in each one of the caucuses.

The matter is of great importance, and because of that my colleague and leader has set aside a great deal of important business so that he would be able to give all of us as members of the House the benefit of his views.

Mr. Eaton: Good stall, Bob.

Section 1 agreed to.

Section 2 agreed to.

On section 3:

Mr. S. Smith: I was tempted to stand outside the chamber and allow my colleague from Brant-Oxford-Norfolk—

Mr. Eaton: To see how long he could go on.

Mr. S. Smith:—to continue to expound on this bill which I know is of very profound interest to him and on which he has spent hours and hours of study and research.

Mr. Eaton: He did better on that than you were doing on agriculture.

Mr. S. Smith: I have had the opportunity to speak to this bill on second reading. I think if members would refer to my words at that time, they would find that I spoke partly, of course, as a member of this House, honoured to have been elected from a constituency, and partly in my previous role, before political life, as a psychiatrist. There is no conflict of interest or anything of this kind in speaking from both those roles because certainly there is no money to be made by amending this bill one way or another. There is no way that one's professional prestige would be enhanced or harmed. It's simply a question of wishing to share with this House some of my feelings based on the years of experience I have had and the many opportunities I have had to operate within the confines of the Mental Health Act as it presently exists.

I feel that the change being brought about in this particular amendment suggested by the minister with regard to section 3, wherein section 8 of the Mental Health Act is being amended, is something we should consider very seriously, particularly in view of the fact that we have already agreed that as part of this bill we have shortened the time necessary for a person to obtain a review of his involuntary status.

It used to be that a person would have 30 days before he could have a hearing, whereas now, thanks to what I think is a progressive move on the part of the minister, that is to be very much shortened; now a person will be able to have a hearing within five days. To some extent, therefore, there is a slight decrease in the degree of pressure that we should feel to change the provisions in the act which determine the criteria for involuntary admission; and to some extent, therefore, since the appeal procedure is so quick and the remedy so obvious, it seems to me that the need to be certain that the net is not being cast too widely, so to speak, has been lessened in intensity. Therefore, we can stop for a moment to reflect on whether there is a real necessity to make a change in the criteria now being applied.

The amendment basically confines the involuntary admission to those situations where a person is felt to be in some physical danger himself due to his illness or that some other person will be in physical danger due to the illness; and it seems to me that unnecessarily restricts the meaning of mental health; it unnecessarily restricts the usefulness of involuntary admission. I believe it will have

a very deleterious and serious negative effect on society, very much the opposite of what the minister expects. It's my view that most situations that have arisen over the last several years in terms of complaints, possible abuses or lawsuits, and one thing and another, have related to situations where psychiatrists have failed to keep someone in against his or her will and where the results of that failure have been disastrous.

One does not wish, therefore, to create an atmosphere where psychiatrists will be very much more hesitant in admitting people for proper treatment. Surely one wants to create a situation where a psychiatrist will take the responsibility which society has placed upon him, a responsibility which nobody enjoys having. We want a situation where he or she will take that responsibility with greater ease rather than with enormous fear and trepidation.

I think, particularly, of situations where continued mental illness without proper treatment will lead to something other than just physical harm. I think of situations where the entire development of a child could be very badly affected by having a seriously disturbed mentally ill person, so mentally ill as not to realize the need for treatment, continue to act in close proximity to the child. I think of situations where the resources of the family can be squandered and the reputation of the family and of the individual can be ruined. I think of places where their hopes for the future, their careers and the possibility of their employment can be destroyed by continuing to be untreated. I've had so many experiences where, having treated persons in this state, shortly after treatment they are extremely grateful, and very thankful and realize their complete lack of insight, which was part of the illness and which led them, at first, to resist the treatment making the involuntary admission necessary.

I think of instances where young people have ended their lives and where it was not possible really to predict that that is what would have happened. It was not possible really to say that that was the physical danger that was imminent and yet one knew that there was a very serious disturbance in which the person had no insight, but where one could not genuinely predict that there was a risk to life and limb although there was obviously a serious mental disorder which required treatment.

I believe it's very important, as I say, since we have shortened the review period, which I think is the most important provision of this bill, not to act in haste and not necessarily

to constrict the way in which treatment is being given in Ontario, but to allow the process of these reviews under the new act, as the amendments will carry, to go on for a little while and to see whether in the course of these much more frequent and much earlier reviews there are abuses found in which psychiatrists have unnecessarily put people in hospital against their will.

If we find there is a lot of abuse of this kind, then I think we could move to tighten up the criteria. But nothing has indicated to me that this has been a serious matter of practice in Ontario. In the Soviet Union, there have been people committed to mental institutions for political reasons but rarely, if ever, have there been instances of serious abuse in Ontario of people admitted against their will. Frankly, where they have occurred—and I know of some—it seems to me the real problem was it took them 30 days to get a hearing.

Now that the minister has removed that grave injustice, even though there is no one in the province of Ontario any stronger for civil liberties and human rights than I am, since I've stood up in this House on a number of occasions to take a number of stands which are not popular at the moment, I believe very deeply that we will end up actually doing more harm to people by tightening these criteria than we would be doing good for people. I would, therefore, ask that the minister consider agreeing with me that the shortened period of review and the need for a second opinion should be allowed to stand by themselves for some time and to be in practice for some time and that we put to the side the need for revising the criteria which, I believe frankly, could wait until we see how things go with the revised review procedure.

[2:30]

Where a doctor may be tempted to admit someone without proper grounds, he will be somewhat restrained by knowing that within a few days another colleague will be looking at the matter and that within a few days he will have to justify his decision. That's very different from a situation where it was 30 days and the case was probably long done with by the time anybody got around to thinking about it. So there's already a protection being built in here, for which I commend the minister; I feel, therefore, that it's excessive and, in my view, somewhat dangerous to change the criteria.

Therefore, I would move an amendment to section 3 of bill 19, amending section 8(1) of the Mental Health Act. I may just say

parenthetically that the amendment I am about to present is the amendment from the Ontario Council of Health. It's an amendment which I gather my colleague from Renfrew North (Mr. Conway) at one point presented briefly in the committee but, when faced with what he thought was a threat to withdraw the bill should such an amendment pass—

Mr. Nixon: Threat to withdraw?

Mr. S. Smith: Well, I say what he thought was a threat. It may or may not have been. I don't wish to be unfair to the minister. At that point, he withdrew the amendment but I wish to put it now.

I will draw my remarks to a close by saying that I sincerely hope this amendment will carry, keeping in mind that we can always change the criteria once we have had a little experience with the newly toughened review procedures and that one would not wish to cause psychiatrists to be too hesitant to apply treatment to those who would otherwise be in imminent danger other than just physical danger.

Mr. Chairman: Mr. S. Smith moves that section 3 of the bill be amended by deleting section 8(1) of the act and substituting the following therefor:

"8(1) Where a physician examines a person and the physician is of the opinion that the person is apparently suffering from a mental disorder of a nature or quality that requires immediate hospitalization in order to prevent (a) serious harm to the mental or physical condition of such person or (b) serious harm to the mental or physical condition of another person and such person is not suitable for admission as an informal patient, the physician may make application in the prescribed form for a psychiatric assessment of the person."

Mr. Breaugh: Mr. Chairman, the matter of the substance of the amendment as proposed was a matter of considerable debate; in fact, it was the centre of the debate during the committee proceedings. It's true, as the member for Brant-Oxford-Norfolk pointed out, the matter was a rather contentious one because the bill focuses on this set of criteria. On this is built the review period and the review mechanism, and this is a substantive alteration from the current Mental Health Act.

It was, I might say, not simply a matter of discussion and contention during the three weeks or so of committee work that was done but has been discussed for some time previously, because the main set of criteria that is proposed in the act has been well known throughout the province for a considerable

number of months, and at least in my office it has been the centre of a great deal of discussion and representation from virtually all interest groups that could conceivably be involved in this Mental Health Act.

It's also true, I think, to agree that there is a group of people who do not want this criterion narrowed, and that turns out to be essentially the professionals working in the field, psychiatrists mostly. In some instances some members of the law society are a little upset with it as well. It does certainly restrict their—I hesitate to use the word "freedom," but their ability and responsibility to enact their professional judgement in a larger area. It confines that. It makes the criteria much more specific than this amendment proposes.

During the course of listening to representations from several people, from patients, from people who are interested in mental health, from mental health organizations, and from people who work in mental health institutions, it becomes apparent that there are some abuses of the current Mental Health Act. If we don't want to use the term abuses, then we certainly have to accept that there is some confusion about what precisely we mean by safety or harm or serious harm, as used in this particular amendment, and to question whether that in itself isn't causing a great many problems. There is no certainty applied by the law.

We get to the basic position as legislators that we are not here to act in a professional capacity as psychiatrists. But we are here certainly to represent the society in which we live and to say that under certain sets of circumstances we will withdraw, not just some but virtually all the rights that some other member of our society might have. That is an extremely serious thing.

I wouldn't run the gamut and say the thing is abused in a political sense. I don't think that's true. I don't think it is consciously abused by professionals working in the field either, but I do think there is a great deal of confusion surrounding the interpretation of the present criteria and that they would be made much more difficult by the ones proposed in this amendment.

At the end of the committee session, I think that we did have consensus, even from the Liberal members of the committee who, at that time, proposed a similar amendment during the course of the committee hearings. Because it becomes evident that as we broaden the criteria, as we move into words such as are used here, "serious harm," for instance, it becomes hazier and hazier. We begin to make value judgements, not on someone's physical and mental wellbeing, but

on their lifestyle and how they choose to dress, how they choose to act and how they choose to relate to those around them.

It soon becomes a clear indication that it causes confusion in itself and it is not operable. One can't work under those circumstances. Each time someone proposed an amendment—and there were amendments proposed by both Conservative and Liberal members of the committee—each time this was done, when what those amendments would mean were discussed and examined, we got into grey areas that would cause eventual difficulties. The committee kept reverting to the original words proposed by the minister in this section, and I think for good reason.

We go back to those, because in order to make that judgement and to make it clear and without argument, we need to have a severely restricted set of criteria, as laid down in the original proposal by the minister. That does cause difficulty for some people working in the professional field. The minister responded during the course of the hearings that there were other acts that should and can be applied. They are not now used. The blanket wording that is in the present Mental Health Act is used for safety.

I confess openly and honestly to all concerned that it was a matter of some considerable contention within our own caucus. We heard representation from patients, from people who work in the field of mental health and from the professionals who are involved. There are differing opinions. What we came to in the end is that society has to make some kind of a value judgement and come to a consensus that says, "Under this very limited set of conditions, we are prepared to say that certain people need to have their rights taken away from them. But we want that set of conditions to be extremely narrow in scope. We do not want them to be open even to the most conscientious psychiatrist to make his or her personal value judgement on a patient."

We support the original proposition that is included in Bill 19. We support it because once you get off that position you get yourself into great difficulty. We do not impugn the motives of professionals working in the field. We are simply saying that as legislators we are prepared to say to a segment of our society: "For your own good and the good of those around you, you may need to be involuntarily committed." But we are also saying that the scope of that kind of treatment should be extremely narrow and that other acts should be used if they need to be used. The government should not provide in legis-

lation a confusing and rather broad set of criteria for this definition.

We will not support the amendment. We do appreciate the spirit in which it was given, because that was evident during the course of the committee hearings and, I think, in almost every representation that was made to me. There are a few people in our society who think that this is a simplistic problem; it is a very difficult one. But it needs strict sets of criteria as proposed in this act.

Frankly, the remainder of the revisions to the Mental Health Act that are carried out in Bill 19 are dependent upon a severe and limited set of criteria. The time period, in my view, will not work if we change the criteria, nor will the review board mechanisms that have been put in place be nearly as effective if you broaden these criteria because this is one act that hangs together. There is a good deal of interdependence from one section to the other.

So, in summary, we appreciate the intent put forward in this amendment and we understand the seriousness of the problem, but that is compounded even more should you accept this amendment, and we will not support it. We will support the criteria that were put forth in the original Bill 19.

Mr. Bradley: Speaking very briefly to this, Mr. Chairman, in the interests of the time confinements we have this afternoon, I would speak in support of the amendment put forward by the leader of the official opposition.

Certainly, in my own experience with the representations that have been made to me as a member of the provincial Legislature and previous to that as a member of a municipal council, in dealing with people on an individual basis there are many people within my constituency who felt—as odd as it may sound to the minister and others who are very much in favour of this bill—that the criteria that presently exist before the passing of this bill were in some cases inadequate to deal with problems they had within their own families.

I have not, from my own constituency, had more than one representation made indicating there was a serious abuse of this or that the appeal mechanism which presently exists was inadequate. As the Leader of the Opposition has pointed out, even the narrowing of the definition is serious in itself, but it is much more serious when coupled with the reduction in the number of days in which involuntary confinement can take place without a second opinion.

The opposition which has been shown by members of the medical profession, by the Ontario Medical Association, by psychiatrists, by those who had the responsibility of delivering psychiatric services in the province of Ontario, is a clear indication from people who are experts in the field that there is great concern about the proposals contained within this act and it is a concern which I think would be alleviated to a certain extent by the amendment as proposed by the Leader of the Opposition.

I note also that a gentleman who was held in a good deal of repute by my friends to the left for a number of years as a member of this Legislature, Dr. Morton Shulman, wrote an article on May 9, 1978, in the Toronto Sun indicating his grave concern about this particular bill and expressing the hope that members of the Legislature would not proceed with it to its fruition.

I would also mention another individual who is, I think, held in a great deal of repute by all members of this House—I refer to the member for York East (Mr. Elgie) who has expressed grave reservations and who, indeed, was instrumental in dealing with an amendment which would, I think, have improved the bill from what it is at the present time.

Taking into consideration the representations made by these people of reputation, by people who are very respected, and taking into consideration the fact that at the present time in the province of Ontario we have some difficulty expressed by families who have individuals who obviously require psychiatric care but are not compelled to receive that psychiatric care, I would strongly recommend to the House the support of this particular amendment.

Hon. Mr. Timbrell: I will try to be brief. May I first of all start off by saying the committee process in which we all took part was one of the least partisan, most interesting, most productive sessions that I have participated in in the seven years that I have been a member of this assembly.

As has already been pointed out by several of the earlier speakers, on this particular matter it was one that really wasn't bound by party lines at all. There were, in fact, expressions pro and con in all three caucuses.

[2:45]

I may say, as well, this is a subject to which I have given a great deal of thought and about which I have had a great deal of concern for some time. In proposing legislation of this kind one is very mindful of the kinds of things that are said and have been said,

for instance, by the Leader of the Opposition, that perhaps what we're doing in trying to cure a situation is prescribing a remedy that is worse. One is always mindful of that.

I was persuaded, in evaluating the Mental Health Act, that there were certain areas in which I had to act as soon as possible rather than wait for the conclusion of the work of the Ontario Council of Health task force on the Mental Health Act and mental health services, which report may well be as much as a year or two years away.

There were a number of items that were recommended to me by my staff and which we reviewed in determining what would go first into Bill 124 and then into Bill 19 which I determined could wait and about which, frankly, I wasn't prepared to take a position at this time, one way or another, on a variety of things. This is one I felt very strongly had to be addressed at this time.

It concerns me that a number of the arguments which are advanced by my friend the Leader of the Opposition, and which I have seen advanced in a number of the letters I have received, centre on a couple of arguments, namely, those to do with financial loss, embarrassment to the family and so forth. I have received about 1,200 letters on this subject—admittedly, mostly from doctors and mostly expressing concern about the bill. I have replied to those 1,200 letters now, and we're starting to get letters back from some saying they now understand what we're trying to do and they support it. I don't expect that will be universal.

It concerns me when I hear some of these arguments about financial loss and these other things, because if one looks at the present act and at the present criteria, which revolve around the question of safety, I have some considerable difficulty accepting the notion that one could construe safety to mean the squandering of one's personal finances; that one could construe safety to mean the loss of a professional reputation or the damaging of a professional reputation.

In looking at those arguments, I had to go back in my mind—and I did—to review why we had decided to put this into Bill 124 in the first place. It really goes back to about 1975 when the ministry, through an outside consultant and then internally, started to poll the people in our psychiatric hospitals, who after all, have to live with the Mental Health Act, to find out what problems there were with the act itself. Not everyone made comments and not everyone made this comment, but the most frequently heard comment was that the criteria for involuntary committal

under section 8 of the Mental Health Act were too vague and they had to be clarified.

That leads to another concern I have with some of the arguments advanced opposite. It's not a question of trying to cut down on the number of involuntary admissions. It's not a question of trying to increase the number of involuntary admissions. It's not a narrowing or a broadening which we seek, but a clarification. I suppose that's the principal concern I have with the proposed amendment: it is not clear, it is vague; it is very broad, perhaps even broader than the present criteria of the Mental Health Act.

It seems to me that we as legislators, on a subject as important as the deprivation of personal liberty, owe it to the people of this province and to the people who must make this act work, to speak clearly, and that is the purpose of Bill 19, the purpose of section 3 in particular.

It has been suggested that the only way that persons are going to find themselves committed involuntarily now is if they have, in fact, committed an overt physical act. That again, I submit to you, is a misunderstanding, perhaps an understandable misunderstanding if I can put it that way, of the way section 3 of the amended section 8 is set out. For whatever reason, those who read that section and decide to oppose it never seem to get to subsection (c), where it talks about a person having shown or showing a lack of competence to care for himself and then going on to ask the physician to form an opinion—not a firm prediction, an opinion, a medical judgement—that the person is “apparently suffering from a mental disorder of a nature or quality that likely will result,” and then it goes on from there.

I've had the argument advanced to me by some on other sides that section 8, subsection (c) is, in fact, too broad, but it is there to provide for medical judgement. It is there to provide for the individual physician—and let's not forget that we're not talking about psychiatrists for the most part when we talk about section 8. We are talking for the most part about family practitioners, who will only deal with this kind of a problem very infrequently in any given year and for whose benefit, I suggest again, we must speak clearly. It is there to provide for that family physician or to provide for that psychiatrist the latitude for a professional judgement within these very clear criteria.

The final thing I want to mention has to do with the notion that this is somehow a civil libertarian bill, as opposed to what, I

don't know. I have never, from the beginning of the process, professed to represent either the medical point of view or the civil libertarian point of view. Rather, as a layman who happens at this time to be the Minister of Health, I have had to evaluate the situation from the point of view of a concerned citizen, a representative of the people, and consider how I would want myself, my family, my constituents to be dealt with in this very significant area. It is, instead, a very sincere effort on my part and on the part of the government to speak clearly to the profession, in fact, to assist the profession to make proper judgements of who should or should not be deprived of their liberty for whatever period of time.

I understand the argument advanced by my friend from Hamilton West about leaving this alone because we've reduced the period of initial confinement. I suggest to you, sir, that if the review process is to work properly, whatever the period of initial confinement, then the criteria for first admission and the criteria for the review of whether that person should be detained longer must again be clear. An improved review process is really no improvement at all if the criteria are vague, and we serve no one whom we seek to serve if we leave it in that way.

One final point I would make is, recognizing the concerns of members opposite and people beyond this building, in committee I mentioned, and I repeat this commitment, that we will track very carefully, through whatever research means possible, the best possible, the application of the revised criteria.

Mr. S. Smith: The number of psychiatrists in Ontario, too.

Hon. Mr. Timbrell: Mr. Chairman, with respect, and I don't want to get partisan because none of the discussion on this has become partisan, but the honourable member makes that kind of an observation which would lead one to believe that the present criteria are somehow all-inclusive; that one can stop any eventuality, any tragedy, with the present criteria, and clearly that's not so.

Mr. S. Smith: Of course not.

Hon. Mr. Timbrell: I hope the House will see fit not to accept the amendment. I can assure members that we will track this very closely. I am confident that this is not going to inhibit medical judgement. I am confident that this, in fact, will be an assist in making a medical judgement as to what we as legislators, as representatives of the province and of society, intend should be the proper use of the right to take away someone's liberty

and commit that person to a psychiatric facility.

Mr. S. Smith: Let it be on your head.

Mr. Sweeney: Are we still on the same amendment, Mr. Chairman?

Mr. Chairman: That's the amendment that is before the committee.

Mr. Sweeney: I think the minister knows quite well the position that I took in committee on this particular amendment. I sense very clearly from what he has just said the position he is taking. I must reiterate two points, however.

The first point relates to the minister's rather frequent reference to the word "clarification." I must remind the minister that on several occasions during the committee hearings, the minister himself posed to the witnesses that the existing definition of the word "safety" in the present act, in his judgement, would not allow physicians or psychiatrists, as the case may be, to involuntarily commit people for a number of purposes which he described. I am not going to go through them all; the minister knows what I am talking about. But I ask the minister to please remember that, time and time again, those witnesses told him that he was wrong; that, under the old definition, they could commit—

Hon. Mr. Timbrell: Mr. Chairman, on a point of order: If the honourable member will check Hansard, what I did on a number of occasions was to ask them how they defined safety to include a variety of situations, because again it seems to me the word "safety" is so vague that it does need clarifying. That's what I did. It was not to challenge but rather to ask them to explain how, for the edification of the committee, they used "safety" to cover a pretty broad field.

Mr. Chairman: That sounds like a point of privilege.

Mr. Sweeney: Very well, if the minister wants to put it in those words. The point I am trying to make is that the difference between the minister's understanding of how safety should be interpreted and how, in fact, it was being interpreted, was rather great. I think that's an important point. I raise that only because, in my judgement, the version we now have goes far beyond just clarifying what was there before. As a matter of fact, I would suggest that we have gone from one extreme to the other. The present bill, as we heard in the committee, allows for a wide interpretation. In this bill we are narrowing the present interpretation down to a point

where we are going to severely limit the possibility of physicians—and remember we're talking about skilled, trained, competent physicians—to make a medical judgement.

The second point I want to make is that by narrowing it down to bodily injury, we are raising once again the spectre of associating mental illness with physical violence. I think that's a mistake.

Thirdly, by not recognizing that a mentally ill person can do far more damage to another person in a mental or an emotional way than he can in a physical way, we are refusing to recognize the kind of damage that can be done. As my colleague from Renfrew North pointed out in the committee, we are simply going to exchange one group of victims for another. I would suggest that's not a very good exchange, and earnestly urge the minister to consider the amendment put forward by my leader.

Mr. Chairman: Any further comments on this amendment?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the nays have it.

Amendment stacked.

Mr. Chairman: Are there any further comments, questions or amendments to any other section of the bill?

Mr. S. Smith: A terrible step backward. Who persuaded you to do this?

Sections 4 to 21, inclusive, agreed to.

Mr. Chairman: I would inform the committee that we have three bills before the committee. There are a number of votes that have been stacked. The bells will ring for up to 10 minutes.

CROWN TIMBER AMENDMENT ACT

(concluded)

Mr. Chairman: The first vote is on Bill 35, An Act to amend the Crown Timber Act. It has been moved by Mr. Foulds that section 4 of the bill renumbered as section 5 be amended by adding thereto the following subsections:

"(2) On or after the first day of July 1979 where a regulation is made under clauses (c) or (d) of subsection 1, the minister shall, within 15 days after the regulation is filed with the registrar of regulations, lay a copy of the regulation before the assembly if it is in session or, if not, within 15 days after the commencement of the next ensuing session and the assembly shall by resolution approve or amend the regulation.

“(3) An approval of a regulation by a resolution under subsection 2 is effective from the day that the regulation came into force.

“(4) An amendment to a regulation by a resolution under subsection 2 is effective from the day that the regulation came into force or from such other day thereafter that the assembly may specify in the resolution.

“(5) Where a regulation is amended by a resolution under subsection 2 the Lieutenant Governor in Council shall give effect to the resolution by making an amending regulation in accordance with the resolution and such amending regulation need not be laid before the assembly.”

The committee divided on Mr. Foulds' amendment to section 4 of the bill, which was negated on the following vote:

Ayes 18; nays 37.

Section 4 agreed to.

Bill 35, as amended, reported.

WORKMEN'S COMPENSATION AMENDMENT ACT

(concluded)

The committee divided on Mr. Bounsall's amendment to subsections 2 and 3 of section 1 of the bill which was negated by the same vote.

The committee divided on Mr. Bounsall's amendment to subsection 1 of section 3 of the bill which was negated by the same vote.

The committee divided on Mr. Bounsall's amendment to subsection 2 of section 3 of the bill which was negated by the same vote.

Section 3 agreed to.

The committee divided on Mr. Bounsall's amendment to subsection 1 of section 4 of the bill which was negated by the same vote.

Section 4 agreed to.

The committee divided on Mr. Bounsall's amendment to subsection 1 of section 5 of the bill which was negated by the same vote.

The committee divided on Mr. Laughren's amendment to subsection 1 of section 5 of the bill which was negated by the same vote.

[3:15]

The committee divided on Mr. Bounsall's amendment to subsection 2 of section 5 of the bill which was negated by the same vote.

Section 5 agreed to.

Bill 126, as amended, reported.

MENTAL HEALTH AMENDMENT ACT

The committee divided on Mr. S. Smith's amendment which was negated on the following vote:

Ayes 17, nays, 38.

Section 3 agreed to.

Bill 19 reported.

On motion by Hon. Mr. Welch, the committee of the whole House reported two bills with amendments and one without.

THIRD READINGS

The following bill was given third reading on motion:

Bill 19, An Act to amend the Mental Health Act.

CROWN TIMBER AMENDMENT ACT

Hon. Mr. Timbrell, on behalf of Hon. F. S. Miller, moved third reading of Bill 35, An Act to amend the Crown Timber Act.

Mr. Speaker: Shall the motion carry?

Some hon. members: No.

Mr. Speaker: All those in favour of third reading of Bill 35 will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

THIRD READINGS

(continued)

Bill 126, An Act to amend the Workmen's Compensation Act.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Welch: May I take this opportunity to table the answer to question 22 and questions 111 to 127 standing on the notice paper. (See appendix.)

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took her seat upon the throne.

ROYAL ASSENT

Hon. P. M. McGibbon (Lieutenant Governor): Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 7, An Act to revise the Securities Act.
 Bill 8, An Act to regulate Trading in
 Commodity Futures Contracts.

Bill 9, An Act to amend the Business Cor-
 porations Act.

Bill 19, An Act to amend the Mental
 Health Act.

Bill 35, An Act to amend the Crown
 Timber Act.

Bill 123, An Act to amend the Game and
 Fish Act.

Bill 124, An Act to amend the Residential
 Premises Rent Review Act, 1975 (second
 session).

Bill 126, An Act to amend the Workmen's
 Compensation Act.

Bill 131, An Act to establish the City of
 Hazeldean-March.

Bill Pr13, An Act respecting the City of
 London.

Bill Pr18, An Act to revise the Hamilton
 Civic Hospitals Act, 1961-62.

Bill Pr23, An Act respecting the City of
 Toronto.

Bill Pr26, An Act respecting the City of
 Thunder Bay.

Bill Pr29, An Act to revive Poly-Aire Inter-
 national Limited.

Clerk of the House: In Her Majesty's name,
 the Honourable the Lieutenant Governor
 doth assent to these bills.

The Honourable the Lieutenant Governor
 was pleased to retire from the chamber.

BUSINESS OF THE HOUSE

Hon. Mr. Welch: Mr. Speaker, perhaps I
 might just take a minute to make one or two
 comments in connection with the balance of
 the afternoon, in case there are those who
 didn't get a copy of the latest program.

We had some discussions over the luncheon
 break and at the appropriate time I have
 agreed to bring in a motion that we would
 take into consideration sessional paper 162,
 which will provide a vehicle for the debate
 on the automotive industry. The agreement is
 that the debate would conclude at 6 p.m. The
 opposition parties wanted some opportunity
 to complete their research. We then agreed
 there would be some opportunity for the
 member for Nickel Belt.

BUDGET DEBATE

(continued)

Resumption of the adjourned debate on the
 amendment to the motion that this House
 approves in general the budgetary policy of
 the government.

Mr. Laughren: Mr. Speaker, I appreciate
 this opportunity to take part in the budget
 debate and to lay before the members of the

Legislature some of our alternatives. I under-
 stand the problem of time constraints this
 afternoon and I shall make every effort to
 make my remarks as concise as possible, while
 at the same time doing justice to the serious-
 ness of the problem we face in Ontario.

The purpose of a provincial budget is to
 lay before the Legislature the fiscal and
 monetary intentions of the government on a
 yearly basis. It is undoubtedly the most im-
 portant single indicator of a government's
 ideological, social and economic commitment.
 It should also address the principle of econ-
 omic as well as fiscal problems facing our
 society.

Before the Ontario Treasurer (Mr. Mc-
 Keough) brought in his 1978 budget, I sus-
 pect there would have been general agree-
 ment among most people, including the Treas-
 urer, as to the major problems we face in
 Ontario. I suspect there would have been
 agreement that unemployment in excess of
 325,000 was the number one problem. I sus-
 pect the state of our manufacturing industries
 would be another area of agreement. Em-
 ployment simply is not expanding in manufac-
 turing the way it should be. I suspect we
 would have been in agreement that the auto
 pact had to be enforced in order to provide
 our fair share of jobs, investment, research
 and development in Ontario. I suspect as well
 that the ills of our resource industries would
 also have been agreed upon as a problem
 area.

So, given such common ground, how is it
 that we disagree so profoundly on how to
 resolve these problems? The answer is simply
 that the Conservatives are convinced that our
 economy can be saved only by the private
 sector. Thus we have in Ontario serious prob-
 lems with which the Treasurer refuses to deal
 because of his blind faith in the private enter-
 prise system.

This debate would not be so important if
 the private sector was investing in Ontario,
 was creating jobs in Ontario, was exporting
 manufactured goods from Ontario, doing re-
 search and development in Ontario, and
 building a strong, labour-intensive manufac-
 turing base in Ontario. But the private sector
 has not done that and has given us no indica-
 tion that it intends to.

Despite this, the Treasurer insists that the
 way to cure our economic ills is to rely on
 that same private sector that got us into this
 mess. Surely it would be naive of us to
 believe that the auto manufacturers, of their
 own volition, will give us a fair share of
 jobs, retooling investment, and research and
 development expenditures. We would be

naive if we believed that resource corporations are going to willingly diversify, further refine and introduce a policy of buy-Canadian purchasing.

[3:30]

I want today to offer a critique of the Treasurer's budget, an analysis of the Ontario economy and a presentation of our alternatives. Let me assure members that we are serious about our alternatives. We are appalled at the lack of imagination and courage shown by the Treasurer in his 1978 budget. We are appalled at his taxing policy, his tax exemptions and concessions, and his lack of initiative in creating jobs for Ontario's unemployed. There is no better symbol of the Treasurer's incompetence in handling of the Ontario budget, and the Ontario economy, than the dismal performance of his revenue estimates for last year.

We can make allowances for the original estimates he made in 1977; after all, that was an election year. I am sure he would view the \$700 million-plus drop in his taxation revenue expectations in 1977, from April 1977 to budget time this year, as a bit of harmless puffery designed to make the voters feel happier in the weeks leading up to the 1977 election. After all, it would have been hard for the government to play budget balancer with a projected deficit of \$350 million higher than 1976-77 figure.

So as I said, we can make allowances for the figures the Treasurer used at budget time last year, he had a higher political purpose in mind when he created them; but we cannot take the same charitable approach to this year's budget, and the figures he used this year are disastrously off. At budget time, on March 7, he was projecting total revenues of \$6.881 billion for 1977-78. Barely one month later, the documents released along with the Treasurer's response to the federal budget showed a drop in expected tax revenues of \$225 million down to \$6.656 billion. The first update of the budget projections for 1978-79 are not public yet, but they are sure to show a similar pattern for this year's figures.

The overall figures show the Treasurer's incompetency in budgeting. The details reflect a steady deterioration of the Ontario economy and the failure of the government's economic policies. Corporation tax revenue dropped from \$966 million estimated at budget time in 1977, to \$877 million at budget time this year, and then dropped a further \$140 million in the April 1978 estimates.

This shortfall in revenues in last year's budget is bad news for the Treasurer's pro-

jections for 1978-79. In addition to the change in the figures for 1977-78, on which those projections were based, the Treasurer has had to back part way down on his OHIP increase and has given up \$144 million in sales tax revenues in conjunction with the federal budget.

Our analysis suggests that he has lost \$647 million in revenues—\$141 million from OHIP, \$144 million from the sales tax cut and \$362 million from the deterioration of the economy. Instead of the deficit of \$1.36 billion projected in March, the figures now available suggest that it will be in the \$1.8 billion to \$1.9 billion range. So much for the Treasurer's budget calculations.

The Treasurer has not done any better in his overall economic forecasts. Since his March budget, the Conference Board in Canada and other forecasting agencies have revised their predictions for Canada downwards. The conference board's forecast of growth for Ontario has been reduced from 5.1 per cent to 4.2 per cent. In his budget the Treasurer forecast unemployment at 280,000, a slight improvement over last year. So far this year, the number of unemployed has not been below 300,000, hitting a record of 345,000 in March. Even the Treasurer must now acknowledge that his failure to propose any job-creation measures in his budget would do great harm to an already weak economy. Even the Treasurer's student-job-creation program has run into trouble. He underestimated the need for the assistance, but rather than extend the program he cut it off.

At budget time he made a great to-do about having no need for public borrowing this year. In his response to the federal budget on April 10, he acknowledged that some bargaining would be necessary to "facilitate our cash flow." Then just the day before yesterday, he announced that the government would be borrowing on a regular basis this year.

He made a proposal for assistance for research and development, and indicated that Ontario wanted to proceed along these lines immediately; but even the federal government's pathetic non-proposal of April 10 was enough to satisfy the Treasurer and he dropped the idea.

No more than three pages of a very thin, 20-page budget speech by the Treasurer dealt with municipal finance, property tax reform and property tax relief for senior citizens. Just two weeks ago he completed his retreat on assessment reform. In doing so he not only chose quite deliberately to ignore a number of real problems with the present system that could be resolved with-

out major tax reform but he also underlined the cynicism of the government's view of revenue-sharing and property tax relief.

Having redefined the so-called Edmonton commitment last September, he declared that Ontario would take any money it would have to use to pay taxes on its property as a result of tax reform out of the money it would otherwise pay in grants. In other words, municipal taxpayers would have to pay to Ontario government property taxes. And he raised cynicism to new heights when he tied property tax credit changes to the acceptance of his tax package.

Finally, he was forced by this Legislature to back down on the measure that became the symbol of his budget: the 37.5 per cent OHIP premium increase. He did so without grace. In typical Tory fashion he chose to save money by destroying jobs. His growth figures are inflated, his revenue estimates are inflated and his policies—from health care premiums to mining taxes—have been shot down in flames. Ontario deserves more than a Treasurer who refuses to face reality or whose policies lack the confidence of his colleagues on both sides of the Legislature.

The budget lies in tatters; there isn't a page of it that means anything today. That makes its failure to deal with building the Ontario economy in the longer term even more serious.

At the first ministers' conference in February of this year, the government of Ontario was one of the main proponents of belt-tightening in government. It was not surprising that the March budget boasted of checked growth of government spending and a pledge to balance the budget by 1981. On the flipside of this well-worn record about public sector restraint is the Treasurer's tune about "reducing regulation to free up resources and initiative for the public sector." The Treasurer has been addressing luncheons around the province proclaiming that they are "targeting for a balanced budget to make room in the economy for the private sector to grow and flourish."

There is both an ideological and an economic element behind the Treasurer's chorus. The ideological element is quite simply explained by the Tories' aversion to anything but the free enterprise approach to the economy. The vociferousness of their current proclamations has been triggered by the realization that government activities have grown to the point where they now represent 33 per cent of the gross provincial product in Ontario. This growth of the public sector has been noted in other provinces

of Canada and in the United States. In both countries the inspiration for an ideological attack on the growth of government and a call for a return to the free market for all economic activity has come from the so-called Chicago school of economic thought. It is clear that it has caught on in economic circles in the government of Ontario, and particularly with the Treasurer.

The economic reasons behind the Ontario government's move towards public sector restraint are more complicated. At the root of the problem is the fact that the Tories have mismanaged the economy of Ontario in the postwar period. It is finally catching up with them.

The economy of Ontario today is characterized by a largely foreign-owned and export-oriented resource sector, a largely foreign-owned and underdeveloped manufacturing sector and an over-extended service sector. The service sector now accounts for 64.5 per cent of Ontario's labour force, including the 19 per cent which is in the government sector. That leaves only 35 per cent of the labour force working in commodity-producing sectors. But it is this sector that produces the wealth which underpins the rest of the economy. The result is a distinct upper limit to the number of service jobs Ontario can support.

Yet when the resource and manufacturing sectors of the economy have failed to create employment opportunities because of this slower-than-average growth, or actual decline, the government has been forced to step in to create jobs as the employer of last resort. Governments in other western countries have also played this role, but Canadian governments have been especially critical in this role as a job provider because of the huge structural difficulties associated with our dependence on the United States.

In the period 1966-76, the public sector in Ontario absorbed about 30 per cent of the new entrants into the labour force. Government employment now accounts for 19 per cent of the total in Ontario. The startling fact is that manufacturing industries only account for about 24 per cent.

In the 1970s the Ontario government has been faced with the problems of both a sluggish economy and inflation. The safety valve of further expanding the public sector no longer exists for the government of Ontario. We are now witnessing the results in the Treasurer's restraint and austerity programs.

Another reason the Treasurer is getting fidgety about the size of the activities of government is related to Canada's dismal

overall trade performance. Traditionally, Canada and Ontario have relied on exports of raw materials in Ontario, nickel and other minerals, pulp, newsprint and lumber, and hydro-electricity to offset our trade deficit in manufactured goods. However, by 1975 the rise in imports of manufactured goods could not be covered by resource exports, resulting in a merchandise trade deficit of \$500 million that year in Canada.

While Canada had a merchandise trade surplus in 1976-77, this was offset by large deficits on service payments for the foreign capital borrowed and on tourism. All this adds up to a huge and increasing deficit on the current account, over \$4 billion in each of the past three years. The response of the government of Ontario, along with other Canadian governments, has been to turn to the United States and European money markets for more capital to cover the debt. In theory, the new borrowings are to be put into new resource projects on which will be based new exports which will in turn cut the level of the current account deficit.

In 1976 Canadian corporations and governments borrowed \$9.2 billion abroad, greatly exceeding borrowing by any other country. Ontario Hydro has required large sums of borrowed capital from the United States; \$530 million in 1975-76, \$260 million in 1976-77, and \$392 million in 1977-78. That latter is an interim figure. The effect of these ever increasing borrowings on individual Canadians and on businesses is a burden in the form of higher interest rates which have led to a higher cost of living and a higher cost of doing business. The effect of these ever-increasing borrowings on government is that an increasing proportion of their total expenditure is spent paying the interest on the public debt. In Ontario in 1975-76 the interest on the public debt was \$725 million or 6.9 per cent of all expenditures. In 1977-78 it has reached over \$1 billion and eight per cent of total expenditure. Interest on the public debt was the only expenditure to increase its proportion of total spending between 1975-76 and the 1977-78 budget years.

For all Canadian provincial governments, the average real growth rate for interest on the public debt was 13.4 per cent from the period 1961-76 whereas expenditure on goods and services grew at 10.7 per cent. In these circumstances it comes as no surprise that the squeeze is being put on other government services and expenditures, nor is it surprising that the Ministry of the Treasury, Economics and Intergovernmental Affairs is trying to avoid further deficits of any kind. The situa-

tion substantially cuts down the Treasurer's room to manoeuvre, but it cannot serve as an excuse since the Conservative government is responsible for mismanaging the economy and getting us into this mess in the first place. They must take full responsibility for allowing a structure of a weak productive sector and an over-developed service sector to persist. They now have to face the reality that public spending and more borrowing will no longer prop up a shaky provincial economy. The implication of doing so is that more and more of our future will be mortgaged to pay for past errors.

What is happening to Ontario's economy? During 1977, real growth in the Ontario economy is estimated to have been only three per cent, compared with almost five per cent in 1976. Capital investment has continued to be sluggish. Unemployment increased to seven per cent as the job-creation rate lagged behind labour force growth. Trouble spots can be identified in the mining, manufacturing, agricultural, construction and public administration sectors. The steel industry has had two years of stagnant demand and like the pulp and paper industry has been operating at only 80 per cent capacity.

Consumer spending, which accounts for nearly 55 per cent of the gross provincial product, is weak, with retail sales for Ontario showing only modest gains in the third quarter of the year. During 1977 the Ontario labour force averaged more than four million participants, of whom about 3.8 million were employed. The annual growth rates for the labour force and employment were approximately three per cent and two per cent respectively.

The provincial unemployment rate fluctuated between 6.2 per cent and 7.4 per cent during 1977, a significant rise over the previous year's range of 5.7 per cent to 6.5 per cent. The unemployment rate among males increased from 5.1 per cent in 1976 to 5.9 per cent in 1977, while that for females jumped from 7.8 per cent to 8.6 per cent. The highest unemployment rate by far is in the 15-24 age group, at 13 per cent for the year. The current unemployment rate in Ontario is running at about 7.5 per cent, seasonally adjusted.

The outlook for Ontario's unemployment in the short run is not very bright. Indications suggest even higher unemployment rates than those experienced so far. Ontario's weak and unbalanced economic structure is best reflected in the figures for employment by industry. Less than two per cent of the total labour force is employed in forestry and mining, our key export industries. Personal and

community service industries employ more people—28.7 per cent of the total—than do manufacturing industries at about 26 per cent. Direct government employment has risen to 7.3 per cent of total employment. If you take all government-related employment, including health, education and so forth, Mr. Speaker, it's actually closer to about 20 per cent.

Employment in agriculture, other primary industries, transportation, communication, and utilities, as well as manufacturing, all exhibited negative or no growth in 1977. The construction, trade, service, public administration, finance, insurance and real estate industries showed positive performance. This poor performance in productive, relative to service, sectors is not peculiar to 1977. A comparison of the employment figures by industry in 1967 and 1977 gives us an idea of the underlying trends in the structure of the Ontario economy.

[3:45]

Overall employment in all productive sectors, including agriculture was 40.9 per cent of total employment in 1967. By 1977, this percentage had dropped to 32.9 per cent. Correspondingly, employment in nonproductive sectors, including banking, finance, real estate, community and personal services, government trade and transportation, has risen from 59.1 per cent to 67.1 per cent of total employment. It is to be noted that the wealth-absorbing work now employs over two thirds of the labour force in Ontario, leaving only one third of the work force in wealth-creating activities.

Employment as a percentage of total employment has actually declined over this period in each specific industrial sector, mining, forestry, manufacturing and construction. Manufacturing is the most noteworthy, showing a decline of seven per cent from 33.2 per cent to 26.3 per cent. Manufacturing then is Ontario's poorest performer over the past decade. There is a similar trend for all of Canada. As a matter of fact, employment in manufacturing as a percentage of total employment dropped from 23.4 per cent to 19.5 per cent in 1978. The decline is greatest in Ontario, and this is the home of half of the nation's manufacturing output.

For 1978, manufacturing in Ontario is expected to grow at 4.5 per cent, compared with three per cent in 1977. Strong performances are hoped for in pulp and newsprint, chemical and plastic products, primary metals, metal fabricating and transportation. The devaluation of the Canadian dollar is expected to assist in creating an improved

international competitive position as well as making domestic products more attractive to Canadian consumers. The Alaska highway pipeline construction is expected to make its initial impact felt on the Ontario economy by the third and fourth quarters. In the interim, strengthening consumer demand should continue to keep the manufacturing sector buoyant.

Such rosy forecasts are dubious in the light of the underlying trend over the past decade of steadily reduced employment in the key sectors. Furthermore, the chief industry, the auto parts and assembly industry, is in trouble in the long term because Canada is not receiving its fair share of parts production nor its fair share of research and development and investment. The stimulative effect of the devaluation of the dollar will be only short lived. In the longer run, we will experience inflationary pressures because of the increased costs of imports and increased cost of borrowing foreign capital.

Finally, there is a sluggish investment in the Ontario manufacturing industries, in part because the Treasurer has adopted a free trade stance with little evidence that industrial adjustment programs to help industries adapt to freer trade will be either significant or helpful. He is going around the province stating that it will be the industrial heartland of this country, and Ontario in particular, which will have to bear most of the burden in adjusting to freer trade. While he does throw out platitudes to the effect that effective leadership and adjustment assistance will help us adjust, the manufacturers of this province are understandably uncertain about the future.

In the budget presented to us in March, the Treasurer also predicted favourable economic prospects for 1978 and 1979, with real growth estimated at 4.3 per cent for 1978 and 5.5 per cent for 1979. He forecasted a strong export performance, the creation of 100,000 jobs, a small decline in unemployment and a steady expansion of private sector jobs and private sector prosperity. Studies exist, however, prepared even in the Treasurer's own ministry, that assume no such healthy private sector or industrial growth over the next decade.

In a report issued in June 1976 by the Treasurer's department entitled, *A Long Term Projection of Ontario's Industrial Development Pattern*, we can see what the assumptions of the government really are with respect to future employment trends in various sectors of the economy and thus the prospects for growth in those sectors. The

report pointed out that while in 1961 the manufacturing sector of the Ontario economy employed 30.7 per cent of the labour force, by the mid-1970s this proportion had fallen to 24.6 per cent. The report predicted that by 1985 only 20.1 per cent of provincial employment will be in the manufacturing sector and that by 1995 the proportion will be down to 16 per cent.

What does this mean for job creation in the eyes of the Treasurer's department? While in the 1960s annual employment in manufacturing grew in the province by 2.3 per cent, in the 1970s the growth rate has fallen off to 0.7 per cent a year. Since 1974, in fact, there has been a decline. For the future, the Treasury department report projected that job creation in manufacturing will be much below that in the 1960s and that output growth in manufacturing will continue to slow down over the next two decades.

The Ontario Economic Council has more recently come up with similar projections for employment to 1987. According to its calculations, commercial services will account for 32 per cent of employment growth, government for 30 per cent and personal services for 15.3 per cent. Manufacturing is estimated to contribute only 12 per cent of the growth for 1987, and mining and forestry only one per cent.

There is no doubt as to the general direction predicted for the Ontario economy in these in-depth reports. The economy of the next decade will be characterized by an increasingly weak manufacturing sector and dangerously top heavy and still growing service sector. This reality stands in stark contrast to the recent forecasts by the government of Ontario.

I'd like to turn to a specific portion of the budget now. One of the changes announced was an exemption from section 113 of the Mining Act for Ontario's resource corporations. That section requires companies to process their minerals here. The Treasurer is not only going to allow the companies to ship ores elsewhere for processing, but he is going to allow them to charge those refining costs against their Ontario profits. We object to such a policy because we feel it exports jobs to places such as Norway and the UK and reduces the revenues Ontario receives in the form of mining profits taxes.

We know that Falconbridge, a company that already has had an exemption, has been resident in the Sudbury area for 45 years and has never built a refinery there. Falconbridge still ships its ores to Norway for refining and further processing. Inco continues to ship a

significant proportion of its ores to Wales for refining.

When our leader in his reply to the budget expressed our opposition to the Treasurer's policy changes, we did not know of the existence of a Ministry of Natural Resources report, entitled *Toward a Nickel Policy for Ontario*. We did not know of it because it was not released until 10 days after the budget date, even though it was completed in December, 1977. The report, by a senior Ministry of Natural Resources official, Dr. Tom Mohide, condemned the whole concept of processing exemptions and stated so very explicitly. The report recommended, among other things, that unused refining capacity here be utilized before processing exemptions were granted and the ore was shipped to other countries.

Within 10 days of his budget the Treasurer had his mineral policy shot down in flames by people more knowledgeable than himself about mineral taxation policies. As a matter of fact, during the select committee hearings on the nickel industry layoffs, both Inco and Falconbridge officials told us that taxation policies were not the solution to their problem. The problem was world-wide demand in relation to stockpiled inventories. It is hard to imagine where the Treasurer got his advice on tax policy affecting the mineral industry.

One of the criteria used by economists to determine the economic benefits of mineral exploitation is known as linkages. There are forward and backward linkages. In Ontario, we do not benefit sufficiently from either. Backward linkages relate to industry's purchasing of input. In Canada, backward linkages result in purchases from suppliers outside this country. That explains our huge deficit in mining machinery and equipment. Domestic shipments supply only 21 per cent of the Canadian mining machinery market, despite the fact that Canada ranks number three in the world in mineral production.

Forward linkages relate to processing and fabricating. In Ontario, these linkages run outside the country as well. We not only have an industry that refuses to process domestically, but we have a Treasurer who discourages it by granting processing exemptions to the entire industry.

When I was a member of the select committee on the nickel industry layoffs, I did some research and came across a 1915 report of the Ontario Royal Commission on Nickel. What a revelation it was. At that time there was public pressure for Inco to do its refining here rather than in the US. I quote from that report: "There is, first, the

natural desire to have all the work on raw material which is produced here done at home, up to the point of turning out the finished article. Employment is given to Canadian workmen, Canadian chemists and Canadian experts. The rewards of this labour are spent in Canada and swell the volume of Canadian business. There is a feeling of impatience at seeing Canadians as hewers of wood and drawers of water, while in another country technical and skilled work is performed in refining an article of Canadian origin."

Mr. Warner: Old Tories never change.

Mr. Laughren: Back in those days, the industry used the same kind of arguments it uses now. When testifying before a House of Commons committee in 1910 the industry said: "Certainly nickel could be refined in Canada but not at a price which would enable it to compete with nickel produced abroad. If the industry were attempted in southern Ontario, the sulphur fumes would be considered a nuisance. An export duty on matte would close up the works at Copper Cliff, and consequently the mines also, in which case the company would bring ores or matte from their nickel lands in New Caledonia to be refined in the USA."

Little has changed in the last 65 years. It is an affront to all of us that with mineral production valued in excess of \$2 billion this year, mining taxes will total less than \$20 million. That is less than a one per cent return on our non-renewable resources. That kind of return is the result of allowing our resources to be exploited without a coherent industrial or mineral strategy to ensure that maximum benefits accrue to the people of Ontario.

The person responsible for taxation policy in this province is the Treasurer. He has allowed our minerals to be frittered away with no long-range planning for the resource communities when those minerals are depleted, and no guarantees we will obtain maximum benefits from those minerals while they are being depleted. There is no single area in which the differences between the government and we New Democrats is greater.

What is so worrisome about the mining industry in Ontario is that much of our prosperity has been based on the export of our minerals. It is the export of minerals which in large part has allowed us to import such a large percentage of our manufactured goods and allowed Canadians to achieve the standard of living which they presently enjoy.

It is not just the economic health of northern Ontario that is at stake. The mining industry has changed in recent years and it has become much more capital intensive as the companies streamline their operations and improve their productivity. It is appropriate, of course, that our industries should utilize the latest in technology to enable them to most efficiently extract the ore. We get into trouble when that technology is purchased elsewhere. We end up with an increased rate of ore reserves depletion and fewer jobs to accomplish it.

Between 1966 and 1974 the total number of people employed in metallic mining in Ontario declined in absolute numbers from 27,000 to 25,400, a decline of 6.4 per cent; and during the same period ores mined increased from 43 million to 62 million tons, an increase of 44.5 per cent.

It is not as though the mining industry was not profitable and was not able to contribute to Ontario revenues. On the contrary, between 1966 and 1977 the average profitability measured in net income as a percentage of sales was extremely good. Between those years the net income as a percentage of sales for total manufacturing averaged 4.2 per cent; for total industrials 4.2 per cent and for metal mines and primary metals 11.3 per cent.

The industry sometimes argues that tax breaks are necessary if there is to be continued exploration and development in the province, but the companies have been re-receiving concessions and substantial profits and have not been doing the exploration and development which is necessary to ensure we have a continuing healthy mining industry in Ontario.

In 1978, mining tax revenues will drop to about \$20 million. That represents a sad but telling commentary on the mineral management policies of this government. It is not as though this government has not been warned. Experts in mining have been telling the Ministry of Natural Resources that it is wrong. The Ministry of Natural Resources document entitled *Towards a Zinc Policy* for the Province of Ontario said: "We have the potential to expand the province's zinc mining and refining capacity. We have the undeveloped ore in the province, but there is ore elsewhere as well."

Accordingly, the report warned: "If plants are not planned now and built here in Ontario they will likely be built elsewhere." The report suggested a number of ways the province could stimulate zinc activity, including direct provincial involvement in a custom

refinery, that is a refinery that handles ore from different companies. This might provide employment for about 500 people. When it comes to mineral policy this government has decided to let the chips fall where they will. There simply is no policy. This government has taken the path of least resistance. We have had a succession of unimaginative if not downright dull-witted ministers who lack the courage to be either creative or innovative; and they hide behind their failure by insisting that the private sector knows best.

When free enterprise fails us, Mr. Speaker, the Frank Millers and the Leo Berniers and the Darcy McKeoughs of this world tell us there is no better way. To date, the government has shown no evidence that it intends to develop a mineral policy for the province. Whether we talk about zinc or nickel it is evident that our natural resources advantage is slipping away.

The government might have renegotiated the price of mining leases to make sure that the province gets its fair share for its own resources. The government has not done this. This government has simply granted mindless concessions which guarantee nothing more than the exports of jobs to some other jurisdiction.

Nothing could be a better example of the government silliness and shortsightedness in dealing with Ontario's natural resources and industrial development than uranium. For years now Ontario has returned from federal-provincial conferences in abject failure. At every conference Ontario has railed away at the cost to this province in jobs of oil and gas price increases. Despite this deliberately vocal and politically useful opposition from Ontario, oil prices in this country have moved in lock-step toward the inflated world price. Ontario's excuse has always been that we don't own the oil so we can't call the tune; the tune calling is done by Alberta and Imperial Oil.

But in the case of uranium we own the resource, a significant source of energy and one which promises to be even more important in the future. It is under our control, and in fact is public property. What did Ontario do? Did it take the opportunity to give our industry a competitive advantage to lower energy prices? Did it take the opportunity to use the wealth generated by Ontario's resources to strengthen our industrial base? Of course not; this government gave away the opportunity in the biggest single resource sellout in the province's history.

[4:00]

Ontario Hydro takes all the risks, puts up all the capital at no interest and guarantees the price. Rio Algom and Denison Mines simply pull in the profits, an estimated \$2 billion at least over 40 years. All the while Ontario was whining in public about having no control over energy prices, it was ignoring the recommendation by Hydro itself that the uranium mines be brought into the public sector.

At the time the contracts were signed, we in the NDP argued that a controlling interest in the two companies could have been purchased for about \$300 million, roughly the amount of Hydro's interest-free investment in the mines. The people of Ontario will be paying for years for this government's blind devotion to private enterprise in higher energy costs and slower economic growth.

We believe that if the resources in this province were in the public sector they could be used to help us reverse the trend of declining employment and the de-industrialization of the province. One of the present problems is that employment is declining in the resource industries because of the highly capital-intensive nature of those industries and because the machinery is being purchased elsewhere. Obviously the industry must modernize, but it would be to the advantage of all of us if this was to happen with the purchase of machinery made in this province or elsewhere in Canada.

We have never advocated the public ownership of resources for punitive reasons. We have done so because it makes good economic sense. New Democrats believe that the economic surplus generated in the resource sector should be partially directed to the building of a heritage fund, similar to those already in place in Alberta and Saskatchewan, to establish a healthy manufacturing base.

There is no better example of this potential than with mining machinery. It is ludicrous that we have a \$750-million deficit on mining machinery in Ontario while our mining industry ranks number three in the world. The private sector is not going to do this because of the cosy relationship between the resource industries and the machinery manufacturers elsewhere. It surely is no coincidence that there are interlocking directorships between Inco, for example, and mining machinery companies in the United States. It is a most comfortable arrangement and perfectly legal.

We believe the revenues generated by the resource sector should be reinvested in job-producing secondary industries tied to that resource base. It is no coincidence that resource communities suffer from a lack of

municipal and social services. It is no coincidence that there are very few jobs available in resource communities for our younger, well-educated people. Those resource communities have plainly and simply been used in a cavalier fashion, and we say that enough is enough.

There are people who make the claim that, by increased taxation, we can have control of the resource sector without the ownership. I do not believe that is possible, for a couple of very important reasons.

First, when taxes are increased in the resource sector the private sector simply diverts an ever-increasing amount of its investment funds to another jurisdiction. We have already seen Ontario's percentage of world nickel markets decline dramatically from 85 per cent in 1950 to approximately 35 per cent in 1978. That is at least partially because Inco and Falconbridge have made a commitment to developing their resources in the Third World.

The second major reason taxation policy can never return maximum benefits to the people of Ontario is the principle of high-grading. High-grading in the resource sector is a practice of extracting the high-quality ores while leaving the low-quality grades behind. The grade level at which an ore is economically valuable is, of course, determined by the price of the mineral. If either the price of the mineral drops or the taxation of the industry goes up, then the private sector simply raises the grade level at which it is economical to mine that particular mineral. Any jurisdiction which raises the level of taxation to a level unacceptable to the private sector simply encourages the high-grading of resources, which means they become depleted all the faster. Surely we cannot accept as a mineral policy one that encourages high-grading and the rapid depletion of a non-renewable resource, any more than we can endorse a mineral policy that returns one per cent of the value of the ores to the Ontario Treasury.

There are reasons of occupational health and safety and environmental control which also justify public ownership of resources, and when they are combined with the important role our resources can play in the development of a new and exciting industrial strategy the argument becomes compelling indeed.

I would like to turn next to our forestry industry, which is having problems, although they are different from those of the mining industry. Between 1967 and 1975, employment declined by 1.7 per cent in the industry

while the value of pulp and paper sold increased by 64 per cent. The Canadian Council of Resource and Environment Ministers' task force report on forest policies in Canada had this to say about the Canadian forest industry—and of course it applies in spades to Ontario: "It is believed that a large portion of the Canadian forest industry has technologically fallen behind its international competitors and that there has been a relatively low level of reinvestment in plants."

Our situation is deteriorating rapidly. According to Mr. W. J. Johnson, vice-president of Abitibi Price in charge of woodland operations, there are currently 27 new pulp and paper processing machines on order for installation in the United States, compared with one for all of Canada. Abitibi has recognized this trend and has itself already established two mills in the southern United States. According to Doug Drysdale, director of the timber sales branch of the Ministry of Natural Resources, unless investment is made to modernize our pulp and paper mills the industry in Ontario will be in even more serious trouble.

The problem is circular. If the pulp and paper companies do not put any money into modernizing their mills, we certainly cannot expect them to care about forest management. Without investment in forest management there won't be enough wood for the mills. Forest management and mill modernization go hand in hand, and investment must be made in both if our forest industry is to survive.

The forest industry is too important in Ontario to be ignored when the Treasurer is establishing fiscal policies for the province. There are approximately 78,000 people directly employed in the forestry industry and the same number indirectly. That means 156,000 jobs are created by our forests, but there is a very real danger that the number will drop considerably unless the industry modernizes its plant and equipment, and unless the government requires such investment in return for the cutting rights for a resource that belongs to the people of Ontario.

The combination of extremely poor reforestation policies and the failure of the industry to invest in modern technology has brought us to a crossroads in the forest industry. It is incumbent upon this government to establish policies to ensure that the situation does not deteriorate further and that profits earned on our resources are ploughed back into the industry.

This, of course, will require intervention on the part of the government, which in turn

requires courage. Despite the fact that these ingredients have not been evident on the part of this government, the time has come when further delay simply cannot be tolerated. The Ontario timber revenue task force in 1975 had this to say:

"The potential benefits of further processing of pulp merit examination. Pulp production is the most energy and pollution-intensive of the forest-based industry activities. It is, therefore, a high-cost activity which offers less return to the province than basic paper and paperboard production. An examination of the potential processing of pulp would be timely, given that the expansion plans of Ontario's industry are highly oriented towards pulp rather than paper production."

That same task force warned us of the dangers of our very heavy dependence on one foreign market—namely the US—

Mr. Nixon: That's it, 40 minutes.

Mr. Laughren:—and recent evidence shows the danger of relying on one market when that market deteriorates.

Our market share of newsprint sales in the US has dropped from 80 per cent in 1950 to 60 per cent today. This is primarily the result of southern US production, and if the trend continues the problems in the forest industry will be even more severe than they are today.

Recent figures showing substantial profits gains in the industry should not be simply noted and forgotten. In 1977, forest products was one of the leading sectors, with increases in sales of 92 per cent, and in Ontario the figures were even higher. For example, Abitibi's net income increased by 191 per cent; Domtar by 153 per cent and Great Lakes Paper by 194 per cent. A significant portion of this increase is the result of our devalued dollar. Great Lakes estimates that the exchange premium accounted for 57 per cent of their 1977 net earnings.

The big question is what these companies will do with these increased earnings. Ostensibly, one of the aims of wage and price controls was to get investment going in Canada again. For the pulp and paper industry this is particularly acute. Even in years of record profits the pulp and paper industry has failed to reinvest in Ontario. The average age of pulp facilities in this province is 38 years and of paper mills four years. That information comes from a report of the Ontario timber revenue task force. The result is a forest industry that has fallen behind international competitors.

It is a sad commentary that resources such as minerals and forestry have been allowed to fall behind, either in world market share

or in competitiveness because of the failure of this government to develop policies to sustain a healthy industry.

I have been talking about the weakness of several sectors of the economy. I would like to turn for a moment to some of the regional economic problems and the government's failure to do anything about them.

The Ontario Economic Council recently released a paper entitled Input-output Analysis of Fiscal Policy in Ontario, which had some revealing comments to make about the Treasurer's fiscal policy.

Mr. Nixon: Are you half-way through?

Mr. Laughren: Yes.

The study indicates that Ontario's fiscal policy tends to favour the Toronto-centred region at the expense of other regions of the province. To quote the paper: "Virtually all Ontario government programs have had the effects of increasing the concentration of employment in the Toronto-centred region and of increasing regional income disparities." In other words, the government's economic policies have made the regional differences even greater.

The Treasurer seems unable to design and implement policies directly relevant to the regions that need economic development. What the Treasurer does not seem to understand is that people in the north, the east and the west of this province would much prefer to have a self-sustaining economy rather than government handouts which simply make the various regions more dependent upon Queen's Park, and when government restraint is necessary it is those very areas which are the first to feel the crunch.

When the Treasurer indicated that he had to have \$78 million in order to pay for the reduced OHIP premiums, one of the first areas which he selected was the regional priorities budget of the Ministry of Northern Affairs. He did this despite the dramatic unemployment figures for northern Ontario. If we had a balanced, growing economy we would not have to be so preoccupied with either balancing the budget or with regional disparities.

A look at the unemployment levels across the province is interesting indeed. Communities with a skilled work force and a developed municipal, industrial and educational infrastructure are experiencing completely unacceptable levels of unemployment. The St. Catharines-Niagara area leads all major municipal areas with an unemployment rate of 11.7 per cent, slightly worse than Sudbury and Kitchener-Waterloo, each of which have an 11.2 per cent.

In all of Canada, according to Statistics Canada, only St. John's, Newfoundland, and Chicoutimi-Jonquiere in Quebec have higher rates. It takes more than benign indifference to preside over that kind of economic performance; it takes creative fiscal mismanagement and the Treasurer deserves the credit.

It is a sad commentary that those parts of the province which have done so much to make the province prosperous are the ones which are paying the price now in high unemployment. The Sudbury basin has been the source of enormous wealth that has benefited the entire province. The St. Catharines-Niagara area is in the heart of the best farm land, and a centre of much of the auto parts manufacturing and assembly which occurs in Ontario. Kitchener-Waterloo is a diversified community with many small businesses. For areas like these to suffer unemployment in excess of 11 per cent indicates the seriousness of the problems in our economy.

I would now like briefly, to turn to a problem that has caused great concern to the municipal leaders all across Ontario.

Mr. Nixon: Forty-five minutes.

Mr. Laughren: Two weeks ago, the Treasurer pulled the plug on assessment reform in this province. We have been waiting for almost 10 years. It has been postponed so many times and studied so many times it would be tedious to run through the list. Now he is backing away again, blaming municipalities, the media and the opposition as he goes. The reality is that it's the Treasurer's own fault. He could not get his package through the cabinet, and if his package does not go through nothing goes through.

It is not hard to see why he is doing it that way. The Treasurer knows, as we know, that there are real problems with the property assessment system; the Treasurer knows that there are real problems with assessment equalization in merged areas like Cambridge; and the Treasurer knows that there are real equity problems in the provincial equalization grant system.

The Treasurer could solve these problems tomorrow if he wanted to, but he won't. He won't do it because he needs the anger and frustration caused by those problems to build support for part of the package he insists on getting through, namely the tax reform proposals. But it's the tax reform and grants part of the proposal that are at the root of the problem.

The Treasurer has two great obsessions: uniformity and control, and balancing the budget. His obsession with uniformity and

control has led to a municipal tax proposal in which all of the policy is set by Queen's Park. The municipalities merely collect the taxes. The property tax becomes a provincial tax administered by local government.

Ontario is too diverse to have a single municipal tax system applicable without variation in every municipality, and the figures bear this out. His proposal on average reduces single-family residential taxes outside Metro Toronto; it increases taxes substantially in Metro. His proposal increases taxes on business outside Metro; it reduces taxes on business in Metro. In Metro, taxes on small businesses stay roughly the same; outside Metro, they go up. The only way out of the dilemma is to give local governments some flexibility in setting their own tax policy, and that's exactly what the Treasurer won't do.

His obsession with balancing his budget at the expense of property taxpayers is just as destructive. The so-called Edmonton commitment to revenue sharing is meaningless. The province's grants for education have dropped from 61 per cent of expenditures just three years ago to 53 per cent this year.

Mr. Nixon: Just like some kind of nightmare, a sort of Catch 22.

Mr. Laughren: Many people see the Treasurer's market value assessment and tax reform package as a lever to reduce Ontario's commitment still further. The Treasurer's actions don't do much to allay these fears. In his tax reform proposal the Treasurer argued that it is fair for the province to pay taxes on the property that it owns, and then announced that the municipalities would pay the increased provincial costs through lower grants on a dollar-per-dollar basis.

The Treasurer should stop using the inequities created by the assessment and grants scheme. He should end the squeeze on equalization factors for grants and for cost apportionment in merged areas. He should change the Assessment Act to enable municipalities to deal with the growing volume of successful assessment appeals by large corporate taxpayers. Those changes can and should be made.

He should bring in an assessment reform system that deals with the potential problems created by market value. He should bring in tax reform that sets out the scope for municipal tax policy. He should stop quibbling over revenue sharing and should bring changes to the tax credit system that would have a real impact on the regressivity of property tax.

[4:15]

The Treasurer has not only failed to display courage or imagination in bringing in policies to stimulate and rebuild the Ontario economy, he has failed to take seriously any suggestions offered to him. When the leader of the NDP replied to the budget for us on March 14, he laid before the Treasurer a number of job-creation proposals which would have created over 45,000 jobs.

The fiscal year is not yet three months old, and already this year's budget lies in tatters. The assumptions on which it was based are meaningless and its meagre proposals futile. Revenue estimates for last year have dropped since then, reducing the base of this year's revenues. That weakening of the economy, together with the failure of the OHIP increase and the federally-inspired sales tax cut have added nearly \$500 million to the expected deficit and shown up the Treasurer's budget balancing plan for the hollow charade that it is.

Estimates of economic growth and employment for Ontario have been revised downwards, underlining the seriousness of the government's failure to create jobs. Within a week of the budget's introduction the Ministry of Natural Resources' report was released which attacked directly the budget proposal to sell out Ontario's resources by giving tax concessions for foreign processing. The government's own study of the machinery sales tax rebate showed that it will cost Ontario 15,000 jobs in this year alone.

Property tax reform has been shelved again because of the Treasurer's blind devotion to uniformity and his stubbornness. In the debate over the future of the auto industry, Ontario is floundering, trying to resolve the conflict between the Treasurer and the Ministry of Industry and Tourism when it should be leading.

Hon. Mr. Timbrell: Nonsense.

Mr. Laughren: It's not nonsense. Although it is only three months since the Treasurer's budget was introduced, virtually nothing in it is valid today. The budgetary deficit predicted by the Treasurer to be \$1.3 billion will be in excess of \$1.6 billion. Revenues will be at least \$400 million below his projections.

These revenue shortfalls should tell the Treasurer what we told him in March: that his budget is a failure. Ontario's economic problems are serious and they demand a serious response. The first priority of the NDP is to get the economy moving again and to put people back to work. In the short term we have proposed municipal projects,

housing construction and other measures, to create more than 45,000 jobs. In the long run, we would provide the leadership to rebuild our manufacturing and resource sectors. The Treasurer cannot hope to balance the budget without a strong economy; he cannot hope to have a strong economy with a budget that actually makes our economic problems worse.

The Treasurer simply must bring before this Legislature a new set of budgetary policies in September or October of this year. This current budget is simply not enough as it stands. Ontario can't afford to drift aimlessly for the next nine months with a budget that is invalid, obsolete and destructive.

On motion by Hon. Mr. Timbrell, the debate was adjourned.

AUTO PACT

Hon. Mr. Timbrell moved that the House do now consider sessional paper 162, background paper on the automotive industry.

Motion agreed to.

Hon. Mr. Timbrell: Before the debate begins, may I say it is my understanding that the House leaders have agreed this debate will conclude by 6 p.m. this evening and that the time remaining be equally divided among the three parties.

Hon. Mr. McKeough: Mr. Speaker, I suppose there are only three or four or five occasions when I have stood in this House and in some part of my remarks been parochial, which is the way I propose to begin this afternoon.

The former Leader of the Opposition (Mr. Nixon) will recall that one of those occasions concerned blackbirds; I think that was my maiden speech. He, as a farmer, will be interested to know that that problem seems to be on its way to being solved—

Mr. Nixon: Been going down hill ever since.

Hon. Mr. McKeough: This isn't due to any great action of government; I guess it is something in the cycle of the birds which seems to have made that less of a problem—

Mr. Nixon: They keep dumping on my county.

Hon. Mr. McKeough: Well, that's a solution to the problem in any case.

But I do want to start this afternoon by saying something about the automotive pact in terms of my own riding, my own county, Chatham, and Wallaceburg in particular. I believe the background papers tabled by the

Premier (Mr. Davis) this morning indicated something about the International Harvester Corporation. This is an American-owned multinational which has been in Chatham, I believe, for over 50 or 60 years, as well as in Hamilton where they have a truck plant.

Prior to the automotive pact there were about 1,000 people—800 or 900—working at International Harvester. At that time they produced part of something like 26 trucks for Canada. Since the automotive pact they have been making three trucks, basically, for the whole North American market. During that time, employment has risen from something under 1,000 to something just under 2,000.

Additionally, in my own riding, we are blessed with a number of automotive parts plants. Eaton Springs has two plants in the riding. Canadian Fram, Rockwell and a number of smaller plants as well as tool and die shops and service industries adjacent to and part of what is the largest employer, the single most important industry in this province, the automotive industry. Something like one in six jobs are directly and indirectly related in this province to the automotive industry.

It is obviously of great concern to my people and to my riding, and a great concern therefore to me, as well as being of concern to members of the Legislature and to me as a member of the government, and as Minister of Economics for the province.

The auto pact has been good for my riding; the auto pact has been good for Ontario; the auto pact has been good for Canada. Nevertheless, it became apparent two or three years ago that the auto pact perhaps was not working fully as well as it had at the beginning or as well as some of us had hoped and had reason to believe it should work.

I take some pride in the fact—and I say this completely immodestly—that the first authoritative work on the subject of the auto pact appeared in my budget of 1976 when we laid out our concerns and when we laid out some of the numbers and some of the figures. During that time, the federal government took the position that we should not rock the boat. I would say that with some shifts, but very small ones, the government of Canada is still of the view that the boat should not be rocked.

Proud as I am of the achievements of my country and those who work in this country—be they working for international firms or American firms or Canadian-owned firms—

proud as I am of the achievements of those people, both from the managerial section to those at the very bottom in those plants, the men on the lines; nevertheless, I don't think rocking the boat is simply the answer to something where we have perceived there are some difficulties, and where for lack of a better term—and I certainly don't want to debate this particular issue this afternoon—in recent years we perceive we have not been getting as fair a share as we feel we are probably entitled.

I put all this in the context of the fact that the automotive pact—and we should not forget this—is a treaty—I guess that is the correct word—between the government of Canada and the government of the United States. It is something whose levers, whatever those levers are, some of which are fragile, rest with the government of Ottawa so far as Canada is concerned. There really is very little power, very little authority; very little we can do in this House, as private members or as members of the government, to influence, without giving away the store, the outcome of that pact, which is essentially an international treaty between the two sovereign countries, each in its own right exercising its own authority and its own levers of power.

The situation is complicated somewhat by the fact that we are talking about an industry which at the vehicle assembly end is not owned in this country. I think, realistically, perhaps that does have some bearing on the situation. I don't think it is a large factor. Whatever factor it is, the other side of that coin which must be recognized, of which I am aware in my riding and to which, I am sure, others in this House could also pay testimony, is the very superior performance of that part of the industry which is located in Canada, probably stemming from the fact that we started from behind. There was, in the early years of the pact, an enormous investment in Canada. Most of the plants which I have mentioned in my own riding—and this is true in Oakville; it's true in Ste. Therese; it's true at Talbotville—are up-to-date, modern buildings for the most part, with ample room to grow and expand, or contract as the case may be to make the necessary changes; with as good technology and machinery and equipment as is available in North America today.

On top of that, we have a work force, both at the salaried and the hourly-rated level, which is good, which is productive, which is efficient, which is well-represented by a Canadian union—and I stress that: the United Auto Workers, with whom I've had my differ-

ences, and will have my differences, I suppose, in the future—which has represented its workers well. By and large, the forces of capital, of technology, of labour, of management are working together, these factors, a good climate in this country and in this province, have produced an industry of which we in this House, as the representatives of the people of Ontario, can be damned proud.

I say that particularly with reference to a couple of plants in my own riding. Last spring I had lunch with the board of directors of that company, who are American. They have something like, I believe, 90 plants worldwide—60 in the United States, six in Canada. I expected I would hear about higher Canadian taxes and lower Canadian productivity, or the cost of interest in Canada versus the cost of interest in the United States. I heard none of those things.

What they told me was that those two plants—having achieved certain economies of scale, with a good work force, with the right injection of capital and technology and knowhow—were as productive, if not more productive, than any of their 90 worldwide plants.

What I am saying then—building on the basis that we do have other winners in this country, although we are talking about the automotive pact this afternoon—is that we have some industries which I think, some of us realistically feel are going to have a tough time competing in the world, but this is an industry in which we have every reason to take great pride and in which we have to take a back seat to no one, particularly in the present context to those south of the border.

You will recall—and I vividly recall—in 1976, after the budget, the third party in this province criticized that paper; that is a matter of record and that is their right. There was a monumental yawn then from the United Auto Workers, and Ottawa disputed the whole thing and refused to do anything about it.

Mr. S. Smith: Who was the third party then?

Hon. Mr. McKeough: I then recall—my dates may be somewhat wrong—that there was a stirring—and I take, as I've said, a modest pride in the fact that the Ontario budget paper had something to do with it—a stirring of interest in the problems of that particularly large and vital sector of our economy.

Subsequently, the government of Canada appointed Arthur to do a report which came out in the spring of 1977. Arising from the

Arthur report we have had an ongoing debate, I suppose with some intensity for the last six or eight months.

As members are well aware, and without attesting to the veracity of the figures or the breakdown of the figures, the word was spread that because of the move to more fuel-efficient cars and smaller cars, the industry over the next few years in North America would have to spend—the figure most commonly used was something like \$58 billion.

I think it's important to know and to remember that is not all new employment. Many who have come in have pointed out that much of it is replacement; simply replacing old machinery, perhaps old buildings, old dies, old presses with new machinery. The increase in employment from a big chunk of that \$58 billion will be very small.

Mr. Deans: There may be some decrease and net loss of employment.

[4:30]

Hon. Mr. McKeough: In fact, I suppose it could be argued that with some of the machines and equipment there may be some decrease, I think marginal, in employment. But I would doubt that it would be more than the normal growth in the industry and the number of vehicles produced. I don't think that's a large cause for worry as there is a greater productivity and a greater output per man hour, but it does make it essential, and this is what we attempted to point out; and did point out, I think rather effectively a couple of months ago in the paper, which we produced in Treasury and which we tabled and which we have sent to the various companies. We've had no formal response from Ottawa on that paper. We've had no formal response, interestingly enough—in fact no response at all from the motor vehicle manufacturers. The parts people essentially agree with it; and after sorting away a few facts and figures the United Auto Workers agree with that paper.

I'm not here to defend every figure in that paper one way or another. It was part of a contribution, and it is important to remember also that we in Ontario do not have access to all the figures. The figures are available only to the government of Canada, and I suppose the government of the United States under the automotive pact. Some of what we do and some of what we think is based on educated guesses, and sometimes they're better guesses than not.

What I would like to say I will do, in the context of a brief presented to us the other day, last Monday, by the United Auto Workers—I won't give you their answers to

the questions they pose, because they can do that in their own good time and in their own language and in their own way; but Mr. White—and without equivocation I say that Mr. White presented the position of that large and powerful and strong union very well and very intelligently, and with a great deal of understanding of not only his problems and the problems of the members of his union but also I think, with a real understanding and concern for the needs of this province and the needs of this country, and I am glad to have this opportunity of putting those thoughts on the record as part of my contribution this afternoon. It was an excellent presentation and we had a very good discussion.

He posed, or the UAW had posed, three questions: First of all—this isn't in order—are we calling for negotiation of the auto pact as the only alternative? My answer to that is, of course, no. I'm not suggesting that there should be a renegotiation of the pact; I don't think there needs to be, I've never been of that view. I think, frankly, it's a red herring if people say we should renegotiate the pact. I think what we have to do is find ways to get the parties to the pact to recognize their moral if not their legal obligations under the pact.

I suppose there's a bottom line. I don't contemplate that bottom line. The bottom line is that at some point, if we weren't successful in our entreaties or our suggestions or our pounding on the table or whatever, we could go back to manufacturing our own cars in Canada, which frankly I don't think is the most realistic proposition in the world. I doubt that the Canadian people would probably pay the price to have a separate and Canadian-only automobile industry. I don't think, frankly, that's a viable alternative; but I suppose that is the ultimate, that is the bottom line. The renegotiation of the pact per se, in my view, is a non-starter.

The second question—and they asked it narrowly; I'll broaden it a bit—does the policy of the UAW not run into conflict with the interests of American workers and of the United Auto Workers in the United States; and within Canada isn't there friction between Ontario and Quebec workers over new facilities? I'll give members their answer; they said not. I would agree with that at this moment in time. I would agree with that; and there are many—who would not label themselves continentalists, who would not label themselves free traders—there are many who would say that for the continued

health, prosperity, growth, economic well being and quality of life of men and women in North America, north and south of the border, we should be working towards—the phrase often used is more “mini” auto pacts in a number of areas.

I don't know enough about this, although the idea certainly has some appeal from a layman's point of view, of which I'm one in this area; but certainly unless we are to try to build a wall—heaven forbid—around either Canada or the United States, or North America collectively, then there is no question that one of the largest problems we have facing us is the low wage, and increasingly high technology competition from the Third World, from the LDCs and so on.

If we are to go on competing, and competing well without the benefit of high tariff walls or higher tariff walls, then we are going to have to be efficient; we are going to have to have the full economies of scale, and in some instances—not in all instances—that is probably going to mean achieving some of the economies and efficiencies in other areas that we have achieved over the last 10 or 12 years—witness international Harvester in Chatham—in other industries and other sectors of our economy.

I would say that what we need to do in North America is look at this problem intelligently, do our damndest to settle it intelligently for the best interests of our people north and south of the border, be it the Ottawa River or the Great Lakes. It is important to do so, not just because of the automobile industry but because I think there's some possibility that for our own good, both of us probably have to be looking at some other arrangement in other areas as well. That's the very key significance of solving this problem.

Many of us in this House—perhaps more from my part of Ontario than that part of Ontario from which the leader of the third party comes, but I see my friend from Essex is here—many of us from our part of Ontario particularly have as many friends and relatives on the other side of the Detroit River as we have on our side of the Detroit River. We know many of the people who work in automotive parts plants, in automotive plants in Detroit particularly. They're nice people. I think they've got as big a problem as we have. It's all very well for Governor Rhodes to entice people from Detroit to Lima. What does that do to Detroit? I think that's fundamentally as big a problem as enticing them from Windsor or from Niagara, to Montreal, to Lima or wherever.

I don't think this is a problem that, frankly, can be looked at from the point of view of Ontario or from the point of view of Quebec or Ohio or Pennsylvania or New York state or Michigan. I'm not interested—and I think my friend from Hamilton Wentworth (Mr. Deans) nodded when I said there may not be that much growth and then what we're trying to do is hold our own—I'm no more interested in seeing people having to move, or going out of work in St. Catharines and moving to Valleyfield, than I am in seeing people having to move or going out of work in Detroit because something new is opening up in Lima. I can't honestly believe that it is in the best interest of the companies themselves—Canadian or American or international: I can't honestly believe that it is in the best interests of the governments of Canada or the United States, or Michigan or Ohio, Ontario or Quebec, to get into that kind of a game and say: "Because we can do a little better here than we can there, let's open here and leave it a bit"; and that, "This one's in danger over here," and then hope that people will move backwards and forwards.

I simply can't believe—I refuse to believe—that that makes some sort of sense in a North American, let alone in a Canadian, context. I'm not interested, and I say this, I'm no more interested in seeing a new General Motors plant in Chatham or Woodstock if there is some danger of taking some jobs away from St. Catharines. I'm not interested in that at all, and I certainly wouldn't be interested if it's going to cost something from the public purse.

The final question the United Auto Workers asked, and to which I address myself: does our policy not require us to support corporate incentives in order to respond to the pressures of particular groups of workers who see this as the only way to some jobs? The UAW can speak for themselves, and did and will. My position has been laid out. There was some suggestion here that there is some difference of opinion between the Minister of Industry and Tourism (Mr. Rhodes) and myself. Sure there is.

Mr. Laughren: Is he speaking this afternoon?

Hon. Mr. McKeough: Difference of opinion is honest. His job is to promote industry, often in a sectoral sense; I have to worry about the economy as a whole. There hasn't been a difference of opinion. We both said from the beginning when it comes down to the crunch, and that is what was said this morning, if all else fails—

Mr. Deans: You won't.

Hon. Mr. McKeough: —if Canada is not prepared to assume its obligation, knowing that Canada and Canada alone has the levers, then I am not going to sit by and watch our industry go down the drain. On that score, the Minister of Industry and Tourism, myself, the Premier, these benches, are of one mind; make no mistake about that.

Mr. Laughren: You didn't provide the leadership because of that, Darcy.

Hon. Mr. McKeough: Having said that, have no doubt of the fact that I have been quoted as saying that on a scale of one to 100, giving money to Ford, General Motors or Chrysler ranks about 99th on my list of priorities.

Mr. Cassidy: And yet you are doing it.

Mr. Breaugh: Make it 101, it will have more impact.

Mr. Deans: What happened to the other 98?

Hon. Mr. McKeough: My list of priorities, if we are going to do things in this country, would include energy projects, would include Ontario Hydro; would include perhaps assisting the steel industry, for example, I would rank it as a Canadian industry, and as a basic industry, ahead of the automobile industry. So let me make no pretence that this would be high on my priority list.

Let me make this clear: we are not talking about a matter of regional development, for which I have some responsibility. If it were a question, and let's make that clear, of spending some money to get Ford or Chrysler or anybody else to establish a plant in Arvida, or Shawinigan, or Sudbury, or Kenora, it would be an entirely different debate. What we are talking about is Valleyfield; Detroit, Michigan; St. Catharines; St. Thomas; Windsor; Lima, Ohio.

Members opposite have pointed out that one of the highest rates of unemployment in this province at this moment in time, today, is in the Niagara Peninsula. If we are talking about regional development, if we are talking about what the Department of Regional Economic Expansion should be doing, then we would be looking at the Peninsula among other places.

Mr. Laughren: Oh come on, pass the buck again, Darcy.

Hon. Mr. McKeough: But we would not be looking at Montreal any more than we would be looking at Toronto, or even Oakville.

Mr. di Santo: You are responsible for the economy of the province.

Hon. Mr. McKeough: We just will not contemplate those sort of things.

Mr. Cassidy: But you're doing it, you're making the offer.

Hon. Mr. McKeough: That is not because we are talking about Montreal; we are talking about—and I support Michelin going to Nova Scotia and I would support that again; as a Canadian, those are things we should be doing. I think I have some sympathy for the Americans trying to get industry into North and South Carolina, but I really have not supported and will not support public subsidies to try to put more employment in the middle of Metropolitan Toronto or next door to Metropolitan Montreal. I just don't think that is what regional development as I have understood it over the years, is all about.

Mr. Laughren: You had better listen to the economic council.

Hon. Mr. McKeough: I think that is something that needs to be put on the record.

Mr. Cassidy: Better see what your leader was saying today.

Hon. Mr. McKeough: I want to mention just two or three other points, Mr. Speaker, and then I will wind up.

Mr. Laughren: Leave some time for the Minister of Industry and Tourism to speak.

Hon. Mr. McKeough: Make no mistake, we as a cabinet agonized over this; we agonized long. We have not accepted the figure of \$75 million. That would have to have been looked at much more closely, obviously. Nor could we accept as a cabinet that we were saying we would do something for Ford, but General Motors, Chrysler and the whole parts industry, and Harvester and American Motors could wait until some sort of a policy was developed.

That was the reason for the Telex which went out on Wednesday to Mr. Horner, prudently putting a limit on it and saying: "If you want to go ahead with your three to one scheme, okay. Reluctantly, we come in. We will not only come in for the specific Ford case, but if there are other investments which you think are critical and which we think are critical we will come in on the same basis, three for one, up to a maximum of \$75 million."

[4:45]

I am told that today in the House—I haven't seen this and perhaps I shouldn't be saying it—Mr. Horner said the 75-25 split, for anything more than on the \$30 million, was not a factor. That is not my recollection of the situation. People in the media have spent the

better part of a month and a half trying to find out what my version of a meeting between Mr. Parizeau and Mr. Chretien, at which I was present, was all about. I am not going to get into that one.

But I will put the facts on the record whenever I am asked about how Mr. Horner has flip-flopped on this issue, and so has the government of Canada in the last three days.

Mr. Laughren: Those former Tories are the worst.

Hon. Mr. McKeough: It is incredible, simply incredible, what they have done to turn things around—for what reason, I honestly don't know.

Mr. Cassidy: So have you.

Hon. Mr. McKeough: No, we have not.

Mr. Cassidy: I have the quotes here; you are doing what you vehemently opposed.

Hon. Mr. McKeough: There is no way we have flip-flopped.

Mr. Laughren: You tried to.

Hon. Mr. McKeough: You know, the members opposite sit over there and they pontificate continually. They gyrate; we dominate. We dominate this debate on behalf of the people of Ontario, and my friend shouldn't forget it. We know exactly what we are doing in this.

Mr. Mackenzie: That says a heck of a lot for you.

Mr. Foulds: You are selling out and you know it.

Mr. Mackenzie: God help us if you know exactly what you're doing.

Mr. Deans: Actually, Darcy, when you get to this level, you nauseate.

Hon. Mr. McKeough: We have been at this for two and a half years. We have played our cards. We know what we are talking about. We are interested in employment. We are interested in the taxpayers' dollars.

Mr. Mackenzie: How come you have made such a mess of it, if you knew what you were doing?

Hon. Mr. McKeough: I have never understood the NDP position. I never knew what the Grit position was until the Leader of the Opposition walked outside the House and, two minutes later, said "Give them \$37.5 million." If that's his idea of how he thinks this province should be governed, he couldn't be more completely wrong. I say to the Leader of the Opposition, who wanted this debate this afternoon—

Mr. Foulds: No, he didn't. The New Democratic Party wanted this debate.

Hon. Mr. McKeough:—for once in his life, keep cool, just keep cool; don't go out here and say, "Let's spend another \$18 million."

Mr. S. Smith: You keep your cool, Darcy.

Hon. Mr. McKeough: Does the Leader of the Opposition deny that's what he said to the press? You know, I say to the Minister of Health (Mr. Timbrell) and to my other colleagues. I know the Leader of the Opposition is embarrassed about Jack Horner, but he really went overboard today to look after his Grit friends in Ottawa.

Mr. S. Smith: Take your time.

Hon. Mr. McKeough: They back down, they switch around, and the Leader of the Opposition says Ontario should put up another \$18.5 million. I think that's going to make great reading.

Mr. S. Smith: It certainly will.

Mr. Laughren: All noise.

Hon. Mr. McKeough: The Leader of the Opposition and Jack Horner can go to bed tonight with the great satisfaction that they are of one and the same mind; and boy, that is a cross my friend is going to carry for a long, long time. It is all his.

Mr. S. Smith: We'll soon see about that, Darcy. Keep cool.

Hon. Mr. McKeough: The Jack Horner of the Ontario Legislature—the Leader of the Opposition should be really proud of himself.

Mr. S. Smith: You and John Rhodes still haven't got the same position.

Interjections.

Mr. Speaker: Could we have some order now, please?

Hon. Mr. McKeough: Mr. Flip-Flop has really outdone himself today.

Mr. S. Smith: Mr. Speaker, it seems to me we have a very important matter in front of us, a matter which was presented to this Legislature rather hastily by the Minister of Industry and Tourism, whose viewpoint was expressed almost diametrically opposite to that which we have just heard from the Treasurer.

Hon. Mr. McKeough: Not so and you know it.

Hon. B. Stephenson: That's not true.

Mr. S. Smith: The Treasurer regards giving money to these large automobile companies to locate in what are obviously not DREE-identified areas—and I agree with him; I can't imagine why the area around Montreal should be identified as DREE, when St. Catharines and other places are not—as being very low—99th, I think he said—on his list of priorities.

Hon. Mr. McKeough: You are number 100, just so you know.

Mr. S. Smith: It's a lot higher on the Ministry of Industry and Tourism's list of priorities, because he said to us very plainly today that they have decided some Ontario participation in automotive investment incentive schemes was necessary, particularly in view of the importance and timing of the investment programs.

He also said to us that he was afraid that since the Ontario government was willing to offer \$18.5 million, or \$17.5 million, and the government of Canada has demanded \$35 million, or \$37 million, that we are now going to lose the Ford plant. He says on the bottom of page four of his statement: "I am very much afraid that the Ford plant will now be lost." I believe him. I presume he rose in this House to speak the truth. I feel, therefore, that I want to make certain remarks regarding this situation.

We have a real dilemma in front of us, first of all a dilemma in understanding the statement made by the minister. He refers early in his statement to the fact that an attempt is being made to attract a GM plant to Quebec with approximately \$80 million, \$60 million of which is being put up by the federal government. He points out that that is on a 75-25 per cent basis. I guess his feeling, which I must say I share, is that if such an agreement can be made to attract an automobile plant to an area around Montreal, then surely the very same type of agreement could be formulated to attract such a plant from another automobile company to an area of high unemployment in the province of Ontario.

I would like to point out that the history of this whole matter of the Ford plant—and let's stick to that for the moment—is, as pointed out on page one, that when the 75-25 per cent proposal was made for a \$30-million incentive, the government of Ontario could not come to an agreement among itself. It could not reach agreement, and consequently had a period of indecision. During that time, for some reason—and I can't imagine what the objection is—apparently Ottawa went ahead and made an offer of \$30 million to Ford entirely with federal money.

That was an interesting thing to have done. I don't understand it, but apparently that was done, because on page three of the minister's statement he points out that the Canadian incentive offer might be increased from \$30 million to \$75 million. So, I presume that Canada offered \$30 million.

I don't think the government is objecting to that, but again I may be unclear about that.

In any event, we then go on in the minister's statement and we find that some position was taken, very different from what the Treasurer has just outlined, for a so-called non-DREE designated program for areas not designated by the DREE program. This would provide assistance, according to the Minister of Industry and Tourism, amounting to one third or one half of that available under DREE. We are not told what the basis of that is. It said that the federal official suggested the provincial participation might follow the 75-25 formula proposed in the Ford offer.

Now we have the key statement. On the bottom of page two of his statement, the minister says: "Some Ontario participation was necessary. Our principal concern, however, was related not to competing with Ohio, Michigan or New York, but with our sister provinces." They didn't want to get into some kind of bidding war with other provinces. I can't imagine what the minister is talking about. Perhaps he will explain it at some point. Surely if he is talking about a non-DREE program of 75-25, that would have been of uniform type across the country. The redefinition of a DREE area is certainly something which should be undertaken, but that's not referred to here. I don't understand that in the statement.

The minister is not in the House and neither is the Treasurer. For the record, let it be shown that on this occasion there is precisely one minister in the House, accompanied by two backbenchers from the government. That is the total turnout from the government side.

Mr. Mancini: One for every \$10 million.

Hon. Mr. Bennett: The Liberals just equal the rest.

Mr. S. Smith: The statement points out they were then told by the federal government that the Ford company said that if the Canadian incentive offered could be increased from \$30 million to \$75 million, the facility might come to Ontario. The ante was increased at that point. At that point, despite the protestations of the Treasurer, the Ontario cabinet sent to the federal government the telegram referred to, in which Ontario offered to participate on a 25 per cent provincial, 75 per cent federal basis to get the \$75 million. The Treasurer has now stated in this House that he is not sure of the \$75-million figure. It's right in the Telex they sent to the federal government, so somebody must have been

sure of it or he wouldn't have put it in the message.

At that point it seems the federal government, for some reason I cannot fathom, decided that only a 50-50 contribution plan would be acceptable as far as determining the origin of the incentive to draw the Ford company into this country and into Ontario. I see that the government has decided that they cannot go along with this. They could go as far as the 25 per cent in giving money to the very wealthy Ford Company, but they would not go as far as the 50 per cent.

Somehow, it's reminiscent of the story of George Bernard Shaw who was talking to a famous Lady Somebody-or-other. At dinner he said: "Tell me, would you consider going to bed with me for a million pounds?" She said: "For a million pounds I just might." Then he said: "Would you consider doing that with me for one pound?" She said: "What do you think I am, a prostitute?" He said: "That's already been determined. All we're arguing about is the price."

Let the Treasurer not come in here and pontificate to us. Let him not come in here and say that he doesn't want to give money to the auto companies, something he has 99th or 100th on his list of priorities. His government has offered 25 per cent of the \$75 million incentive, but has balked at going to 50 per cent.

Hon. Mr. Bennett: It was 25 per cent of the federal offer.

Mr. S. Smith: I will read, for the benefit of the Minister of Housing, who has difficulty with that activity—

Hon. Mr. Bennett: Please don't read it to me. I think I have things in hand as well as you do.

Mr. S. Smith: I'm quoting from the government's statement: "Ontario will participate with the federal government on a 25 per cent provincial, 75 per cent federal basis in an investment incentive offer of \$75 million to the Ford Motor Company." Read it.

Mr. Ruston: It's far more than a condominium in Toronto.

Mr. S. Smith: It's obvious now why the minister who has just spoken is no longer Minister of Industry and Tourism; the numbers are too much for him.

Hon. Mr. Bennett: You need not worry, you will never be in that position.

Mr. S. Smith: The government of Ontario has already agreed that it would be willing to have the 25 per cent contribution from the province to entice the Ford company here but they balk at 50 per cent.

Frankly, I can understand why they're upset. It's not right that Quebec ought to be able to attract automobile plants and the federal government go in on a 75/25 per cent basis, whereas Ontario was told that all we can have is a 50/50 basis. I can appreciate the feeling of the government about this. But if the minister is telling the truth when he says that this plant is about to make a location decision in the United States, if he's telling the truth when he says: "I am very much afraid that the Ford plant will now be lost"; I do not understand why the government has chosen to allow this Ford plant—\$500 million and 2,000 jobs—to be located in the United States if that is what it truly believes will happen, merely because they are angry with the federal government for giving Quebec a better deal than Ontario. It's most regrettable that the federal government has done that. I will condemn that in the strongest terms and I don't have to take any second rank seat to the Treasurer in this regard.

Mr. Cassidy: Then you will go under.

Mr. Foulds: It will be just like you; you'll cry rape when you are being ravished.

Mr. S. Smith: If you don't like the government in Ottawa, you can certainly vote against them if you wish. The people will have that particular option very shortly, I suggest. But I'll tell you this, they are in power at the moment whether we like it or not, and to cut off our nose to spite our face would have to be about the dumbest possible thing to do at this time. We need a \$500 million plant.

Hon. Mr. Bennett: They made the offer and we responded.

Mr. S. Smith: We need 2,600 jobs in this province. We've already decided to go down this rather slippery slope, a dangerous one indeed, of giving money to these companies; as much as it's a regrettable thing to be held up to ransom like that we've decided to do it.

Hon. Mr. Bennett: At least we agree on that.

Mr. Smith: Why stop at \$17.5 million when for another \$17.5 million or so we can get the \$500 million plant on Ontario soil and create the 2,600 jobs?

Hon. Mr. Bennett: Your federal friends made the deal and we responded.

Mr. S. Smith: I'm proud to say that's the policy of the Ontario Liberal Party.

Mr. Foulds: When in doubt chicken out, that's the policy of the Liberal Party.

Mr. S. Smith: I wonder, sometimes, if the government really wants this plant here. I

wonder, sometimes, if the government might not have some preference for seeing us lose the plant so they can go around the province this summer and say: "Look how dreadful it is that Quebec is always the spoiled child in confederation. Look how dreadful it is that they're getting the—"

Mr. Foulds: The Liberal policy by definition is a contradiction in terms.

Mr. S. Smith: "—La Prade heavy water plant." Wouldn't that be a nice runup towards an election on an issue where one can recollect certain language issues which arose in this House not long ago?

Hon. B. Stephenson: No, no.

Mr. S. Smith: If you want the plant, it's obvious how to get the plant.

[5:00]

I want to read into the record a letter that I have sent to the Right Honourable Pierre Trudeau dated today: "My Dear Prime Minister"—

Mr. Foulds: That ought to do it.

Hon. Mr. Grossman: My dear cousin.

Mr. S. Smith: "The Ontario Minister of Industry and Tourism, Honourable John Rhodes, today reported to the Legislature certain negotiations which have been going on concerning the location of a new \$500 million plant of the Ford Motor Company. It is his contention that since the Ford company was offered some considerable incentive financing to locate in the United States, the Canadian government has recommended that an incentive be offered to have the plant located in this country.

"We have been told that the Ford Motor Company originally wanted \$30 million and that the government of Canada expressed a willingness to pay three-quarters of that cost provided the government of Ontario paid one-quarter. Mr. Rhodes went on to say that while the government of Ontario was still deciding how to respond to this offer, the federal government assured Ford that the \$30 million incentive would be available. We are told, however, that Ford responded somewhat later by saying that \$75 million would now be the necessary level of incentive.

"Mr. Rhodes reports that the government of Canada then rescinded its original offer to pay three-quarters of an incentive and that it insisted that the government of Ontario pay approximately 50 per cent of the necessary incentive to attract the Ford plant. I regret to have to tell you that this change in federal policy is very disturbing to the

official opposition in the Ontario Legislature. The economy of Ontario and of Canada is heavily dependent upon a healthy and modernized automobile industry and it is clear that we are in great need of this half-billion-dollar facility, which would create 2,600 jobs.

"Furthermore, the fact that incentive arrangements have been offered by the federal government for a General Motors plant to locate in Quebec is being well publicized in Ontario and it is felt only fair that the same terms of assistance be made available in this province, where, even in many areas of southern Ontario, unemployment is at least as high as it is in the province of Quebec, and I may say particularly in the area around Montreal."

Mr. Cassidy: There goes regional development.

Mr. S. Smith: "In the interest of economic development and of national unity therefore, I strongly recommend that the federal government maintain the terms of its original offer to Ontario, namely a three to one sharing formula with the provincial government."

Mr. Foulds: Why wouldn't you do anything to save the jobs in Sudbury?

Mr. Cassidy: You wouldn't come up with a nickel to help the workers at Inco.

Mr. S. Smith: "May I add that we are all quite dismayed that it has become necessary to enter a 'bidding war' to obtain what is, after all, only our fair share of new capital investment by the large auto maker. It is evident that we are now paying a penalty for having permitted our auto industry to be totally continental in outlook and American in control. I would hope that every political means possible would be used to persuade the auto industry to put a fair share of capital investment into Canada based on sales volume in this country and based on a proper sense of responsibility as corporate citizens. You may note that I have urged the government of Ontario to accept your offer of a 50-50 split in the incentive to Ford. This is not because I agree with it—"

Mr. Cassidy: Well, why did you offer it?

Mr. S. Smith: "—but simply because I am fearful that the Ford Motor Company would otherwise imminently decide to locate this vital plant in Ohio or Pennsylvania. I am convinced, however, that the federal government should by rights go back to its original position of a three-to-one split and I would ask you to give serious consideration to this

request. Best wishes. Yours sincerely, Stuart Smith."

Hon. Mr. Grossman: Love and kisses, your cousin Stuart.

Mr. S. Smith: I put it to you, Mr. Speaker, that what we are faced with in this House is a situation where we have an opportunity for 2,600 jobs and a half a billion dollar plant. Regrettably, things in the auto industry are in a situation where the auto makers are demanding what amounts to blackmail and to ransom, but it seems that the government has already assured them, has already assured the auto makers—

Mr. Cassidy: And you offer to pay.

Mr. Foulds: You offer to pay.

Mr. S. Smith: —that it is prepared to go as far as \$30 million from the federal government, that it is prepared to go, from the provincial government as far as a quarter of \$75 million; these governments are now haggling over the remaining \$17½ million or \$18 million. I say to you, Mr. Speaker, that for a \$500 million plant, for 2,600 jobs—

Mr. Foulds: I think you should have gone and played a little tennis, Stuart. Those old flip-flop days are back.

Mr. S. Smith: —by rights we should be treated as fairly as Quebec. I, personally, deplore in the strongest terms the fact that we are not being given equal and favourable treatment. If the Ford company is going to make a decision to put the plant elsewhere and we are to lose 2,600 jobs because of this political wrangling that's going on at the moment, that would be a tragedy for the working people—

Mr. Foulds: The old flip-flop, no-principle days are back again.

Mr. S. Smith: —it would be a tragedy for our economy, it would be tragedy for the future possibility of providing employment for the young people of this province. The proper thing to do right now is to continue fighting with the federal government, but to make certain we get that plant in Ontario, to ensure that whatever money is necessary for that will regrettably have to be provided, given the realities of today's circumstances, much as I dislike and deplore these realities.

Mr. Warner: Are you related to Henry Ford?

Mr. S. Smith: The political wrangling can go on after we have made sure that plant is located in this province. I do not accept that simple statement in the minister's statement, "I am very much afraid that the Ford plant will now be lost." That's too great a sacrifice

to make at this point. The realities, unfortunate as they may be, are nonetheless realities. Politics should be put aside and we should be certain to get that point into Ontario.

Mr. Cassidy: We have had an extraordinary afternoon already. We have had a flip-flop by the Treasurer and the government. We have evidence of a flip-flop by the federal Ministry of Industry, Trade and Commerce.

Mr. S. Smith: And now we are being treated to a flop.

Mr. Cassidy: We have the Liberal Party abandoning every principle it has ever had.

Mr. Kerrio: We have a plain ordinary flop from the leader of the third party.

Mr. Cassidy: The New Democratic Party has been concerned about our not getting our fair share under the auto free trade agreement for a very long time. Today's announcement, both by the Premier and by the Minister of Industry and Tourism, simply confirmed what we feared all along.

Mr. S. Smith: Read Hansard of March 3.

Mr. Cassidy: The strategy adopted both by Queen's Park and by the federal government in Ottawa in relation to the automotive industry is bankrupt and is not working.

Hon. Mr. Bennett: Why don't you get some new lines. We have heard the same from you for so long.

Mr. Cassidy: The Minister of Housing is concerned about what has been done in cabinet; so are we. The evidence is that the Ontario government itself doesn't really know what policies this province should be adopting with regard to future investment and production in the automotive industry. I want to talk about that as well as about the jobs at Ford.

Even though the auto industry is the most important industry in the province, and even though auto-related activities count for one job in every six in Ontario, there was barely a peep out of this government for years after the auto pact was signed back in the mid-1960s. There was barely a peep about the state of the industry, its future, its prospects or its contribution to the strength of the industrial economy of this province.

Finally, just two years ago, the Treasurer introduced some analysis about the auto agreement in the budget. But there was no follow-up even then. Only in recent months, prompted by pressure from the New Democratic Party—

Hon. Mr. Bennett: That will be the day.

Hon. B. Stephenson: Absolutely balderdash.

Mr. Cassidy:—and prompted by pressure from the automobile workers, have the Premier, the Treasurer and the Minister of Industry and Tourism begun to take a close and serious interest in this industry.

Mr. S. Smith: Read Hansard of March 3.

Mr. Cassidy: As New Democrats, we accept some of the analysis and findings which the government has come up with. We welcome the study by the Treasurer, which was tabled at our instigation and which showed that if Canada had had a fair share of investment, of research and development and of production, that two years ago we would have had 25,000 more jobs, \$866 million more in investment and an additional \$200 million in research and development here in Canada.

Mr. Kerrio: We'd have to go on a spending spree. We wouldn't know what to do with the money. The NDPers would, though.

Mr. Cassidy: That's what we are losing because of this country's failure to get a fair share under the auto free trade agreement.

For a time it looked as though the government was making a commitment to the fair share concept and against the corporate incentives which the automobile companies had been pressing for with such vigour, both here and up in Ottawa. In fact, as recently as April the Treasurer made a speech down in Chatham in which he said: "Frankly, we in Ontario are against getting into fruitless, wasteful and unnecessary bidding wars of special subsidies and tax incentives. Moreover, it would undermine the spirit of our agreement with the United States." The Treasurer has said as much again today, but then he has gone along to endorse the position of his government, which is to give the incentives to which he says he is adamantly opposed and disinterested.

The fact is that we face a grave situation for the future. If current trends continue, our auto trade deficit will climb to \$2.5 billion in 1985 from the current level of just over \$1 billion a year.

Mr. Kerrio: What are you going to do about this plant?

Mr. Cassidy: In the parts industry, we are now suffering a \$3-billion deficit every year, and that is having an enormous negative impact both on jobs and on our economy.

As the background paper that was published today indicates, if we are denied a fair share of the \$60 billion of new investment which is now anticipated in the industry over the next seven years, Canada—

and that means mainly Ontario if we talk about the auto industry—will be shut right out of the next generation of energy-saving aluminum and plastic-based vehicles.

Because of our declining share of investment in the 1970s, we have already been left behind; there is no time to lose if we are to catch up.

By the Premier's own reckoning, Mr. Speaker, if you take the figures he has given in the House today, in a three-year period from 1977 to 1979 we have commitments for only \$100 million from GM, \$250 million from Ford and \$10 million from Harvester; that is a total of \$360 million. Our fair share of the \$60 billion investment over the next eight years would be about \$6 billion over seven years, or close to \$900 million a year. We have commitments for \$120 million a year, which is more than \$700 million short of what we should be seeing in investment in this vital industry to Ontario's future.

We have been concerned about the way the government has been handling the situation. This province has failed to use its potential influence to make sure we get a fair share of production and jobs and investment. Today we have learned that on the most fundamental question of all, whether we try to buy jobs or whether we try to get them on a fair-share basis, the Ontario government has capitulated, as has the Liberal Party, and has abandoned the position which was so firmly being taken by the Treasurer just two months ago.

Mr. Kerrio: Tell us what you are going to do, Mike.

Mr. Cassidy: Yes I will, as a matter of fact. If I can put it another way, the position up until a month ago was that—

Mr. Kerrio: What are you going to do, nationalize General Motors?

Mr. Cassidy:—Ontario was not prepared to enter the bidding game but that the Ontario government was not going to press very hard to do anything else. We got into the poker game during the past month and we got suckered by the Ford Motor Company and the other companies in the Big Four.

Mr. Laughren: Shameful.

Mr. Cassidy: Two weeks ago, despite what was being said in public, the province indicated privately that Ontario would participate in the federal incentive program. There was no indication that Ontario try to suggest any alternative approaches. Just this week, at the time the UAW was talking to the cabinet and saying they supported the

government's opposition to the bidding game, in fact Ontario was in the bidding game with both feet. It seems as though they thought they had won; in fact the new investments were busily going out the window.

That is precisely the behaviour we can expect from multinationals every time we try to make these kinds of financial offers and try to buy jobs. When I asked the Premier today if Ontario had prepared an analysis of the Ford company's incredible contention that it needed \$75 million to justify locating its new engine plant expansion in Ontario, he failed to indicate just what information Ontario had, or whether we had any information at all. This party does not accept that after the devaluation of the Canadian dollar and after the findings of the auditor's report the figures that Ford has put are real at all.

We know the tendency for the government to be too easily persuaded by the words of their friends in the business community without subjecting every claim to the closest and harshest of scrutiny. We do, however recognize that when Ford increased its request to \$75 million that was the straw that broke the camel's back. Jack Horner could not go quite that far because it would have made our regional expansion incentives in Canada ridiculously ineffective. Ontario finally drew the line when it was asked to participate in incentives on a one-for-one basis rather than on a one-for-three basis.

As for the future of the Ford plant, today's announcement may itself be another play in the game; we will have to see. What we do know is that the incentive now being offered means that we are trying to buy jobs at the rate of \$28,500 per job for the most profitable and one of the largest industries on the North American continent. We in the NDP, of course, count on Ford to locate that plant in this province, not because of financial incentives but because that is the company's moral obligation under the automotive free trade agreement.

The essence of what has been announced today, however, is this: Ontario has published a background paper with valid analysis that its intention is to justify giving investment incentives. In the paper Ontario says the current potential inequities under the auto pact must be addressed and that we must constantly remind the leaders of the auto industry in North America of our determination to have those inequities corrected. Alas, Ontario has made no specific steps to ensure that will happen, beyond the offering of incentives.

[5:15]

Secondly, we are now firmly embarked on a route of investment incentives through the largest and most profitable corporations in North America and already the signs are very clear of how disastrous that policy will be. Within a week of Ontario indicating what it would do, General Motors came along and pulled back on its commitment to go into Quebec because it heard that federal funds might be available. Now it's reconsidering its position completely and doesn't even know whether that investment will go into Canada at all. That's a clear indication of what's going to happen every time a major automotive investment is contemplated in the years to come.

Once the auto companies know that money is available to them from this government or from Ottawa, they're going to come here with their begging bowls in hand and there will be no alternative but to fill up their cups at the expense of the ordinary taxpayers of this province and of this country.

We are opening ourselves up, not just to the auto industry but to every major industry, to having companies which will decide to come into Canada first or decide to come into Ontario and then, having made their decision, come up here to see by how much we will sweeten the pot.

Mr. Swart: Who governs Ontario?

Mr. Cassidy: That's right. Who governs Ontario?

The Arthur report indicated our productivity is high. The Arthur report indicated that the cost of investment in this province is about the same as in the United States. The Treasurer himself has indicated that our corporate tax package is a lot more attractive—for reasons we happen to have some misgivings about—than in the competing states in the United States. Yet we make these offers.

If this happens in the automobile industry, which is one of the most productive and efficient in our country and a mainstay in our economic growth, I predict this will happen as well in other major industries which also have absolutely no reason to apply for corporate welfare.

Should our steel industry get this kind of investment incentive? We say no. Should our machinery industry get this kind of corporate incentive? We say no. Our plastics industry? We say no. We've surely had enough of these incentives under this government already. Surely we don't need any more.

Hon. Mr. Bennett: If you're so smart, go ahead and spell them out.

Mr. Cassidy: Surely the time has come to draw the line and make industry live up to its corporate responsibility.

Hon. Mr. Bennett: Why don't you tell the House what you'd do about job creation?

Mr. Acting Speaker: Order.

Mr. Mackenzie: Mr. Speaker, control the donkey over there.

Mr. Cassidy: The minister had to leave the Ministry of Industry and Tourism, because he was so incompetent in that job.

Hon. Mr. Bennett: I didn't leave it. I volunteered to go into Housing to try to improve it.

Mr. Cassidy: The Liberal policy is to give these handouts. The former Minister of Industry and Tourism's policy is to give these handouts.

Hon. Mr. Bennett: You are wrong again, Michael.

Mr. Acting Speaker: Order.

Mr. Cassidy: The Treasurer says the handouts being offered by the federal government and by Ontario are a key to industrial policy in general. In fact, they're a key to the sell-out of every taxpayer in the province.

Hon. Mr. Bennett: Your party should know. You'd nationalize them.

Mr. Cassidy: I want to point out that the workers who are most directly affected by this, the United Automobile Workers of America, who were here talking to the cabinet on Monday—and these are the people whose jobs are on the line—said specifically: "We are opposed to corporate incentives as a general policy for essentially two reasons: one, because it transfers income to those who are rich from those who are poor"—in other words, it's unequal and unfair—"and two, because every experience everywhere in the world shows that this kind of bidding for plants will not work."

The auto workers know the experience in Windsor, where Chrysler was forgiven \$17.5 million in import duties in order to build a new truck plant just two and a half years ago. And what do we get? Two years later we get a truck plant shutting down and going to the United States. That's the success of the kind of corporate bidding which is going on right now.

Hon. Mr. Bennett: The success of the auto industry has added substantially to the economy of this province, and you've taken advantage of it every time.

Mr. Acting Speaker: Order.

Mr. Cassidy: It's not as though we don't have any clout here in Ontario. We have clout in this province and we should use it.

Mr. Swart: You'd give them the key to the Treasury, Bennett.

Hon. Mr. Bennett: You fellows would take the key and rob it.

Mr. Cassidy: Canada purchases 1.3 million cars and trucks every year. Four fifths of those vehicles are North American. Three quarters of those vehicles bought are imported from the United States. Canada, especially Ontario, is one of the richest and most profitable for automobiles, outside the United States, in the entire world. That is the prize to which the Big Four and their subsidiaries now are being given not only generous access but also are being offered further corporate welfare handouts.

We in this party also believe in getting jobs in this province. That's why we believe the auto industry must be given priority as part of an industrial strategy for Ontario and that we must get a fair share of the jobs, the production, the investment and the research. You can't do what the Treasurer does and blame Ottawa alone. Ontario must share the responsibility. Ontario has to provide leadership in seeing that we achieve that fair share.

There are a number of specific proposals I would like to propose today. First, we should make it absolutely clear that we are opposed to the bidding game of incentives which is allowing automobile companies like Ford to blackmail this province. That approach is bound to be self-defeating and must be rejected.

Second, Ontario should take on a role of leadership in ensuring that the automobile companies live up to the spirit of the auto pact and of the commitments they entered into when the pact was originally signed. The auto pact has given the Big Four and the subsidiaries enormous advantages in growth and profits. Canada deserves to get its fair share. We should seek new commitments from the companies which would update the spirit of the original free trade agreement of 13 years ago.

Third, Congress has been monitoring performance under the auto pact for the past 13 years to look after American interests. We should be doing that in this country in order to look after Ontario and Canadian interests.

Mr. Nixon: They have been finding it so bad they want to pull out.

Mr. Cassidy: Fourth, we should be protecting the jobs in the industry now. We should be protecting workers against the lay-

offs that the companies are imposing on them. We should protect workers whose incomes are affected by the layoffs, as we did originally with the transitional adjustment provisions under the automobile free trade agreement.

Mr. Ashe: Would you throw out the auto pact?

Mr. Cassidy: We should take the lead in getting all jurisdictions out of the competitive bidding game. This is important. Specifically, Ontario should press the federal government to file grievances under the auto pact against the incentives now being offered by US states to lure investment away that should be going here.

Mr. Kerrio: Take them to court and I'll believe you.

Mr. Cassidy: The Americans told Ed Broadbent when he was down in the United States just two weeks ago that if we offer incentives, they will have no hesitation in filing grievances against Canada. We should do that when they offer incentives that are undermining the spirit of the auto pact.

Six, Ontario should also take a lead in bringing the automobile-producing states and provinces together in a joint effort to restore some reason to a situation of competitive incentives which could bankrupt all of us. It could bankrupt the jurisdictions involved. It will bankrupt our taxpayers and the taxpayers of the American states which are involved. The only winners are going to be the big four automobile companies that are making the rounds.

Finally, we have legislative clout as well and we should be prepared to use it.

Mr. Mancini: Sure, close them down, nationalize them.

Mr. Cassidy: I want to remind you, Mr. Speaker, that we now have the largest single industry in this province, in this continent, which is turning out cars with dramatically increased fuel economy and with a dramatic change in the size, nature and engineering of those cars, because of legislative decisions that have been made by legislators in the United States and which have been followed by federal legislators here in Canada. If that change is possible in the industry, then we too can and should use our legislative clout in conjunction with the federal government.

There are areas, such as research and development, where we can insist that that be carried out here in this province or in this country; as well as marketing, sourcing, where they get their people and where they do their business; there are a number of ways and

areas in which we can and should explore using legislative powers where necessary in order to ensure that the basic concept is met, which is that we get a fair share of production, of investment and of jobs in the automobile industry here in Ontario and in Canada.

The problem we are facing with old party governments, whether we're talking about Tories and Liberals in Ontario or talking about Liberals and Tories up in Ottawa, is that they do not know how to come to grips with the basic problems of the economy as a whole.

Hon. B. Stephenson: That is absolute stupidity, really.

Mr. Cassidy: If they can't cope with the economy as a whole, they cannot cope with the automobile industry, which is one of the major areas.

Hon. B. Stephenson: You know nothing about it.

Mr. Cassidy: We in this party are committed to use every means possible to ensure we get the fair share for Canada and for Ontario, and that the kind of scandal that's occurred today, the kind of blackmail that we're seeing from the Ford Motor Company, is not allowed to occur in the future.

Hon. B. Stephenson: You're going to scrap the auto pact and destroy 100,000 jobs.

Mr. Cooke: We don't have an auto pact; you're buying them off.

Mr. B. Newman: I rise to make a few comments concerning this debate. Seeing as I do come from the birthplace of the automobile industry in Canada, I am extremely concerned. Likewise, when one looks at the original auto trade pact and reads article 1, section c, which says: "It shall be the policy of each government to avoid actions which would frustrate the achievement of the objective of a fair share of the market"; one would conclude from that that both countries involved would not undertake any type of practices that would be detrimental to one or the other.

Back in February 1978, the present Conservative government, in its meetings with the Prime Minister, signed a communiqué that said the federal and provincial governments would provide incentives and take measures to ensure a proportional share of the increasing investment in the new plant for the automotive industry in Canada, so the decision to provide incentives was made by this government back in February of 1978, quite some time ago.

Hon. B. Stephenson: That doesn't necessarily mean money.

Mr. B. Newman: My own community has been hard hit as a result of rationalization in the auto industry. We had an unemployment index of approximately 12 per cent, almost 12,000 unemployed, in the earlier part of the year. Since then that position has been ameliorated a bit and our unemployment index at this time is approximately 10 per cent. The auto trade pact at this stage has adversely affected the city of Windsor, because all of those jobs or most of their jobs were associated with the auto industry.

Chrysler did develop a van plant in the community, for which we are extremely appreciative. However, by the same token it did remove the six cylinder engine plant, it phased it out and is substituting for that the heavy engines, the 351cc engine if I am not mistaken. What they have done is, the popular engine has disappeared, the jobs that would have been associated with that have disappeared and they have been replaced by a big engine, which will mean fewer jobs and as a result we have some unemployment from the eliminaton of the six cylinder.

Chrysler has also decided that it would remove the truck plant. They are closing out the truck plant completely. There is a loss of some 750 jobs there. Four hundred of those jobs are gone practically permanently. About 350 will be able to be transferred to the van plant if the van plant continues to operate at full capacity, as it is doing right now.

One of the problems with the auto trade pact is there is no uniform data base. When we talk to GM, we find one set of figures; we talk to Ford, we find a second set of figures; we talk to the federal government, we get a third set of figures; we talk to the provincial Treasurer, and we have a fourth set of figures. There is no uniform data base, so we can't compare apples with apples and oranges with oranges. We are having statistics provided by each of the different organizations, governments or companies that cannot be compared one with the other.

We want our fair share. As much as we consume, we want at least that amount of employment in Canada. We want that amount of employment as we produce. I think we do have our fair share when it comes to automobile assembly, but when it comes to the parts manufacturing we are at a disadvantage. I have noticed that the city of Detroit has bid for the retention of the Chrysler plant. They have offered all types of incentives so that they would stay in the city of Detroit. As has been mentioned by previous speakers, the state of Ohio has also done that.

One of the things we are going to have to worry about in the future is that the auto industry can move into the Philippines and will only have to pay five per cent of the wages that they pay in North America. They work in the Philippines for 40 cents an hour, so we are going to have to be extremely concerned that some of these undeveloped countries don't take us right out of the market completely.

Mr. Breugh: Mr. Speaker, I want to take a slightly different view of the automotive situation and the auto pact itself. For one thing, we are drowned in statistics in this. The background paper that was tabled in the House this morning is a succinct document. It's sad but it is succinct. It tells a very sad tale of a sector of our economy, a prominent sector of the economy, that's well on its way down the drain already.

[5:30]

Let me take a very quick overview of what is happening in that industry. I happen to represent a riding that is strongly dominated by a multinational corporation which functions basically in Oshawa and in St. Catharines. We are looking at some old buildings; we understand that there are some options to land developers that have already been exercised and some others that are being considered. We are looking at plants that have used the exemptions provided by this government to put new machinery into their plants, and we fully understand that those exemptions eventually mean a loss of jobs.

We understand, as well, that certain types of operations in parts and service and CKD, a complete knockdown unit, which traditionally has offered a service to the employees as well as to the company—that is, when you can't stand the pace of the production line there are other types of jobs being offered by the company—those types of jobs are sadly diminishing. We are seeing people with 20 and 30 years of seniority being put back into a production line. And, unfortunately, we know that they won't be there for long. They are people with bad backs and bad knees and they won't withstand the pace of the production line for much more than six or eight months and then they will be off on compensation; even though previous to this they would have been able to end their working career profitably and with some satisfaction.

So we see some change in the employment patterns there. We see a buffer that was there for the employees going out the window. We also see a multinational corporation

that has its production levels up, at record levels, in fact, but we do see the type of work being restricted and we see the total number of jobs, in effect, being reduced. We can see other examples of this; GM, as an example, at the Hayes-Dana plant in Thorold has gone from 2,500 to 1,500 employees. I guess the most dramatic in the province would have to be Prestolite in Sarnia; once a thriving industry, now virtually out of business.

Those things are in the back of our minds, and we are well aware that in our own local example we have certain types of production which may not be in Oshawa for very much longer. When we look at the federal government, functioning in whatever secretive way it wants, the end result is a good deal of distrust and a fear that we have not only General Motors to battle any more, but also the federal government and maybe another province in our own country. Those are difficult times for us to face in Oshawa.

In Oakville, we see again recurring disputes over overtime; whether we will take the same number of employees and the same production facility and work that thing to the nth degree so that we suffer a loss of jobs, and we also suffer the kind of working conditions that massive amounts of overtime does provide.

In Windsor, we can see 950 employees affected by what is going on in the automotive industry. We can soften that if we want, and of course various people do say that is not really 950 jobs, that is 750 jobs, and that really only 300 jobs will be lost, but we have to take into account that people's employment records are affected by this; some totally, some to a degree, but the same thing happens. What should also be of some concern there is that several small parts vendors will be out of business because production facilities are moved.

In Brampton, in the Premier's own area, I think we see the most dramatic one. I am not sure there is a Big Four any more. There is maybe a Big Three and a Half. We look at American Motors shutting down and changing to production of type of vehicle that is—to be polite about it—very faddy. What do we do when the fad in the American market ends, and people don't want Jeeps like they do now? How many four wheel drive units can this continent hold?

Hon. B. Stephenson: They don't want their cars either.

Mr. Breugh: What will we do with them? Eventually, like the hulahoop, they may not be quite so popular. At that time, unfor-

tunately, we will see our production facilities geared to producing this type of fad. We see it in Windsor, we see it in Brampton, and we see some efforts in the GM production facilities at Oshawa to do the same type of thing, so we will be manufacturing in the Canadian sector things which may not be quite as stable to the industry as ordinary motor vehicles.

We see that loss of jobs, and we see a trend in the industry to see the kind of non-saleable items are produced in Canada. That is unfortunate because in the automotive industry, when we talk about the Canadian automotive industry, basically we are talking about one province, and that happens to be us.

The auto pact itself was written with several corporate advantages in mind. It gave to them an access to the massive market. About 90 per cent of the vehicles we produce in Oshawa go south; and that is not particularly good or bad, but that is particularly of a distinct advantage to the corporation itself. It maximizes the use of facilities, and that is precisely what they have gone about doing.

It is crucial at this point in time, because there is about \$60 billion being stuck into the automotive industry in the United States for a variety of reasons. We see specialization. We see more production facilities being located in Canada.

There is virtually no official monitoring of the auto pact itself done in a neutral way. There are virtually no penalties that can be applied to whatever happens in the auto pact. The end result is—in my own area and across Canada—we see less total employment than we had previous to the auto pact. We see a loss of any buffer to employees. We see there are no longer places where employees can do maintenance or service because we have only production facilities. We have really decimated the parts sector, and everyone agrees that about 25,000 jobs have been tossed down the drain in that.

In all of this we see a pretty sad thing. I want to conclude by asking the government to do some concrete things. I plead with the government to bargain with the corporations; don't try to bribe them. It may sound like a great amount of money here; the Treasurer (Mr. McKeough) may be a most impressive minister in this House, large and loud, but in the board rooms of Detroit he couldn't carry the coffee.

Mr. Kerrio: That is unparliamentary.

Mr. Breaugh: I think the most important thing is to get this government to pay some attention to the automotive sector; to make

sure it doesn't try to bribe multinational corporations with, in their view, rather small amounts of money. Represent our workers and represent our economy. We think we have convinced this government to be aware of the importance of the automotive industry in Canada. We would now like the government to do something about it.

Mr. Kerrio: Mr. Speaker, I rise to participate in the debate as it relates to my particular area of concern, because we certainly have a great many related plants in our area—to get parochial just for the moment in opening—with Ford glass plant and GM in St. Catharines, and Hayes-Dana at Thorold, on the outskirts; and some very large abrasive plants that are I think directly dependent on the industry—Norton, Lionite and Canadian Carborundum—

Mr. Swart: Don't forget Thompson Products.

Mr. Kerrio: —and two or three electrical harness plants in the area.

Mr. Bradley: He only takes the ones with a union.

Mr. Kerrio: Certainly this is of grave concern, in regard to the auto pact, as to how it relates to any new building.

I am just a little disappointed that the member for Chatham-Kent, the Treasurer (Mr. McKeough), got sort of carried away. I thought if there was ever a time in this Legislature where at least the two parties that have come together and thought about how we should entice these plants to come here—

Mr. Cooke: Don't you ever get carried away?

Mr. Mackenzie: Something like you last night, Vince.

Mr. Kerrio: The socialists have taken a stand, and on the short term I don't think we can consider anything coming from them, because right now we are faced with the reality of coming up with funds to bring them here. As long as we are of the same mind, I am very disappointed that the Treasurer got carried away and really lost any kind of—

Mr. Ziembra: They should carry you away.

Mr. Kerrio: —meaningful rapport with us. We should go united to the automotive industries in order to present our case. We should show some kind of solidarity, at least among most of the sensible-thinking people in this Legislature.

Mr. Warner: What a Tory prop. They could all leave and you would apologize for them.

Mr. Kerrio: I say that with respect. I am convinced that in the long term we should

be looking for something in the auto pact that would more relate to a fair and equitable involvement, right from the design stage up through the plants that make the cars to the parts industry.

I think the whole auto pact has to be monitored, looked into and revitalized in a way that is going to accommodate the automobile industry to be able to build anywhere in North America and to make it more convenient for them to function. But also we should work for some kind of balance in the auto trade that will see to it that the roughly 10 per cent of the industry that should come to Canada and that part which should come to Ontario would finally end up where it belongs here. It's only going to happen if the Treasurer gets co-operation from enough members on this side to go there in such a way that he can make the best kind of case.

Mr. Mancini: I am pleased to rise to participate in this special debate on the automobile industry. The central issue is whether we shall give direct government incentives to different auto makers, that is, shall the government give huge sums, millions of dollars of the taxpayers' money, so that these auto makers can expand their operations here in the province of Ontario?

This is a very complicated matter. What complicates the matter the most is that one in every six jobs in the province of Ontario is directly or indirectly related to the auto industry. In my own riding, thousands of workers are employed by the auto industry. In 1975, just prior to the provincial election campaign, the Conservative government, which was desperately trying to hang on to power, gave away hundreds of millions of dollars by eliminating the sales tax on new cars sold. At that time, they had no qualms about this large giveaway of the taxpayers' money.

Mr. Nixon: That was a \$600 million policy.

Mr. Mancini: But now they are prepared to jeopardize the building of a \$500 million plant in the province of Ontario. A plant of this size would mean millions of dollars in tax revenues and thousands of construction jobs, along with 2,600 permanent jobs after the completion of this plant. Even though I deplore this large giveaway, this \$37 million we are requested to give to this auto maker, what are we going to do?

Mr. Warner: You will still do it though.

Mr. Mancini: How are we going to control the legislatures of Ohio and Pennsylvania? What answers do the socialists have to that? I say they have no answers at all.

Mr. Cooke: What do we have an auto pact for?

Mr. Mancini: The situation is very plain to see. We are being forced to participate in this bidding war. We are being forced by governments which are outside of our jurisdiction and over which we have no controls.

Mr. Warner: It is a giveaway.

Mr. Cooke: What do we have an auto pact for?

Mr. Mancini: This is a regrettable position. However much we detest the situation, we are going to have to go along with it in the meantime. I say what we should do is give the money and then take the appropriate steps in the immediate future to ensure that this never happens again.

Mr. Warner: You live in an unreal world.

Mr. Mancini: There are many ways this can be done. One of the ways could involve large amounts of these corporate shares being bought by our government.

Hon. Mr. Timbrell: Which government?

Mr. Mancini: That government over there that never decides to act until it's too late.

Hon. Mr. Bennett: We responded to your great friends in Ottawa.

Hon. Mr. Timbrell: Mr. Speaker, I just want to make sure what the honourable member is proposing is on the record, namely, the purchase of shares by the government.

Mr. Mancini: I see that my time is up. I was pleased to have been able to participate.

Mr. Bradley: I rise as a representative of a constituency that relies very heavily on the automotive parts industry for its economic viability. A majority of my neighbours and a very substantial number of the breadwinners in St. Catharines are employed by General Motors, Hayes-Dana Limited and Thompson Products and rely upon the location of plant facilities in the area for their livelihood. For this reason, I feel it is imperative that we in the province of Ontario take any reasonable action necessary to protect the present investment in automotive jobs and to attract all the new investment necessary to improve the employment situation in the province.

Hon. Mr. Welch: You'd better speak to those federal members down there.

Mr. Mancini: There's only one Tory provincial member left.

Hon. Mr. Bennett: Note that the Premier is in the House.

Hon. Mr. Davis: They are going to lose their seats.

Mr. Bradley: For some months now, I have been aware of discussions that have taken place surrounding a possible plant expansion by General Motors—

Hon. Mr. Bennett: Note that the Minister of Education (Mr. Wells) is in the House.

Mr. Bradley:—and the fact that the Niagara Peninsula, which is presently experiencing a high rate of unemployment, might not have the same opportunity to attract this new General Motors investment as an area in Canada eligible for grants under the DREE program. To me, this is most disturbing. What is equally disturbing, however, is that at a time when the situation appears to call for a nonpartisan team effort to meet what is a very difficult challenge, we in this House are once again becoming mired in partisan rhetoric.

Hon. Mr. Welch: Only on that side.

Hon. Mr. Davis: Oh, come on. You'd better be careful about that.

Mr. Bradley: As the Premier and the Minister of Industry and Tourism spoke in the House this morning, I detected a sense of grave concern that this most regrettable bidding war was being lost because of lack of ammunition available to this province.

[5:45]

Hon. Mr. Welch: The federal member for Niagara Falls has done nothing. I said the federal member for Niagara Falls.

Hon. Mr. Davis: I am liable to quote what you said earlier.

Mr. Bradley: Without exception, members of the Legislature find the necessity to offer giant corporations large financial incentives to locate in specific areas—a repulsive, distasteful development.

Hon. Mr. Grossman: Don't believe everything Harold writes for you.

Hon. Mr. Davis: Harold is a little out of his depth on this issue.

Mr. Bradley: But it is being done, not only by our neighbours to the south but also by our sister provinces and the federal government.

Hon. Mr. Welch: The federal member for St. Catharines didn't even know who the minister was.

Mr. Bradley: In the absence of any ironclad agreement on the part of the various political jurisdictions to avoid a bidding war, we find ourselves faced with the reality of stiff opposition and the possibility that we will not reap the benefit of the new investment.

Hon. Mr. Davis: Jimmy, you've got to read faster.

Mr. Bradley: What all members in the House surely agree upon is that if the federal government feels compelled to enter into the financial incentives battle, we in this province should be offered an equal opportunity to compete for the new jobs.

The danger for my riding in any future expansion plans lies in the new technical developments that could eliminate jobs—

Hon. Mr. Welch: And the riding of Brock.

Mr. Bradley:—in St. Catharines and Brock. If a new aluminum engine plant is located in the United States, or in another Canadian locality, what will be the effect on the foundry in St. Catharines, which uses grey and malleable steel products? If there's a movement to front-end drive vehicles, as scheduled for 1981, what will happen to the jobs in the GM rear-axle division?

Hon. Mr. Bennett: Good question.

Mr. Foulds: Spineless Stuart Smith sold out.

Mr. Bradley: These are questions the workers of my constituency might legitimately ask.

Hon. Mr. Welch: And they should ask the federal members down there.

Mr. Bradley: A good deal of the problem lies in the provisions of the auto pact as they relate to the parts division of the auto industry. The belated Reisman investigation may produce some results but they will not be useful to us in the present situation.

I find it unfortunate that the Treasurer, after presenting the problems and options in a reasoned, forthright manner, chose to conclude his excellent speech with some unfortunate partisan invective. We are not completely united in this House on the precise method of meeting a very crucial situation.

Hon. Mr. Bennett: We are united in this party.

Mr. Bradley: However, we are united in our concern and our desire to get our fair share of auto plant expansion. Let us not allow this issue, at this point, to deteriorate into a political, partisan wrangle.

Hon. Mr. Bennett: Okay, Jack Horner.

Hon. Mr. Welch: You've had two or three months to do something.

Mr. Bradley: Let us, as members of this House, support any efforts that the Premier feels are necessary, any efforts that the Minister of Industry and Tourism feels are necessary, to bring the necessary plant expansion to here in Ontario. All we ask for is our fair share. We in this Legislature are united in that goal.

Mr. Deans: Mr. Speaker, we may be united in attempting to get a fair share of the auto industry wealth for Ontario—

Hon. Mr. Welch: Dispense.

Mr. Ruston: Take it as read.

Mr. Deans: Thank you very much—the jobs and all of the other benefits, but we're not united in the method that should be used.

This morning, when the matter was raised, I said to the Premier that this is robbery and we're being ripped off and, in fact, we are. I want to say again to him that we can't create economic stability with giveaways; we can't create long-term employment for the province with giveaways, and we can't afford to begin now or to continue this ridiculous bidding war that the government is starting.

Hon. Mr. Davis: You're quite right. Nationalize the automotive industry and we will all be out of work.

Hon. B. Stephenson: We didn't start it.

Mr. Nixon: Let's move to increase the time limit on this debate.

Mr. Deans: Okay. Let's have a look at it, because, let me tell you—

Mr. Kerrio: Are you going to nationalize General Motors?

Mr. Mackenzie: Do you only know how to follow the Tories, Vince?

Mr. Deans: I sat so quietly, listening to—

Mr. Speaker: The previous speaker did an excellent job of just ignoring the interjections.

Mr. Deans: There were no interjections.

I want to suggest to the government that we simply can't begin this bidding war. It's a never-ending, downhill, careening problem that we're going to be faced with time after time.

Mr. Kerrio: It's already happened; you're too late.

Mr. Deans: What do we do when Westinghouse knock on our door and tell us that unless we provide them with money they are going to go back to the United States? Or when General Electric come and tell us likewise? Or when General Motors come and say that if we don't provide them with some kind of subsidy, off they go? Or when American Motors, in the Premier's own home town, come and say that they've got a problem and if we don't give them money, they're going to move to some other part of the world. Or if Peugeot come in and say they'd like some money from Ontario? Or perhaps Datsun will tell us it's always better if we own a Datsun; therefore, we should provide them with Ontario tax dollars in order to get some favour.

If this was one of these poor operations that couldn't afford to withstand the necessary capital investment out of its own income capacities, then I would say to the Premier that we might take a look at it. Maybe we should look at taking an equity position to guarantee that there will be some return to the people of Ontario. But we're talking about a different kind of company.

Hon. Mr. Davis: Ian, the greatest mistake your party made was not making you leader.

Mr. Deans: We are talking about a different kind of company; and let me just say to you, since I don't have a lot of time; we are talking about a company that has wealth beyond belief, a company capable of creating here in Ontario and in Canada sufficient wealth to enable it to reinvest, that makes quite clearly by the record on an earnings per common share here in Canada substantially more than it is able to make in the United States on the same product.

This is a company that in the last five years has made \$568 million of net profit after taxes here in Canada. In 1977 its earnings per common share in Canada was \$4.43, the lowest in the last decade. In 1976 the earnings in Canada were \$15.21, in the States \$10.45. In 1975 the earnings were \$14.45, in the States \$2.44. The earnings in Canada in 1974 were \$18.60; were \$3.86 in the United States. But if you go back to 1972 the earnings in Canada were \$15.77 per common share, only \$8.52 in the United States.

Mr. Nixon: Slower, I am taking notes.

Mr. Deans: What in heaven's name are we doing trying to bribe a company to come in here, where they can make earnings far in excess of those that they can make in any other part of the world?

Hon. Mr. Davis: I don't think you should ask heaven to make these determinations.

Mr. Deans: What are we saying? That we have to not only give them the benefit of all these substantial gross earnings for their own use while in the United States, where you tell me they are going to go and where they are not going to make more than one third of the earnings there that they are able to make here in Canada—

Mr. Martel: They want the bank.

Mr. Deans: —that they want us not only to provide a climate that we have provided—

Mr. Mackenzie: They know where the suckers are, Ontario and Quebec.

Mr. Deans: —a climate for making the kind of money that they have been able to make here over and against what they were able

to make in the US, but that they want us now to dig into the treasury and provide them with handouts?

Hon. Mr. Grossman: Tell your colleagues.

Mr. Deans: Well, I want to tell you something. You can't win in this game. We are not big enough to win in this game. If we try to take on the United States in terms of giveaways, we are bound to lose.

Mr. Kerrio: We did it before, Ian.

Mr. Deans: But the end result of all of this will be that after they have drained us dry, as they have over the years, they will then turn around and they will move anyway; and you know, as I know, that by far the vast majority of the dollars that will be invested in Canada will not in fact create a net increase in the numbers of jobs.

Hon. Mr. Davis: Your policy has changed; read the note.

Mr. Deans: No, my policy hasn't changed. My policy is exactly the same, and what I am saying to you is this:—

Hon. Mr. Welch: You sound like a socialist.

Mr. Deans: This is not an appropriate step to take. If there were any justification at all—

Hon. Mr. Davis: Well, listen: You have advocated incentives. Look at Hansard.

Mr. Deans: —for being involved in any way in providing capital for the Ford Motor Company to locate anything in Ontario, for heaven's sake, do it on an equity basis. If the government is determined that—

Hon. B. Stephenson: But your leader in March suggested that we should.

Mr. Deans: —we should involve the capital, the tax dollars of the public of the province of Ontario in any corporate undertaking, for goodness sake make sure that there is a rate of return to us from that investment that will justify the investment. That's good government. That's even good Tory government.

Mr. Speaker: The honourable Premier.

Mr. Martel: The last hurrah!

Hon. Mr. Davis: I will be here in October.
Interjections.

Hon. Mr. Davis: Mr. Speaker, they are interrupting me.

Hon. Mr. Grossman: The members opposite will be glad they waited.

Interjections.

Hon. Mr. Davis: I will try in these very few minutes left to put this total issue in perspective so we will all understand it.

Mr. Martel: Are you ever lucky. Always the spotlight on you. That is called the un-biased press.

Hon. Mr. Grossman: That tells you something.

Hon. B. Stephenson: No, no. It is that heavenly glow.

Hon. Mr. Grossman: Let Hansard show the lights went on.

Hon. Mr. Davis: As I listened to the discussions I have come to one or two conclusions: first, that some members aren't totally aware of the entire problem; second, that the New Democrats really aren't too sure where they are on this issue. The Liberal Party of Ontario wants to be all things to all people again and wishes to give away the store in the process;—

Mr. Cooke: It's your party that flip-flopped.

Hon. Mr. Davis: —that much I've learned in this brief debate.

Mr. Martel: More crud.

Hon. Mr. Davis: I want to make just one personal observation to the member for Oshawa. He talked about a riding about which I know somewhat. If he wants to say to the people who are members of the UAW in my community that American Motors made a mistake in introducing the Jeep into that community he should go out and talk to those fellows, because some of them will disagree with him.

Mr. Breaugh: All right; fair enough.

Hon. Mr. Davis: That decision—I am speaking now in a very parochial sense—may add a degree of stability to American Motors in our community that has not existed to the same extent in the past few years.

Mr. Breaugh: Tell me that three years from now.

Mr. Mackenzie: I wonder if it will be like Northern Telecom?

Hon. Mr. Davis: All right, he can knock it, he can say it's wrong; but I've got to tell him some of his own colleagues in the UAW think it's not such a bad arrangement.

Mr. Mackenzie: Tell us about Northern Telecom.

Mr. Breaugh: What choice did they have?

Hon. Mr. Davis: I would say to the member for Oshawa that this is probably a better solution than the one that presently exists. If he knocks it, be my guest; all it means is that I get a few more votes from his colleagues in the UAW in my community. I appreciate it very much.

I also want to say this: I regret the leader of the New Democratic Party isn't here, but I listened to his rhetoric and I listened to the distinguished member who should have been leader in his last few remarks. I can

only say you people can't have it both ways. You can't have the member for Nickel Belt saying to the Minister of Industry and Tourism; "When are you going to get into the game in incentives?" and the implied observation was very simply this—

Mr. Foulds: He didn't say that.

Mr. Martel: He didn't say that.

Hon. Mr. Davis: Do the members want me to read it to them? If they want me to read it to them I will read it to them very simply.

Hon. Mr. Grossman: This should be interesting.

Hon. Mr. Davis: "Supplementary: Mr. Speaker, in view of the fact that there are as many as 25,000 jobs, \$866 million worth of investment at stake"—where he got this from, I don't know—"in these negotiations, doesn't the minister think it is time the province of Ontario got off the sidelines and into the game?" There is only one implication—

Mr. Foulds: What nonsense.

Mr. Martel: Boy oh boy, are you reaching. You are scraping the bottom of the barrel.

Hon. Mr. Davis:—the member for Nickel Belt wants to put the government into the auto business. Certainly he does, as does the member for Windsor-Walkerville.

Hon. Mr. Grossman: How else would you interpret it?

Hon. Mr. Davis: What did Michael Cassidy say? What did Brother Cassidy say? Did he say whether Ontario has made any specific initiatives to counter the apparently lucrative offers from the states in the United States? What does he mean by that? Of course, he means incentives. You know, somebody told him, "The party line has got to change," and you guys came in and as a result you don't deal with reality.

Hon. Mr. Welch: I think you're getting to them.

Mr. Foulds: Initiatives. Initiatives. Does that mean give away the store? Nonsense.

Mr. Martel: This is the lowest of the low. Boy. Initiatives are now subsidies and giveaways. Bull roar.

Hon. Mr. Davis: Oh, come on. You guys love to whistle and blow at the same time. You've been doing it all of your political careers, and you are not going to get away with it. I'm glad the member for Nickel Belt is here. See what he said earlier.

Mr. Martel: The phrase is "suck and blow."

An hon. member: The Premier's time is up.

Hon. Mr. Davis: No, I've got 37 seconds left. Mr. Speaker, can I just really sum up?

This government is not enthusiastic about the incentive game. We are faced with a particular problem as it relates to one particular plant at this moment. I have read the letter that the Leader of the Opposition has sent to his very close friend and personal associate, the Prime Minister of this country; very close friend. They are the people who have helped complicate this issue at this precise moment. There is no way the federal minister can say one day it is 75-25, and then we find the upper limitation is \$37 million. That's not the way to do business, and those people across the floor have to assume some responsibility because of their very close association with them.

Mr. S. Smith: What nonsense, what nonsense. They don't ask us, for God's sake. If they would ask us we would tell them how to govern. They ask you more than they ask us.

Hon. Mr. Davis: Oh, come on. Listen, the leader of the opposition and Pierre are so close they are like twins. What I haven't found over there yet is a comparable person to Jack Horner. That hasn't really occurred to me yet.

Hon. Mr. Welch: There's only one Horner.

Hon. Mr. Norton: Speak to your buddy Jack Horner, Stuart.

Mr. Martel: You do need a vacation. He needs a vacation, I want to tell you.

Mr. Foulds: Don't get your hair ruffled, Bill; run your hands through it.

Hon. Mr. Davis: This government has taken a constructive and positive attitude to this problem. We are attempting through our dealings with the industry to see that we get our fair share of investment. The government of Canada put \$30 million on the table with respect to Ford; we are prepared, and I won't back away from it—

[6:00]

Mr. Foulds: Where is the Treasurer?

Hon. Mr. Welch: He is writing a cheque.

Mr. Martel: He is writing a cheque for \$30 million.

Hon. Mr. Davis: We are prepared to involve ourselves in the 75-25 program, but it has to have application right across the board and not just for one particular industry, not just particularly for the Ford Motor Company. We have made this position very clear to the government of Canada.

Mr. Cassidy: Are you justifying this kind of corporate welfare? Is the Treasurer writing the cheque right now?

Hon. Mr. Davis: I see the member for St. Catharines is nodding his head in agreement because we're helping to bail him out of an inactivity on the part of the federal government in his riding, and he well knows it.

Hon. Mr. Welch: That's right, because the federal members down there have done nothing.

Mr. S. Smith: And you think you will get a majority?

Mr. Cassidy: You will hear a lot more about this.

Hon. Mr. Davis: I'm delighted with this debate, but I've got to tell you, Mr. Speaker, it isn't finished. I'm not concerned about majorities. I'm concerned about offering good government to the people of this province. I don't let my own personal ego interfere—

Mr. S. Smith: It's the language issue, isn't it?

Hon. Mr. Davis: —with that responsibility, which is something that the Leader of the Opposition should learn.

Hon. W. Newman: What he is saying is you should put yourself on the couch.

Mr. Foulds: Time.

Hon. Mr. Davis: The problem of the Leader of the Opposition is that he's beginning to believe some of his own press clippings. That's a fundamental error. He should never make that mistake.

Mr. S. Smith: You're reading them pretty carefully these days, aren't you?

Hon. Mr. Davis: I'm not debating language here today.

Mr. Martel: You are not debating anything.

Hon. Mr. Davis: Just go across this province—and I notice you haven't done it making whatever observations you want to make in the field of language. I can only say to the Leader of the Opposition to do so. Go ahead.

Mr. Sweeney: You're using the situation for political purposes.

Hon. Mr. Davis: But I should caution him, let's do it in a non-partisan sense, which he has not done to date.

Hon. W. Newman: Sock it to him.

Hon. Mr. Davis: It is now 6 o'clock. Could I say in final conclusion that I appreciate the observations of the members opposite. Before I sit down and before the House leader moves the adjournment of the debate, may I extend to all members opposite my sincere appreciation for their co-operation on many issues, their limited co-operation on some issues—

Mr. Deans: Jesus.

Hon. Mr. Davis: —and wish them all a very pleasant vacation. We will see them here again in October.

Mr. Foulds: I don't believe it.

Mr. Sweeney: You need a recess. You need a vacation after that.

Hon. Mr. Davis: For three minutes what do you do? You take 10 minutes and you still don't get warmed up.

Hon. Mr. Welch: The Premier put the issue right on the record for the peninsula, and he did it very well. Those four federal Liberals in the Niagara Peninsula will be shivering tonight—shuddering tonight. There's no doubt about it.

Mr. Nixon: Will you pull yourself together, for God's sake?

Mr. Speaker: Order. I would like to wish all members a very peaceful, harmonious, contented summer recess. When we reconvene in the fall, perhaps you'll be a little bit more generous and a little less intemperate.

Hon. Mr. Davis: Mr. Speaker, on a point of order, are you referring to beer in the ball park?

Mr. Laughren: A by-election in Brampton.

On motion by Hon. Mr. Welch, the House adjourned at 6:05 p.m. until a date to be named by the Lieutenant Governor by her proclamation.

APPENDIX

(See pages 3909, 3920 and 3938)

ANSWERS TO QUESTIONS
ON NOTICE PAPER

BUSINESS MACHINES

22. **Mr. B. Wildman (Algoma):** Would the ministry indicate to the House the number and value of business machines—including typewriters, calculators, dictaphones, word processing systems, addressing systems, printing systems and computers—that have been purchased and/or leased by the government of Ontario over the last three years? Would the ministry list these purchases and/or leases by company and product, and indicate whether or not these machines have been fully manufactured in Canada? [Tabled March 31, 1978; interim answer tabled April 10, 1978.]

Hon. L. C. Henderson (Minister of Government Services): The answer to this question has required the gathering of a large volume of detailed information from various ministries and has taken a considerable amount of time to compile. Most of the information has been obtained concerning the number and

value of business machines. However, due to the detailed nature of this information it is suggested that the answer, to the extent that the information can be obtained, will be forwarded direct to the member by the minister's office within the next few days.

PUBLIC OPINION POLLS

29. **Mr. T. P. Reid (Rainy River):** Would the ministry provide the titles and subject matter of all public opinion polls for each government ministry, the cost of each poll, and the name of the company which conducted the poll from January 1, 1975, until April 1, 1978? Would the ministry table copies of each such opinion poll? [Tabled April 13, 1978.]

Hon. J. A. Auld (Chairman, Management Board of Cabinet): The information requested on opinion polls for the period January 1, 1975, to April 1, 1978, is attached. The polls in question constitute working documents for the development of policy and it is not the practice of the government to release material of this nature.

<u>Ministry</u>	<u>Title and Subject Matter</u>	<u>Cost</u>	<u>Company</u>
Consumer and Commercial Relations	Consumer Attitudinal Survey in North Bay, 1977. Ontario Survey to Measure the Satisfaction Level of Consumers, 1978.	\$23,200 \$33,200	Complan Research Associates Ltd. Complan Research Associates Ltd.
Education	Public Attitudes on Education Issues. Perspective on Emigration and its Implication on Ontario's Education System. Secondary/Post-Secondary Interface Study—Project One—Roles and Responsibilities of Secondary and Post-Secondary Institutions.	\$30,000 \$61,915 \$150,000 (shared with Ministry of Colleges and Universities)	Goldfarb Consultants Ltd. Goldfarb Consultants Ltd. Canadian Facts Co. Ltd.
	Attitudinal Study on Public Reaction to the Strike of Metro Toronto Secondary School Teachers. Perspectives on Current Educational Concerns. Tests of Effectiveness of Communication About the Educational System as a Basis for Recommending Improved Methods of Reporting:	\$40,000	Goldfarb Consultants Ltd.
	(a) Information Survey on "Fact Sheets." (b) Perceptions re Effectiveness and Relevance of Expenditure on Education and Related Fields.	\$11,080 \$13,000	Goldfarb Consultants Ltd. Canadian Gallup Poll
Energy	Lindsay Thermography Information Project. To determine public knowledge of, participation and reaction to ministry's pilot project.	\$2,590	Consumer Contact
	Stratford Thermography Information Project. To determine public knowledge of, participation and reaction to ministry's pilot project.	\$5,400	Thompson Lightstone Co. Ltd.
Agriculture and Food	Dissemination of Ontario Agricultural Research Findings Survey. The Consumer and Agriculture—A Survey of Attitudes Toward Ontario Farming and Its Products. A benchmark survey done to provide information for evaluation of the Foodland Ontario campaign.	\$5,000 \$20,925	Ontario Agricultural College, Guelph The Creative Research Group
Cabinet Office	Survey of Policy Perspectives. Survey on Policy Reactions and Future Needs. Survey of Current Problems and Issues.	\$8,200 \$60,000 \$10,900	Complan Research Associated Ltd. Goldfarb Consultants Ltd. Complan Research Associated Ltd.

<u>Ministry</u>	<u>Title and Subject Matter</u>	<u>Cost</u>	<u>Company</u>
Colleges and Universities	Secondary/Post-Secondary Interface Study, Project 1. The study was to assess the roles and responsibilities of secondary and post-secondary institutions as perceived by the general public, secondary school students and teachers, university faculty and faculty of colleges of applied arts and technology.	\$150,000 (shared with Ministry of Education)	Canadian Facts Co. Ltd.
	A study of Attitudes and Levels of Information Relating to the Apprenticeship System. The study was to determine the attitudes and opinions of the apprenticeship program held by ministry personnel, colleges of applied arts and technology, secondary schools, apprentices, parents, employers, unions and industry associations.	\$15,633	Marshall Fenn Ltd.
Environment	Ambitions des Francophones du Sud-est de l'Ontario par Rapport aux Colleges Algonquin et St. Laurent. The study was designed to determine the linguistic and cultural aspirations of the francophone students at the two colleges indicated, and of the residents of southeastern Ontario with respect to community colleges.	\$12,303	University of Ottawa
	Environmental Concerns.	\$8,000	The Canadian Gallup Poll Ltd.
Health	Awareness of Environmental Programs.	\$8,000	The Canadian Gallup Poll Ltd.
	Market Research Program. To measure the awareness of public health costs across Ontario.	\$2,250	Ryand Research and Promotion Ltd.
	Summary Report on General Health Study. Health cost issues.	\$24,915	The Canadian Gallup Poll Ltd.
	Summary Commentary On a Study of Public Attitudes to Mental Health Services.	\$18,005	The Canadian Gallup Poll Ltd.
	Summary-Gallup Poll-Physicians' Income, Public opinion on incomes of physicians and other comparable professional groups.	\$4,490	The Canadian Gallup Poll Ltd.

Ministry	Title and Subject Matter	Cost	Company
Housing	Public Attitudes Towards Housing In Ontario, February 1975.	\$9,972	The Canadian Gallup Poll Ltd.
	Public Attitudes Towards Housing In Ontario, February 1976.	\$9,972	The Canadian Gallup Poll Ltd.
	Public Attitudes Towards Housing In Ontario, September 1976.	\$9,600	The Canadian Gallup Poll Ltd.
	Public Attitudes Towards Housing in Ontario, September 1977.	\$9,600	The Canadian Gallup Poll Ltd.
	Psychographic Communications Study. Pilot study on government advertising.	\$7,350	Cockfield Brown & Company
	Quebec Marketing Study. To identify tourism marketing opportunities in Quebec.	\$15,000	Contemporary Research Centre Outremont, Quebec
	Advertising Awareness Study. To assess effectiveness of Ontario tourism advertising.	\$22,550	International Surveys Ltd.
	Economic Significance of Tourism. A methodological Study. To determine the economic significance of tourism.	\$8,000	Marshall, Macklin Monaghan Ltd.
	Advertising Awareness Study, 1977. To determine awareness of Ministry tourism advertising.	\$23,400	Canadian Facts Co. Ltd.
	Advertising Awareness Study, 1976. To determine awareness of Ministry tourism advertising.	\$34,350	Canadian Facts Co. Ltd.
Labour	Magazine Advertising Pretest. To solicit consumer comments on new advertisements.	\$4,780	Elrick & Lavidge, Chicago, Illinois
	German Consumer Advertising. To establish level of awareness of Ontario in Germany.	\$18,500	Infratest Marketingforschung Munich, Germany
	Chicago Market Study. To identify tourism marketing opportunities in Chicago area.	\$8,300	Elrick & Lavidge, Chicago, Illinois
	Gallup Poll—Awareness of Employment Standards.	\$3,640	The Canadian Gallup Poll Ltd.
	Gallup Poll—Awareness of Human Rights Issues, September 1976.	\$4,715	The Canadian Gallup Poll Ltd.
	Gallup Poll—Awareness of Human Rights Issues, June 1977.	\$4,020	The Canadian Gallup Poll Ltd.
	A Focused Look at Occupational Health and Safety Communications.	\$14,700	Canadian Opinion Research
	Gallup Poll—Awareness of Human Rights Issues, February 1978.	\$4,020	The Canadian Gallup Poll Ltd.

Ministry	Title and Subject Matter	Cost	Company
Management Board— Civil Service Commission	Gallup Ontario Omnibus Study, September 1976. A study concerning some public attitudes to the civil service.	\$5,400	The Canadian Gallup Poll Ltd.
Treasury, Economics and Intergovernmental Affairs	Ontario Economy and Development, A Quantitative Consumer Perspective—Phase One, August 1975. Ontario Economy and Development, A Quantitative Consumer Perspective, February 1976.	\$50,000	Goldfarb Consultants Ltd.
Transportation and Communications	Attitudes and Knowledge on Seat Belts, February and October 1975. Attitudes and Knowledge on Seat Belts, December 1975 and January 1976. Attitudes and Knowledge on Seat Belts, March 1976. Attitudes and Knowledge on Seat Belts, October 1976. Seat Belt School Program Evaluation. Public Attitudes to Ramp Metering on QEW.	\$89,000 \$37,601 \$20,700	Goldfarb Consultants Ltd. Institute for Behavioral Research Canadian Facts
	Etobicoke Freeway Noise Barrier Assessment. Ottawa Freeway Noise Barrier Assessment. Etobicoke Street Lighting Study. Oil Recycling Use and Attitudes Study. Dundas Street Lighting Study. Public Attitudes to Bus Designation Signs. Effects of Using Transit on Automobile Commuters. Public Perception and Understanding of the Energy Situation.	\$13,456 \$12,500 \$17,063 \$1,550 \$6,800 \$8,590 \$6,250 \$12,325 \$3,000 \$4,600 \$5,900 \$5,500 \$3,800	Adcom Market Facts Institute for Behavioral Research Environics Market Facts Environics Dr. C. Gordon Nationwide Market Research Environics Nationwide Market Research Ben Barkow Kennedy and Ross Social Dynamics
	Public Comprehension and Attitudes toward Printed Transit Information.	\$7,500	N.D. Lea

MERCURY CONTAMINATION

33. **Mr. J. F. Foulds** (Port Arthur): When, if ever, is the ministry going to close the English-Wabigoon River system to sport fishing? What studies, if any, have been done by the ministry about the impact of such a closure? Would the ministry table all such studies? What discussions and/or correspondence have taken place between the provincial and federal government, especially since June 1975 with a view to closing the English-Wabigoon River system to sports fishing? Would the ministry table any minutes or correspondence on this subject matter? [Tabled April 18, 1978; interim answer tabled May 1, 1978.]

Hon. F. S. Miller: (Minister of Natural Resources): The government has stated on numerous occasions that it does not intend to close the English-Wabigoon River system to sport fishing. We have rejected this suggestion as being superficial, simplistic and a procedure which would not accomplish anything of real significance. The banning of sport fishing on this system would not only be unenforceable, it would not necessarily provide any real protection to the health of Indians on the Grassy Narrows and Whitedog reserves.

Conversely, it would force the closing of local commercial enterprises such as tourist lodges and decrease employment opportunities.

When the federal government suggested that a national park in the area was being reviewed, data were developed as to the potential impact of a closure. The direct loss in revenue from closure of sport fishing was estimated to be in excess of \$2 million annually. The associated loss of tourism in northern Ontario was put at \$43 million. The cost of purchasing all lodges on the system was estimated at between \$6 million to \$12 million, although it was recognized that any system of compensation would have to allow operators the option of relocating or remaining in a position to reopen should this prove possible. Closure would result in the loss of some 300 jobs, including those of 46 Indian guides. A copy of the data developed for this analysis is attached.

The subject of closure was discussed on several occasions at meetings of the federal provincial co-ordinating committee dealing with mercury and the English-Wabigoon River system. The committee is made up of officials from several ministries and departments from both governments as well as representatives of the Indians.

MERCURY SITUATION
SUMMARY DATA RE ESTABLISHMENTS

	English Wabigoon	Winnipeg Black-Sturgeon	Total
Number of Establishments (1)	10	19	29
Employees (2)	173	133	306
Revenues of Establishments	\$1.4 million	\$1.0 million	\$2.4 million
Market value (3)	\$4 to \$9 million	\$2 to \$3 million	\$6 to \$12 million
	Resident	Non-resident	Total
Loss of fishing revenues outside of two river systems (4)			
(a) rest of Northwestern Ontario	\$0.6 million	\$14.6 million	\$15.2 million
(b) rest of Northern Ontario	6.7	21.2	27.9
	\$7.3	\$35.8	\$43.1
Total fishing revenues (all Ontario)	313	179	492
Per cent loss	2	20	9

(1) Lodge plus outpost camp under one owner counted as one establishment. Certain establishments on earlier lists excluded as being outside mercury area. Excludes Hook's Separation Lake and Ball Lake Lodges.

(2) Includes owners, staff, guides.

(3) Low figures are 1971/72 values inflated to 1976 and includes Hook's Separation Lake Camp and Ball Lake Camp; excludes Minaki. High figure is three time estimated revenues plus 1971/72 data for Hook's Separation Lake Camp and Ball Lake Lodge inflated to 1976. Minaki excluded, except for implicit sales value effect of Holst's Point Lodge.

(4) Based on 10 per cent of resident revenues; 30 per cent loss of non-resident revenues.

Material prepared by the Ministry of Industry and Tourism for the Canada-Ontario Mercury Committee.

ALUMINUM WIRING

44. **Mr. D. Warner** (Scarborough-Ellesmere): Since a commitment was made on December 16, 1977, by the Minister of Consumer and Commercial Relations to complete the report on the aluminum wiring inquiry and so inform the Legislative Assembly no later than April 30, 1978, will the minister explain: 1. why the date was not complied with, and 2. the exact date when the report will be tabled? [Tabled May 1, 1978.]

Hon. L. Grossman (Minister of Consumer and Commercial Relations): Further to the interim reply on May 15, 1978 the minister has discussed the matter with Dr. Tuzo Wilson*.

Following the conclusion of the public hearings, the commission determined that it required additional technical expertise to complete its comprehensive review of the subject. The report will be available shortly.

*Chairman of the Commission of Inquiry on Aluminum Wiring.

PODIATRY

104. **Mr. M. Breaugh** (Oshawa): Would the Ministry of Health indicate its official position towards the practice of podiatry in this province? As the Chiropody Act does not make clear the role of podiatrists, as compared to chiropodists, in the provision of foot care, would the ministry make clear the similarities and differences it sees in the services provided by these health professionals? Is there consideration being given to covering podiatry under the College of Physicians and Surgeons or the Health Disciplines Act? Are they being considered for services under OHIP? [Tabled June 14, 1978.]

Hon. D. R. Timbrell (Minister of Health): Our response to the above question reads as follows:

The practice of podiatry is not defined in Ontario Legislation. Podiatrists are registered under the Chiropody Act and the practice is defined as:

Section 6(3), chapter 70: "4. Nothing in this Act or the regulations authorizes a chiropodist, (a) to administer a drug internally or to prescribe a drug for use internally; (b) to administer an anaesthetic other than a substance applied externally to the skin; or (c) to practise medicine, surgery or mid-wifery, but nothing in this Act or the regulations prevents the treatment by a registered chiropodist of morbid conditions of the nails and skin and the resulting minor morbid conditions of the subcutaneous tissues of the human foot. RSO 1960, c. 57, s. 4".

Section 3(c), chapter 70: "1. (b) 'chiropo-

dist' means a person, other than a legally qualified medical practitioner, who practises or advertises or holds himself out in any way as practising the the treatment of any ailment, disease, defect or disability of the human foot."

Podiatrists, supported by a court decision, have interpreted the definition to include some surgery.

The regulations made under the Chiropody Act require that registrants under the Act are graduates of US-based schools of podiatry or hold equivalent qualifications. Graduates from other jurisdictions are not eligible for registration without further training and qualifications.

Chiropody is a term used to describe the care of the feet, which is limited to treatment by cutting or scrapping to the integument of the foot, and non-surgical treatment with appliances, i.e., light, heat, water or electrotherapy. Topical preparation drugs, anesthetics and x-rays are used either not at all, or to a very limited extent.

Podiatry is a term used to describe foot care which includes surgery, i.e., x-rays and the use of drugs and anesthetics.

A discussion paper on Foot Care Services in Ontario was issued in August 1977. Responses have been received and reviewed. A foot care service policy paper will be released shortly. The policy will cover the utilization of those qualified as podiatrists in the delivery of these services.

Chiropodists services are now specified as an insured service under the health insurance plan to a maximum of \$100 per person in a 12 month period excluding radiographic examinations.

ANAESTHETISTS

105. **Mr. Breaugh**: Would the Ministry of Health provide statistics as to the number of anaesthetists, by hospital in Metropolitan Toronto, (a) who are accepting payment directly from OHIP, and (b) who have opted out of OHIP? Also, would the ministry provide similar information compiled on a regional basis throughout Ontario? [Tabled June 14, 1978.]

Hon. Mr. Timbrell: Our response to the above question reads as follows:

It is not possible in the given time frame to provide this information on a "by hospital" basis. Also, that such information on a "by hospital" basis would distort the manpower position because anaesthetists commonly have appointments to more than one hospital.

Therefore, we are presenting the number of anaesthetists by county/district within the six health regions in the province.

**Number of Registered Anaesthetists by
County/District within Health Regions**

<u>County</u>	<u>Bill Plan Anaesthetists</u>	<u>Bill Patient Anaesthetists</u>	<u>Total Anaesthetists</u>
S.W. Region			
Essex	15	—	15
Lambton	—	—	2
Kent	—	—	2
Huron	—	—	—
Perth	—	—	2
Elgin	—	—	1
Middlesex	3	38	41
Oxford	—	—	—
Bruce	—	—	1
Grey	—	—	3
Total Region	—	—	67
Eastern Region			
Prince Edward	—	—	—
Hastings	6	—	6
Lennox & Addington	—	—	1
Frontenac	18	—	18
Leeds & Grenville	—	—	—
Stormont/Dundas/Glengarry	—	—	5
Prescott	—	—	—
Russell	—	—	—
Lanark	—	—	1
Renfrew	—	—	1
Ottawa-Carleton	64	3	67
Total Region	—	—	99
Central West Region			
Brant	—	—	4
Haldimand/Norfolk	—	—	—
Niagara	17	—	17
Hamilton/Wentworth	31	1	32
Waterloo	18	—	19
Halton	17	5	22
Dufferin	—	—	—
Wellington	—	—	4
Total Region	—	—	97
Central East Region			
Simcoe	—	—	4
York	9	7	16
Muskoka	—	—	—
Durham	7	—	7
Northumberland	—	—	—
Victoria	—	—	1
Peterborough	10	3	13
Haliburton	—	—	—
Peel	12	4	16
Metro Toronto	148	109	257
Total Region	—	—	314

**Number of Registered Anaesthetists by
County/District within Health Region**

	<u>Anaesthetists Bill Plan</u>	<u>Anaesthetists Bill Patient</u>	<u>Anaesthetists Total</u>
Northeast Region			
Parry Sound	—	—	1
Nipissing	—	—	—
Cochrane	—	—	1
Timiskaming	—	—	—
Manitoulin	—	—	—
Sudbury	9	—	9
Algoma	6	—	6
Total Region	<u> </u>	<u> </u>	<u>17</u>
Northwest Region			
Kenora	—	—	—
Rainy River	—	—	—
Thunder Bay	6	—	6
Total Region	<u>6</u>	<u> </u>	<u>6</u>
TOTAL	<u>426</u>	<u>174</u>	<u>600</u>

Note: The billing option breakdown is not shown where the total number of anaesthetists is five or less

OHIP BILLINGS

106. **Mr. Breaugh:** Would the Ministry of Health provide the following statistics: (a) the number of units of service performed in 1977 by doctors for which the doctors billed OHIP directly; (b) the number of units of service performed by doctors, payment for which was sent to individual subscribers of OHIP; (c) the number of units charged under Workmen's Compensation Board rates; and (d) the number of units charged over the Ontario Medical Association Schedule? [Tabled June 14, 1978.]

Hon. Mr. Timbrell: Our response to the above question reads as follows:

Statistics that show the number of services performed by all "bill plan" and "bill patient" physicians during the most recent 12 service months available are for the period of November 1976 to October 1977. It shows that of 101,203,900 units of service performed, 94,643,000 or 93.5 per cent were billed to the plan and 6,560,900 or 6.5 per cent were billed to the patient.

No data is available to provide the number of units of service billed over the OMA schedule of fees.

**Number of OHIP Insured Services
by Mode of Payment for the November 1976 to
October 1977 Service Period**

	Bill Plan Services	Bill Patient Services	Total Services
Nov./76	8,301,400	608,200	8,909,600
Dec.	6,891,900	505,800	7,397,700
Jan./77	7,448,100	558,800	8,006,900
Feb.	7,451,900	541,400	7,993,300
Mar.	8,297,500	588,600	8,886,100
Apr.	7,787,500	539,000	8,326,500
May	8,484,800	573,700	9,058,500
June	8,418,500	572,300	8,990,800
July	7,187,700	471,700	7,659,400
Aug.	7,747,800	499,200	8,247,000
Sept.	8,272,800	542,700	8,815,500
Oct.	8,353,100	559,500	8,912,600
Total	<u>94,643,000</u>	<u>6,560,900</u>	<u>101,203,900</u>
Percentage	93.5	6.5	100.0

Hon. B. Stephenson (Minister of Labour):
(c) The Workmen's Compensation Board does not identify the "units" of service but rather the number of "doctors" and the number of "invoices." Most "invoices" contain an average of three to five items.

The number of doctors who submitted "invoices" to the board in 1977 was 7,268, with a total number of invoices of 706,250. It is therefore estimated that in 1977 there was a total of 2,825,000 "units."

PSYCHIATRIC INSTITUTIONS

107. **Mr. Breugh:** Would the Ministry of Health provide the following information concerning involuntary admissions to psychiatric institutions in 1977; where; number of re-admissions; average length of stay; reasons stated for involuntary admission? [Tabled June 14, 1978.]

Hon. Mr. Timbrell: Our response to question 107 is as follows:

Where	No. of Readmissions
North Bay	163
Kingston	136
London	221
Brockville	145
St. Thomas	190
Queen Street	263
Lakeshore	207
Whitby	171
Lakehead	134
Hamilton	200
Penetanguishene	119

The average length of stay (involuntary), for 1977 was 54.2 days.

As the reason for involuntary admission per se fringes upon the confidentiality of patients' records would the member be more specific as to what he would like to know about admissions? Compiling this information would be very lengthy and the reasons innumerable.

HIRAM WALKER AND SONS LIMITED

109. **Mr. E. J. Bounsall** (Windsor-Sandwich): How much, of which specific product lines was purchased by the Ontario Liquor Control Board from Hiram Walker and Sons Limited in the months of December, January, February and March last, and in those same months the year previous and the total of same purchased for the year 1977? [Tabled June 15, 1978.]

Hon. Mr. Grossman:

	Dec. 1, 1977 to Mar. 31, 1978	Dec. 1, 1976 to Mar. 31, 1977	Calendar Year 1977
	Cases	Cases	Cases
Whiskies			
Carleton Tower	575	773	4,334
Canadian Club	103,020	104,225	401,754
Imperial	13,264	12,779	53,078
Gold Crest	7,564	10,624	37,412
Special Old	86,802	89,039	310,077

	Dec. 1, 1977 to Mar. 31, 1978	Dec. 1, 1976 to Mar. 31, 1977	Calendar Year 1977
	Cases	Cases	Cases
Gins			
Walkers Crystal	3,927	4,271	19,098
Buckingham	642	638	1,897
Rums			
Maraca	8,637	9,349	35,922
Government House	1,125	780	3,277
Vodka			
Walkers Crystal	4,328	5,277	17,388
Liqueurs			
Chocolate Mint	1,029	846	4,256
Swiss Chocolate	3,391	1,509	9,177
Creme de Menthe	994	853	4,221
Apricot	585	319	1,857
Peppermint			
Schnapps	1,688	940	3,513
Amaretto	410	-	1,425

CHARTER OF ONR TRAIN

110. Mr. Wildman: Was a special ONR train chartered to travel from Timmins to Iroquois Falls, return, on June 8, 1977? If so, who was the client(s) who chartered the train? How much did ONR bill the client(s) for this charter? How many ONR employees worked on this charter run? How much of the cost of the charter train resulted from overtime pay for employees of this train? How many passengers travelled on the train? What was the total bill for food and beverage refreshments on the trip? [Tabled June 16, 1978.]

Hon. L. Bernier (Minister of Northern Affairs): Yes, a special train was chartered. The client was Mr. G. Spooner, PO Box 130, Timmins, Ontario. He was charged \$2,500 for the charter. There was a crew of five on the train; no overtime pay was required. There was sufficient accommodation for approximately 480 passengers. There was no dining car and therefore no bill for either food or beverage refreshments.

REDUCTIONS IN SPENDING

111. Mr. S. Smith (Hamilton West): With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Chairman of Management Board of Cabinet specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where

applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

Program	Activity	Constraint
		(\$000)
Ministry		
Administration	Contingencies	52,269.9
[Tabled June 20, 1978.]		
112. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Government Services specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?		
Program	Activity	Constraint
		(\$000)
Provision of Accommodation	Capital Construction Leasing Real Property Acquisition	23,789.6 2,320.5 5,062.5
[Tabled June 20, 1978.]		
113. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Northern Affairs specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?		
Program	Activity	Constraint
		(\$000)
Northern Communities Assistance	Community Priorities	8,818.0
Regional Development	Regional Priorities Resource Access Roads	2,100.0 500.0
[Tabled June 20, 1978.]		
114. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper		

question 45, will the Minister of Revenue specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u> (\$000)
Guaranteed Income and Tax Credit	Administration	9,867.6

[Tabled June 20, 1978.]

115. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of TEIGA specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u> (\$000)
Finance	Fiscal Policy	10,450.0
	Public Debt	8,000.0
	Development Loans	7,662.0
Local Government Affairs	Local Government Project Implementation	3,140.0 5,016.5

[Tabled June 20, 1978.]

116. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Attorney General specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u> (\$000)
Courts Administration	Provincial Courts	3,242.7

[Tabled June 20, 1978.]

117. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper

question 45, will the Minister of Correctional Services specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u> (\$000)
Rehabilita- tion	Client Services— of Juveniles	28,559.0

[Tabled June 20, 1978.]

118. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Agriculture and Food specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u> (\$000)
Rural Develop- ment	Rural Develop- ment Projects	5,740.5

[Tabled June 20, 1978.]

119. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Energy specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u> (\$000)
Energy Conser- vation	Energy Conserva- tion Projects	1,265.0

[Tabled June 20, 1978.]

120. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Industry

and Tourism specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u>
		(\$000)
Industrial Incentives and Development Northern Ont.	Ont. Development Corporation	3,050.0
	Development Northern Ont. Development Corp.	2,330.0

[Tabled June 20, 1978.]

121. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Housing specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u>
		(\$000)
Community Planning	Plans Admin. Com. Renewal	20,309.0 4,250.0
Community Development	Com. Land Development	2,200.0
Ont. Housing Corporation	Ont. Housing Corp.	14,200.0
Ont. Mortgage Corporation	Ont. Mortgage Corp.	13,200.0
Home Buyers Grant	Home Buyers Grant	598.0

[Tabled June 20, 1978.]

122. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of the Environment specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u>
		(\$000)
Environmental Assessment and Planning	Program Admin.	1,762.0
Environmental Control	Utility: Plan Development and Construction	18,270.0
Resource Recovery	Waste Utilization	813.0

[Tabled June 20, 1978.]

123. Mr. S. Smith: With reference to the answer tabled May 16, 1978 to notice paper question 45, will the Minister of Transportation and Communications specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u>
		(\$000)
Provincial Transit	Capital and Construction	7,600.0
Municipal Transit	Capital and Construction	15,230.0

[Tabled June 20, 1978.]

124. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Colleges and Universities specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

<u>Program</u>	<u>Activity</u>	<u>Constraint</u>
		(\$000)
Colleges and Adult Educ. Support	Support for Colleges and Applied Arts and Technology and other organizations	4,075.0
Student Affairs	Student Support	6,055.0

[Tabled June 20, 1978.]

125. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Community and Social Services specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

Program	Activity	Constraint (\$000)
Social		
Resources	Income Maintenance	9,806.0
	Social Services	100,775.0
Develop- mental		
Resources	Com. Programs	14,825.7
Children's Services	Child Welfare and Health Services	8,742.5

[Tabled June 20, 1978.]

126. Mr. S. Smith: With reference to the answer May 16, 1978, to notice paper question 45, will the Minister of Education specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

Program	Activity	Constraint (\$000)
Education	School Business and Finance	9,513.3

[Tabled June 20, 1978.]

127. Mr. S. Smith: With reference to the answer tabled May 16, 1978, to notice paper question 45, will the Minister of Health specify how spending was reduced for the following programs and activities net of supplementary estimates, special warrants or MBOs where applicable, for the fiscal year 1977-78? Will the minister explain how the savings were achieved for these activities in terms of programs cancelled, reduced or deferred and any personnel changes or reductions resulting from the above?

Program	Activity	Constraint (\$000)
Ministry		
Admin. and Health Insur.	Health Insurance	16,349.7
Institutional		
Health Serv.	Direct Services— Administration	40,881.3
	Institutional Care Services	66,341.5
Community		
Health Serv.	Community Health Services	4,815.1

[Tabled June 20, 1978.]

Hon. Mr. Auld: Questions 111 to 127 were answered in the House today by a statement.

ONTARIO EXPERIENCE '78

128. Mr. S. Smith: Will the Provincial Secretary for Social Development tell the House how many students have been hired this year under the Ontario Experience '78 program? Please provide a breakdown by electoral district showing the number of students in the program from each such district, as is done for the Junior Ranger program [Tabled June 22, 1978.]

Hon. M. Birch (Provincial Secretary for Social Development): The number of students hired this year under the Ontario Experience '78 program is 13,500. Students are not hired by electoral district but by ministry program.

RESPONSE TO PETITION TENANT PROTECTION

Hon. Mr. Grossman: I wish to respond to the following petition:

"In keeping with section 83 of the standing orders of the Legislative Assembly of Ontario, I am petitioning the Lieutenant Governor and the Legislative Assembly:

"Since it will not be possible for legislation to be drafted, introduced, given adequate discussion, and passed between the June 15, 1978, reporting date of the standing general government committee and the deadline of the end of September 1978, which must be met for legislation to take effect on January 1, 1979, that the present rent review legislation be extended for at least six months as an interim measure."

The petition is on behalf of, and signed by Dr. Jan Duksza, MPP, Parkdale.

Further to the interim answer of June 5, 1978, the minister reviewed the report of the standing general government committee. He introduced Bill 124, An Act to amend the Residential Premises Rent Review Act, on Friday, June 16. Bill 124 received third reading on June 22.

**ALPHABETICAL LIST OF MEMBERS OF THE
LEGISLATURE OF ONTARIO**

(125 members)

Second Session of the 31st Parliament

Speaker: **Hon. John E. Stokes**

Clerk of the House: **Roderick Lewis, QC**

Member	Constituency	Party
Ashe, G	Durham West	PC
Auld, Hon. J. A. C.	Leeds	PC
Baetz, Hon. R. C.	Ottawa West	PC
Belanger, J. A.	Prescott and Russell	PC
Bennett, Hon. C.	Ottawa South	PC
Bernier, Hon. L.	Kenora	PC
Birch, Hon. M.	Scarborough East	PC
Blundy, P.	Sarnia	L
Bolan, M.	Nipissing	L
Bounsall, E. J.	Windsor-Sandwich	NDP
Bradley, J.	St. Catharines	L
Breaugh, M.	Oshawa	NDP
Breithaupt, J. R.	Kitchener	L
Brunelle, Hon. R.	Cochrane North	PC
Bryden, M.	Beaches-Woodbine	NDP
Campbell, M.	St. George	L
Cassidy, M.	Ottawa Centre	NDP
Charlton, B.	Hamilton Mountain	NDP
Conway, S.	Renfrew North	L
Cooke, D.	Windsor Riverside	NDP
Cunningham, E.	Wentworth North	L
Cureatz, S.	Durham East	PC
Davidson, M.	Cambridge	NDP
Davis, Hon. W. G.	Brampton	PC
Davison, M. N.	Hamilton Centre	NDP
Deans, I.	Wentworth	NDP
di Santo, O.	Downsview	NDP
Drea, Hon. F.	Scarborough Centre	PC
Dukszta, J.	Parkdale	NDP
Eakins, J.	Victoria-Haliburton	L
Eaton, R. G.	Middlesex	PC
Edighoffer, H. (Deputy Speaker)	Perth	L
Elgie, R.	York East	PC
Epp, H.	Waterloo North	L
Foulds, J. F.	Port Arthur	NDP
Gaunt, M.	Huron-Bruce	L
Germa, M. C.	Sudbury	NDP
Gigantes, E.	Carleton East	NDP
Grande, A.	Oakwood	NDP
Gregory, M. E. C.	Mississauga East	PC
Grossman, Hon. L.	St. Andrew-St. Patrick	PC
Haggerty, R.	Erie	L
Hall, R.	Lincoln	L
Handleman, S. B.	Carleton	PC

Member	Constituency	Party
Havrot, E.	Timiskaming	PC
Henderson, Hon. L. C.	Lambton	PC
Hennessy, M.	Fort William	PC
Hodgson, W.	York North	PC
Johnson, J.	Wellington-Dufferin-Peel	PC
Jones, T.	Mississauga North	PC
Kennedy, R. D.	Mississauga South	PC
Kerr, Hon. G. A.	Burlington South	PC
Kerrio, V.	Niagara Falls	L
Lane, J.	Algoma-Manitoulin	PC
Laughren, F.	Nickel Belt	NDP
Lawlor, P. D.	Lakeshore	NDP
Leluk, N.G.	York West	PC
Lewis, S.	Scarborough West	NDP
Lupusella, A.	Dovercourt	NDP
MacBeth, J. P.	Humber	PC
MacDonald, D. C.	York South	NDP
Mackenzie, R.	Hamilton East	NDP
Maack, Hon. L.	Parry Sound	PC
Makarchuk, M.	Brantford	NDP
Mancini, R.	Essex South	L
Martel, E. W.	Sudbury East	NDP
McCaffrey, B.	Armourdale	PC
McCague, Hon. G.	Dufferin-Simcoe	PC
McClellan, R.	Bellwoods	NDP
McEwen, J. E.	Frontenac-Addington	L
McGuigan, J.	Kent-Elgin	L
McKeough, Hon. W. D.	Chatham-Kent	PC
McKessock, R.	Grey	L
McMurtry, Hon. R.	Eglinton	PC
McNeil, R. K.	Elgin	PC
Miller, Hon. F. S.	Muskoka	PC
Miller, G. I.	Haldimand-Norfolk	L
Newman, B.	Windsor-Walkerville	L
Newman, Hon. W.	Durham-York	PC
Nixon, R. F.	Brant-Oxford-Norfolk	L
Norton, Hon. K.	Kingston and the Islands	PC
O'Neil, H.	Quinte	L
Parrott, Hon. H. C.	Oxford	PC
Peterson, D.	London Centre	L
Philip, E.	Etobicoke	NDP
Pope, A.	Cochrane South	PC
Reed, J.	Halton-Burlington	L
Reid, T. P.	Rainy River	L. LAB.
Renwick, J. A.	Riverdale	NDP
Rhodes, Hon. J. R.	Sault Ste. Marie	PC
Riddell, J.	Huron-Middlesex	L
Rollins, C. T.	Hastings-Peterborough	PC
Rotenberg, D.	Wilson Heights	PC
Rowe, R. D.	Northumberland	PC
Roy, A. J.	Ottawa East	L
Ruston, R. F.	Essex North	L
Samis, G.	Cornwall	NDP

Member	Constituency	Party
Sargent, E.	Grey-Bruce	L
Scrivener, M.	St. David	PC
Smith, G. E.	Simcoe East	PC
Smith, S.	Hamilton West	L
Snow, Hon. J. W.	Oakville	PC
Stephenson, Hon. B.	York Mills	PC
Sterling, N. W.	Carleton-Grenville	PC
Stokes, Hon. J. E.	Lake Nipigon	NDP
Stong, A.	York Centre	L
Swart, M.	Welland-Thorold	NDP
Sweeney, J.	Kitchener-Wilmot	L
Taylor, G.	Simcoe Centre	PC
Taylor, J. A.	Prince Edward-Lennox	PC
Timbrell, Hon. D. R.	Don Mills	PC
Turner, N.	Peterborough	PC
Van Horne, R.	London North	L
Villeneuve, O. F.	Stormont-Dundas-Glengarry ...	PC
Walker, G.	London South	PC
Warner, D.	Scarborough-Ellesmere	NDP
Welch, Hon. R.	Brock	PC
Wells, Hon. T. L.	Scarborough North	PC
Wildman, B.	Algoma	NDP
Williams, J.	Oriole	PC
Wiseman, Hon. D. J.	Lanark	PC
Worton, H.	Wellington South	L
Yakabuski, P. J.	Renfrew South	PC
Young, F.	Yorkview	NDP
Ziamba, E.	High Park-Swansea	NDP

MEMBERS OF THE EXECUTIVE COUNCIL

Hon. W. G. Davis	Premier and President of the Council
Hon. R. Welch	Minister of Culture and Recreation and Deputy Premier
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Hon. R. Brunelle	Provincial Secretary for Resources Development
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